

ONLINE JOURNAL™

www.onlinejournal.com

Theocracy Alert

Chicken Little and the evangelical Christian Right

The ruling of Judge Richard Kramer

By Mel Seesholtz, Ph.D.

Online Journal Contributing Writer

March 26, 2005—Every time there's a court decision supportive of equal rights for gay Americans, representatives of the evangelical Christian Right beat their breasts and do the Chicken Little thing.

"Activist judges!" (Followed by rancorous name-calling, childish insults, and calls for a campaign to remove the offending judges from the bench.)

"The end of society!" (Followed by more rancorous name-calling, more childish insults, and a cornucopia of irrationality.)

"God tell us that . . ." (Followed by even more rancorous name-calling and childish insults embedded within a cornucopia of irrationality garnished with the usual biblical quotes.)

Case in point, the Christian news service AgapePress's March 15 [story](#) about the ruling of San Francisco Superior Court Judge Richard Kramer: "Groups Say Calif. Judge 'Arrogant,' 'Irrational' in Marriage Ruling: Decision Labels Prop. 22 Unconstitutional, Trashes Peoples' Vote." The piece quickly documented that "using words like 'irrational' and 'arrogant' to describe the judge—and 'nonsensical' and 'crazy' to describe the ruling—the ["pro-family"] groups see the whole situation as another example of judicial activism."

How can these groups claim to be "pro-family" and simultaneously fight so bitterly to make sure same-sex families receive none of the financial benefits or legal protections opposite-sex families have? Their actions seem especially egregious considering that, according to the [Adoption Family Center](#), there are between 8 and 10 million children being reared in gay and lesbian families. How can someone be "pro-family" while working *against* families?

The same "pro-family" groups always claim to be trying to "protect the children." Yet they oppose any measures that would help protect gay and lesbian children in the nation's public schools. An early 2005 [report](#) issued by Parents, Families and Friends of Lesbians and Gays (PFLAG) documented that 95 percent of counseling services in the nation's public schools have little or no gay, lesbian or bisexual resources. Focus on the Family's *CitizenLink*—a media outlet for Dr. James Dobson of SpongeBob fame—began its [story](#) about the PFLAG report with this: "A major support group for the relatives of homosexuals has released its analysis of the nation's schools, and while many family advocates will find the results encouraging . . ."

It's "encouraging" that gay, lesbian and bisexual students are unsupported and, therefore, made even more vulnerable to the effects of the bullying, harassment and violence faith-based antigay rhetoric promotes? What kind of "Christian pro-family protect-the-children" attitude is that?

Rev. Phil Emerson of Good Shepherd United Methodist Church in Fort Wayne, Indiana, was correct when he said, "One cannot [promote] hate in the name of God." Nevertheless, the web site of Rev. Louis Sheldon's Traditional Values Coalition offers a wealth of articles promoting hatred of and discrimination

against gay and lesbian Americans. Daily, the TVC beats its faith-based drums and calls upon “values voters” to make sure gay and lesbian citizens are demeaned and denied equal rights, especially the civil right to enter into the civil union called “marriage” even when it’s not called “marriage.” Rev. Sheldon concluded his March 8 [invective](#) calling on the faithful to defeat proposed legislation in Connecticut that would give same-sex couples the right to a “civil union” by saying “The future of the family and of the emotional well-being of children is at stake.”

Yes, the financial and legal futures of same-sex families and the well-being of their children are at stake. But that’s not what the reverend meant. Sheldon doesn’t see gays and lesbians as equal citizens, and he doesn’t see their families at all. Apparently “with liberty and justice for all” are not among the “traditional values” he supports.

But the approved traditional values of name-calling and insults continued—accompanied by the usual call for removal—in reactions from Christian pro-family groups to Judge Kramer’s decision: “Robert Knight of the [Culture and Family Institute](#) called Kramer ‘yet another irrational judge who is imposing [his] own radical agenda, ignoring the law and the will of the people.’” Jan LaRue of [Concerned Women for America](#) continued the traditional values tirade: “a ‘rogue judge’ like Kramer ‘who can’t find one rational reason for upholding marriage needs to turn in his robe. Californians should remove Kramer from office because of this scandalous ruling.’”

As for Ms. LaRue’s concern about the “will of the people,” a year after the U.S. Supreme Court struck down faith-based laws against interracial marriage and ruled that marriage is “one of the basic civil rights of man” and the freedom to marry is “essential to the orderly pursuit of happiness” ([Loving v. Virginia](#)), a Gallup poll showed 72 percent of Americans opposed the legalization of interracial marriage. Those American voters were wrong. Perhaps that’s why the Founding Fathers believed in checks and balances, and why they placed so much faith in the courts to adjudicate their intent: liberty, justice and equality for *all* American citizens regardless of current religious “truths” and political trends.

The evangelical Christian Right damned Judge Kramer and his decision as “irrational” and “crazy,” but the remarks of [Randy Thomasson](#), spokesman for the Sacramento-based Campaign for Children and Families, went much further. That someone representing an organization called “Campaign for *Children and Families*” would make such vile, hateful remarks should be cause for concern. Because he disagreed with the court’s decision, Thomasson called Judge Kramer a “twisted . . . arrogant judge” who “hates marriage and the voters.” How’s that for hysterical irrationality?

But the CCF spokesman wasn’t done. He also had this to say: “This is not an equal protection case. . . . Every adult Californian already has equal access to marriage as proved by law, regardless of race, ethnicity, gender, or sexual orientation. Instead, this actually is the establishment of a completely new privilege that never existed before.”

Now *that’s* sophistry worthy of an Ignoble Prize. Clearly, “every adult Californian . . . regardless of race, ethnicity, gender, or sexual orientation” does not already have “access to marriage.” That’s what the whole case was about. Gay Californians and gay Americans (except for those living in Massachusetts) do not have equal access to civil marriage. But Mr. Thomasson slipped in the phrase “as provided by law.” The “law” he was referring to was the one Judge Kramer declared unconstitutional. Perhaps Thomasson should examine the ultimate law—the state’s constitution—where he’d find the phrase “equal protection of the law.” Proposition 22 denied that equal protection, which is why Judge Kramer declared it unconstitutional. Mr. Thomasson and the rest of the leaders of the evangelical Christian Right might also want to check a dictionary for the meanings of the words “equal” and “protection,” since they obviously don’t know them: a fact made evident in Thomasson’s use of “privilege.”

In fact, a campaign to get evangelicals to read their dictionaries might be a good idea. Consider the comments of Thomas Wang, an evangelical pastor who also who heads a missionary organization called [Great Commission Center International](#) in Mountain View, California: “If this [Proposition 22] is unconstitutional, there is another constitution to answer to, and that is the word of God.” With a good dictionary, Wang could discover that “constitution” is not a synonym for “bible.”

According to Joe Garofoli's March 15 *San Francisco Chronicle* article, [The Opposition: 'Activist court' ruled predictably, but fight far from over](#), reporting reactions to Judge Kramer's ruling, Wang was particularly disturbed by a portion of Kramer's ruling that rejected the notion that one of the functions of state law was to promote procreation and child-rearing by a husband and wife.

Kramer wrote, "One does not have to be married in order to procreate, nor does one have to procreate in order to be married."

Wang responded by quoting Chapter 18, Verse 22 of the Old Testament, Book of Leviticus, describing God's instructions to Moses: "You shall not lie with a male as with a woman; it is an abomination."

"If everyone in the world would follow the same-sex pattern, then there would be genocide," said Wang.

Armed with a good dictionary, Rev. Wang could look up the word "consistency." If he holds Leviticus 18:22 to be valid, one must assume that he also advocates the validity of Leviticus 24:10 that calls for anyone who "hath cursed" to be stoned to death, Leviticus 20:14 that calls for sinners to be burned to death, and Leviticus 15:19 that commands a menstruating woman be "put apart seven days, and whosoever toucheth her shall be unclean," as well as Leviticus 24:11-16 that call for a community gathering in order to stone to death those who plant two different crops in the same field or wear garments made of two different kinds of threads. One has to wonder what different threads were woven together in the garments Rev. Wang was wearing the day he made his statements.

A good dictionary would also help him discover the meaning of "genocide." Just in case he's reading, here's the definition from the eleventh edition of *Merriam-Webster's Collegiate Dictionary*: "Genocide: the deliberate and systematic destruction of a racial, political, or cultural group." Wrong word, reverend, but it does appertain to the evangelical community's attitude toward gay Americans and their families.

Dr. Allen Carlson of the Howard Center for Family, Religion and Society and Paul Mero of the Sutherland Institute, "an independent, non-profit, public policy group that seeks lasting solutions to community problems by transcending politics as usual" by engaging in politics as usual, have concocted a [manifesto](#) defining what "family" is: "the union of a man and a woman through marriage for the purposes of sharing love and joy, propagating children, providing their moral education, building a vital home economy, offering security in times of trouble and binding the generations."

Clearly meant to exclude rather than include, according to this definition single-parent households, unmarried couples rearing their children and same-sex parents rearing their children are not "families." And if they're not families, the Carlson-Mero definition could be used to suggest they cannot provide for their children's moral education, build a vital home economy, offer security in times of trouble, or provide a binding link to future generations.

Most people—especially those involved in loving non-family families—would find that statement ludicrous, although some may stumble over the word "moral." Inevitably, the objections to homosexuality and marriage equality rest on the slippery-slope of "morality" and a pervasive unspoken assumption.

"Morality is simply the attitude we adopt towards people we personally dislike." (Oscar Wilde)

"Morality is always the product of terror; its chains and strait-waistcoats are fashioned by those who dare not trust others, because they dare not trust themselves, to walk in liberty." (Aldous Huxley)

The unspoken assumption is that personal morality stems solely from the dogma of organized religion. Gresham Riley, former president of the Pennsylvania Academy of the Fine Arts and president emeritus of Colorado College, addressed the subject in an OpEd in *The Philadelphia Inquirer*, December 4, 2003, following the Massachusetts Supreme Judicial Court's ruling legalizing same-sex marriages in that state: "Religion is neither a necessary nor a sufficient condition for morality." Dr. Riley supported his contention by the existence of moral systems that do not depend on religion. Among his examples were the Platonic

belief that moral principles are objective: “Platonic thought was the basis for many of the Enlightenment ideas of our Founding fathers, including the self-evident (to them) moral precept that all men are created equal.”

Dr. Riley also argued, “Neither is religion a sufficient condition for moral behavior. If it were, we would not encounter so many examples of devoutly religious individuals—and of prominent religious groups—engaged in acts most people believe to be immoral. As for individuals, we have the distressing case of pedophilic Catholic priests and the suicide bombings by followers of Islam who think that killing innocents is justified on religious grounds. As for religious groups, we had evangelical Protestants who provided biblical justifications for a segregated South, and closer in time we have a Catholic hierarchy who created and sustained a culture of protection in which people were sacrificed for institutional image.”

Stripped of its religious vestments, what is “morality”? The eleventh edition of the *Merriam-Webster’s Collegiate Dictionary* defines it as “conformity to ideals of right human conduct.” That seems simple enough. Two gay people fall in love and wish to commit their lives to each other and, thereby, create a family and a home and contribute to the stability and well being of society. In short, they wish to get married: “conformity to ideals of right human conduct.” So what’s the problem?

As Wilde and Huxley noted, “morality” *in use* is purpose-driven. From Wilde’s perspective, it’s a means to an end: publicly expressing personal dislikes with immunity from social criticism (or legal action). From Huxley’s perspective, it’s also a means to an end: preventing other people from doing what the faith-based moralist is restrained from doing, just as the etymology of “religion” suggests.

Religion n, [ME *religioun*, fr. AF *religium*, L *religion-*, *religio* supernatural constraint, sanction, religious practice, perh. Fr. *religare* to restrain, tie back]

“*Religare* to restrain, tie back.” Spirituality is an inherent part of being human. For most it’s a personally liberating and uplifting experience, an encouragement to grow and evolve to more conscious perceptions of realities and, as Huxley said, a call to “walk in liberty.” But when personal spirituality is organized into a religion, an institution is produced and, as all institutions, it produces a hierarchy who produce fundamentalist dogma (company policy) that has little to do with spirituality and everything to do with maintaining social and political control.

In responding to a reader’s inquiry about [Karen Armstrong's](#) book on fundamentalism, [The Battle for God](#) (Ballentine, 2000), [Rev. John Spong](#) made the point quite clearly: “fundamentalism has little to do with religious truth. It is rather a security seeking, defense mechanism used by frightened people. Fundamentalism rises out of an inner need for certainty that the world will never provide. That is also why there is such anger in fundamentalism, as well as great hostility toward those who are not by their definition ‘true believers.’” Not surprisingly, “true believers” was also *the* criterion for judgment during the 300-year Holy Inquisition in what are appropriately call “the Dark Ages.”

That same dark fear, anger and hatred are well on their way into the civil laws of this country. “Red” states pass constitutional amendments to make gay Americans permanent second-class citizens, and the political minions of the Christian Right quietly introduce legislation in Washington to put such discrimination beyond the reach of the federal courts. On March 10, House Majority Whip Roy Blunt (R-MO) introduced [The Federal Consent Decree Fairness Act](#). Among its cosponsors was that pillar of ethics and morality Rep. [Tom DeLay](#) (R-TX), who has publicly stated he’s “on a mission from God to promote a ‘biblical worldview’ in American politics.” The purpose of the legislation is to restrict the power of the federal courts to issue rulings on such issues as God, homosexuality, and religious freedom. Companion legislation was introduced in the Senate. Among its cosponsors was Jon Kyl (R-AZ), one of the seven top-ranking Republicans who boast a [100 percent approval rating](#) from the Christian Coalition.

Chicken Little was wrong. The sky was not falling, nor has it fallen in Massachusetts despite the December 2003 prognostication of Steve Crampton, chief counsel for the [Center for Law and Policy](#): “Unless the people of the State of Massachusetts rise up with one voice in opposition to this lawless and socially destructive behavior [two people getting married], it will destroy society as we know it.”

All those irate “pro-family Christians” belching forth personal attacks on Richard Kramer *and* juristic attacks on Judge Richard Kramer are wrong, too. He is not a secularist, a liberal, or an “activist judge.” As all responsible jurists must, [Judge Kramer](#) separated his personal beliefs from his professional responsibilities. And therein lies the crux of the matter. The Christian Right believes that personal religious beliefs should dictate professional decisions. So if one’s twisted-cross version of “Christianity” says Jews and Blacks, homosexuals and all non-“true believers” are inferior and hell bent on breaking “God’s law,” they must be treated accordingly in legal, medical, educational, and other professional venues. In short, they must be segregated out and kept in their place until “they” can be purged from the state.

On Friday, March 18, Rep. Dan Lungren (R-CA) reintroduced into the U.S. House of Representatives a proposed [amendment](#) to the United States Constitution, a document whose purpose it was to assure and protect the equality of all American citizens:

Marriage in the United States shall consist only of a legal union of a man and a woman.

No court of the United States or of any State shall have jurisdiction to determine whether this Constitution or the constitution of any State requires that the legal incidents of marriage be conferred upon any union other than a legal union between one man and one woman.

No State shall be required to give effect to any public act, record, or judicial proceeding of any other State concerning a union between persons of the same sex that is treated as a marriage, or as having the legal incidents of marriage, under the laws of such other State.

A similar proposal—[The Marriage Protection Amendment](#)—was reintroduced in the U.S. Senate by Wayne Allard (R-CO). The intent is clear: use the law to further marginalize *them* “until ‘they’ can be purged from the state.” Only thing is, the supply of *them* and “they” needs to be . . . unlimited. What good is moral outrage without some group of people to rage against? And what good is “political capital” (as Mr. Bush called it) if morally outraged politicians don’t spend it?

The words of [Pastor Martin Niemöller](#) come to mind . . .