



Dr. Fred Schwarz

The Schwarz Report



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by Joannie Fischer

“We fight to empower young people. We stand for workers’ democracy and socialism. We are active partisans in the class struggle!”

To the general public, Karl Marx may seem buried alongside other icons of history, but as the manifesto of Youth for Socialist Action makes clear, on college campuses he is very much alive, a beacon to a new generation of student activists and the teachers who mentor them. Concerns about globalization and the war with Iraq have boosted interest in Marxism to the extent that students are demanding—and sometimes getting—changes in policies and curricula at campuses from Harvard to the University of California.

Marx has a long-standing symbiotic relationship with students seeking to reshape their society. As early as 1905, students formed the Intercollegiate Socialist Society to promote Marx’s ideals. The more famous Students for a Democratic Society—which spearheaded the “counterculture” movement and coined the phrase “Make love, not war”—was launched in 1960. And in 1964, Berkeley student Mario Savio protested the “oppression” of the Berkeley administration with a campuswide sit-in and kicked off the free speech movement by quoting many of Marx’s ideas.

“Marx helped many of us who were students during the time of the civil rights movement and the Vietnam War to understand the injustices all around us,” says Richard Wolff, a Marxist professor of economics at the University of Massachusetts-Amherst. “Marx showed us how capitalism brings about the oppression of the majority by the minority, and that it inevitably leads to imperialism and war.

“In fact, the struggles of the 1960s led an entire generation of intellectually minded youth to espouse Marxist ideals. Over the decades many of those activists would come to hold senior positions on university faculties—so many that the common joke now circulates: “Why are there no Marxists left in the former Soviet Union?” Answer: “Because they’ve all found jobs as professors at American universities.” Marxists found their way to academia, Wolff says, because higher education is in many ways a critique of society that asks the question: “Can we do better?”

The exploding interest in Marx has led to a proliferation of Marxist department heads and textbooks. In the 1960s, only a handful of universities taught courses in Marxism; today that number is well over 400. By one estimate, the number of Marxist professors in the United States had reached 10,000 by the mid-1980s.

Dwell on the past and you’ll lose an eye; forget the past and you’ll lose both eyes.” Old Russian Proverb

A conservative backlash that emerged during the Reagan years attacked Marx on campus, with several intellectuals rallying the public against Marxist academics in popular books such as *Tenured Radicals*, *The Closing of the American Mind*, and *Illiberal Education*. The socialist-minded professors had so politicized their teachings, critics argued, that the result was “intellectual carnage” throughout higher education. In the climate of intense scrutiny, many universities grew more cautious about choosing Marxist professors for top positions.

But Marx is so entrenched in courses ranging from literature to anthropology, and addressing topics on everything from class systems of Victorian England to alienation expressed by hip-hop culture, says Joseph Childers, English professor at the University of California-Riverside, that today’s students are virtually bathed in Marx’s ideas. “Whether students realize it or not,” he says, “Marx is always right there, permeating the discussion.”

Marx’s ideas about exploitation, alienation, and class struggle are more vibrant than at any time in the past 20 years, says Notre Dame economist David Ruccio, editor of the academic journal *Rethinking Marxism*. He points to conferences sponsored by the journal that regularly attract more than 1,000 scholars and students.

Yet whether Marx actually belongs on campus remains a topic of continued debate. At Notre Dame, there is a movement afoot to split the Marxist-dominated economics department into two camps, to allow for more non-Marxist theory to be taught. The opposite movement is under way at Harvard, where more than 600 students have signed a petition asking the school to offer an alternative to the introductory economics course long taught by Reagan-era conservative Martin Feldstein. The students want the option of learning from Marxist Stephen Marglin instead.

Many students, especially activists, are keenly aware of Marx today. “I grew up in a family of seven, with my parents away working all the time but bringing home less than \$20,000,” says Ana Rizo, who recently graduated from the University of California-Santa Barbara, “I always knew something was wrong with that picture, but it wasn’t until I got to college and read Marx that I saw how capitalism is set up to benefit a few people and keep the rest down.” Rizo now works for the Student Labor Action Project, a socialist-minded group dedicated to worker’s rights. Over the past year, growth in the group’s active campuses has surged from 118 in 2002 to nearly 300 in 2003.

The recent swell of socialist action originated with the World Trade Organization protests in Seattle, where groups such as the “Dot.Commies” proved that young revolutionaries would thwart the “establishment” with concerted effort. “It sort of hit us out of the blue that we could actually be that effective,” says Rizo. “Since then, groups from different campuses have been banding together to foster Marx’s goals of social justice.” To be sure, many of the students are hopelessly naïve, utopian, and prone to adolescent anti-establishment fervor; they often sign off messages with “Against empire” or “Fight the power.”

The rise of the Internet has played a huge part in fostering student activism, says Aaron Kreider, who earned a master’s from Notre Dame in January. Kreider created a Web site called “Campus Activism,” a directory of progressive student groups and a place for leftist-minded activists to post ideas. So far over 300 campus groups have registered.

E-mail groups have launched a phenomenon dubbed “E-activism.” At any given time, Kreider belongs to between 50 and 100 liberal listservs, including “Red Youth.” The postings are often outlandish, accusing the U.S. government of everything from secretly murdering students and journalists to using drugs to brainwash schoolchildren. Still, Kreider thinks they have value. “If students on one campus need help forming a good argument for their cause, they can find it,” he says. One posting, he says, inspired him to lead just 10 students in a successful bid to force Notre Dame to ban the use of foreign sweatshops to produce any clothing bearing the university’s name. Since then, a group called United Students Against Sweatshops has sprung up, with dozens of successful campaigns to its credit.

But it is the war with Iraq that has brought student socialist activism to a fervor not seen since Vietnam. The anti-war movement is spurring students such as Jessica Walter, who studies at an alternative medicine school in New York, to take up the cause. “I had always agreed with my friends who were fighting capitalist greed,” says Walter. “But it wasn’t until Iraq that everything crystallized for me.” As long as capitalism persists, argued Marx, there will be poverty and war. Likewise, as long as poverty and war persist, it seems, there will be Marx—and young activists who hail him.

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The Gulag, as it Really Was

by Brian Crozier

It was bold, as well as ambitious, for Anne Applebaum to take on the gigantic task of writing a history of the late Soviet Union's Gulag, and it pleases me to say that she has proved herself right. Her book, *Gulag: A History*, [published by Doubleday] is an outstanding achievement.

It is illuminating to compare her coverage and analysis of the CHEKA (the "All-Russian Extraordinary Commission for Combatting Counter-Revolution and Sabotage") with that of the British pair, Sidney and Beatrice Webb, in their monumental work, *Soviet Communism: A New Civilization* (1937), one of the major choices of the London-based Left Book Club, which I confess I joined in my late 'teens.

Factually there is little to choose between the two. The contrast is ideological: the Webbs saluted Stalin's regime as "a new civilization;" Anne Applebaum (admittedly with the advantage of the recent collapse of the Soviet regime) sees the Gulag as the greatest organ of repression in history (although these are not her exact words).

Applebaum rightly points out that the Gulag was not exactly a creation of the Russian Revolution. Indeed, as she points out (on p. xvi of her introduction), it "had its antecedents in Czarist Russia." The important point, of course, was that Lenin, having inherited it, used it as a weapon to lock up "unreliable elements" in the concentration camps known collectively as "the Gulag."

The scope of her book is impressive. Whereas most Sovietologists and "Communologists" (such as Roy Medvedev, Dmitri Volkogonov and the French writers Stéphane Courtois and Nicolas Werth) understandably cover the Gulag as a major element in Soviet history, no one (to my knowledge) has devoted a major work entirely to the theme of her title. She ranges from the first concentration camp, in the old Solovetsky monastery, 15 miles or so north of the Kremlin, in 1923, to "the zenith of the camp industrial complex" which reigned at the end of World War II.

Rightly, the author recalls Hitler's concentration camps, primarily reserved for the large Jewish minority in Nazi Germany, and points out their differences, the most important of which was ideological: the Nazi regime was anti-Semitic; the Soviet one was considerably wider, covering all elements that might be considered anti-Communist, or at any rate anti-Stalinist. She rightly points out that the Nazi camps were death factories (*Vernichtungslager*) rather than labor camps; whereas the Gulag camps were partly devoted to economic projects, while prisoners considered useless were quickly turned into corpses.

Rightly, in my view, the author recalls that as late as the 1980s, the post-Stalinist camps survived. Indeed, Ronald Reagan and Mikhail Gorbachev were still discussing the Soviet camps. She points out that Gorbachev—himself the grandson of Gulag prisoners—did not begin to dissolve the camps until 1987.

The range of Applebaum's book could scarcely be wider. She rightly starts with the origins of the Gulag, from 1917 to 1939, devotes a major chapter to Stalin's "great terror" and its aftermath; goes on to deal, in horrific detail, with life in the camps, including the deadly cold in the Arctic camp (with temperatures falling to 50 degrees below zero) and notes that a number of "punishment isolaters" (acronym: SHIZO) have survived well into the post-Soviet period, although no longer with occupants.

Her chapter devoted to "the prisoners" quotes Mariya Joffe, wife of a famous Bolshevik, describing the professional criminals (as distinct from the merely politically suspect) as having sex openly, walking naked around the barracks, and having no true feelings for one another (p. 281).

She devoted another chapter (15) to women and children, and notes (surprisingly, perhaps) that many female survivors felt that there were "great advantages" to being female within the camp system.

For instance, they seemed able to survive on less food than male captives, were most likely to form true and enduring friendships and to help each other in ways the male captives seemed incapable of using (pp. 307—*et seq.*)

Not surprisingly, her chapter on "the dying" is packed with horrific words and descriptions. In a sub-dialect of camp slang, those about to die were called "candle wicks" (soon to be blown out). Other expressions reserved for them were slop swillers (*pomoechniki*) or "s*** eaters" (*gaunoedy*).

In the interesting chapter that follows, she deals with what she rightly calls "strategies of survival," a reference to the minority who managed, by skill and self-determination, to survive psychologically more or less intact, sufficiently to return home and to live relatively normal lives (p. 344). She goes on to describe, in fascinating detail, the devices used to prevent escapes from the Gulag camps, and the ingenuity of those who defied or overcame those same devices (Ch. 18).

Part three, described as "The Rise and Fall of the Camp Industrial Complex, (1940-1986)," deals interestingly with the inevitable presence of many Red Army prisoners among the Gulag population. These included, notably, 230,000 Polish officers and soldiers.

Not surprisingly, she deals in detail with the notorious murder of more than 20,000 captured Polish officers in a secret massacre ordered by Stalin. (The secrecy faded, inevita-

bly, after Stalin's death, and I was personally involved, among many other sympathizers, in the inauguration of a London monument in commemoration of the victims.)

Other captives, whose fate is also dealt with in Applebaum's book, included Hungarians and victims of the Korean War.

A particularly interesting chapter (24) is devoted to the consequences of Stalin's death in 1953 for the Gulag. On the night of his death, a man named Viktor Bulgakov was arrested for allegedly participating in an anti-Stalinist student circle and sent to Minlag, a special camp in a coal-mining complex, north of the Arctic Circle. There, in the short summer days, the pris-

oners, angered for being by-passed in the post-Stalin amnesty, murdered four camp informers with pickaxes.

As Anne Applebaum rightly notes, Stalin's death signaled the end of the era of massive slave labor in the Soviet Union. She closes her admirable book with a personal chapter entitled "Memory," which deals, among other things, with her boat journey across the White Sea in the early summer of 1998—a pardonable personal recollection after lengthy and productive labor.

—*Human Events*, June 2, 2003, p. 18

Ann vs. Arnold

by Ann Coulter

Arnold Beichman recently wrote a column attacking my latest book, *Treason*—which he at least admits he didn't read—claiming he has the "names of 'innocent lives' Mr. McCarthy ruined." I was excited to see it. I've been asking for just one innocent person ruined by Joe McCarthy for six weeks, but until now all I had gotten was wild speculation about my personal life.

But strangely, while Beichman claims to have the names of McCarthy's innocent victims, he declines to mention them. (It's been almost 50 years and these people still won't name names.) Instead he offers to send me "one of the most important testimonies about McCarthyism" by "one of our leading Sinologists"—if I provide my address. Since Beichman ain't getting my address, I've looked up the article on my own. It contains the names of precisely two people allegedly destroyed by McCarthy.

The author of this "illuminating article on Joe McCarthy" is one Richard Walker. He didn't allot much space for the discussion of McCarthy's victims, inasmuch as the article consisted primarily of Walker's reminiscences about himself. I quote:

- "In 1953 I published my book 'The Multi-State System of Ancient China.' The reaction from the scholarly world was very good."

- "One distinguished scholar— who shall remain nameless but who will appear in this narrative again in the context of events that happened a few years later— wrote to me, 'I wish to send my congratulations. I find it excellent and marvel at the mass of literature you went through to reach your conclusions ...'"

- "Other reviewers praised the volume."

- "Two of my graduate students, who subsequently received their doctorates from Yale, attended the meeting and told me what transpired. Following a few toasts and rounds of drinks, professor Derk Bodde (who was one of the first to apply for the post I was vacating at Yale) rose and announced,

'I propose a toast! We finally got Dick Walker!'"

Beichman wearily explained he refused to read my book because "life is too short." But life is not so short that it cannot be filled with days reading Dick Walker quoting people lauding Dick Walker. (How can I add my name to the list of people whose lives were ruined by Dick Walker?)

But the point is, anyone who advertises his own pathological need for establishmentarian approval is not likely to be found praising Joe McCarthy. Still— though Beichman finds it absolutely urgent that I read Walker's piece— the only specific charge against McCarthy in the entire groaning article is this: "McCarthyism destroyed the careers of a number of fine China specialists in the Foreign Service. What happened to Oliver Edmund Clubb and John Paton Davies was a discreditable chapter in the defense of State Department professionals who were rendering honest service to their country."

Davies and Clubb were among the WASP three-names who helped relinquish China to communist mass murderers— John Carter Vincent, John Stewart Service, John Paton Davies and Oliver Edmund Clubb.

Leaving aside the intriguing facts about Oliver Edmund Clubb, this was not a case instigated by McCarthy, but rather by one of Beichman's heroes, Whittaker Chambers. Indeed, Chambers says as much in his book *Witness*— a book Beichman has praised, saying "few autobiographies are as moving and as instructive about the meaning of communism." I've read the article by Richard Walker. Now Beichman ought to actually read *Witness*.

As for John Paton Davies, as a Foreign Service officer, he issued flagrantly pro-communist propaganda in his reports from China, insisting that the United States abandon our ally Chiang Kai-shek and work with the communists. The future of China, Davies said, is not Chiang's, but theirs. Or, as the *Washington Post* put it in Davies' obituary, Davies' reports "advised a more nuanced approach to communism in China than was politically palatable." (In the sense that Benedict Arnold took a more "nuanced" approach toward the Ameri-

can Revolution than was politically palatable.)

In addition, a Senate committee recommended that Davies be tried for perjury for denying that he had recommended various communists and communist sympathizers to the CIA. He was investigated more than half a dozen times by the State Department. Eventually, Secretary of State John Foster Dulles – no fan of McCarthy’s – asked Davies to resign.

Evidence that Davies’ career was “destroyed” by McCarthy consists of rafts of platitudinous, worshipful mentions of his name, hagiographic obituaries, the “John Paton Davies Lecture Series” at Deerfield Academy – and even his return to the State Department in 1969 to work on disarmament issues.

Most important, there is an iron-clad taboo against blaming communist-sympathizing Foreign Service officers like Davies for the loss of China. You can say the neoconservatives single-handedly took the nation to war with Iraq, but you cannot say that a band of pro-Mao Foreign Service agents in China had any effect on Mao’s triumph in China.

Democrats lose entire continents to totalitarian monsters, lose wars to bloody tyrants, lose countries to Islamic fascists, and then insist that everyone recite the liberal catechism: “No one lost China,” “Vietnam was an unwinnable war,” “Khomeini’s rise to power was inevitable.” (Conversely, Ronald Reagan didn’t “win” the Cold War; it just ended.)

At the time, the State Department even issued an 800-page “White Paper” purporting to prove the communist takeover of China was inevitable. Despite these heroic efforts, a Gallup poll found that a majority of Americans did not buy the “inevitability” excuse. If Foreign Service officers like Davies can’t be blamed for the loss of China, why is Joe McCarthy blamed for the loss of Davies’ job? Maybe that was “inevitable,” too.

It is not clear how one goes about delineating with absolute certainty where “inevitability” ends and “traitorous incompetence” begins. I will leave that to metaphysicians like Arnold Beichman. Still, *what kind of argument is that?*

The claim that nobody could have saved China is the most amazing Democratic dodge ever. Perhaps in the chaos of Weimar Republic, Hitler’s rise to power was also inevitable. But it is unlikely that we would feel much warmth toward Nazi stooges feverishly working in the State Department to reach out to Hitler on the grounds that his rise was “inevitable.” Would our anger be assuaged if we were informed their hard work didn’t really help? *They tried to help Hitler, but their assistance was superfluous. Let’s move on.*

Whether or not China could have been saved from communism, it is a fact that the WASP three-names like John Paton Davies weren’t trying to save it.

—*Human Events*, August 11, 2003, p. 6

Celebrate the West

by Steve Vivian

Back in September of 2001, as the West reeled from the 9/11 atrocities, Italian Prime Minister Silvio Berlusconi inspired the world’s leaders to throw a politically correct hissy fit. His great crime? He spoke truth to multicultural power:

“We should be conscious of the superiority of our civilization, which consists of a value system that has given people widespread prosperity in those countries that embrace it and guarantees respect for human rights and religion.”

To make matters worse, Berlusconi added that the respect for human rights and religion are very sorely absent in Islamic countries.

Belgian prime minister Guy Verhofstadt, wringing his hands to the brink of deformity, professed outrage at a Berlusconi statement. Jean-Christophe Filori, Spokesman for the European Commission, declared, “We certainly don’t share the views expressed by Mr. Berlusconi.” And Giovanni Berlinguer of Italy’s Center-Left opposition criticized Berlusconi’s statement as “eccentric and dangerous.”

One might object to Berlusconi’s timing. Diplomacy is based, of course, upon tip-toeing around the exalted, easily-bruised feelings of one’s fellow statesmen. He made his comments 13 days after the 9/11 atrocities. However, attacking the *substance* of Berlusconi’s statement is an absurdity. But multiculturalism is based on absurdities.

Multiculturalism has made straight talk about cultures very difficult. Why? Because race is the subtext of multi-culti mush. Indeed, the foolish conflation of race and culture was made explicit back in 1938, when the American Anthropological Association passed a resolution asserting the equal worth of all cultures; accompanying the resolution was a condemnation of racism. The uniting of these two ideas—the *rational* condemnation of racism with the *irrational* assertion of cultural equality—shows just how fully the Association equated race with culture. Ruth Benedict, a towering figure in anthropology, was explicit about the matter. She claimed that “we do not want or claim the kind of superiority that the racists offer.” Like the AAA, she couldn’t keep two matters straight: race on the one hand, culture on the other hand. Only racists, Benedict argued, claim cultural superiority.

This news must come as a great shock to immigrants, who arrive in the West in mind-boggling numbers, both legal and illegal. Indeed: if all cultures are of equal value, why emigrate? Why leave behind family, friends, and face a harrowing, perhaps even deadly, journey? Why not just stay home and “celebrate diversity”? Perhaps our PC clerics—always

preening about their solidarity with the oppressed—should take time from their graduate seminars and four-star hotel confabs to enlighten those naive immigrants who considered Western culture superior to their own. Maybe the clerics can even help the immigrants see their own internalized racism! Such an admission is the first step, after all, in learning how to indulge in ritual PC self-flagellation, publicly bewailing oneself as a deeply stained Westerner! (Don't laugh...it can get you tenure).

Prior to 9/11, multiculturalism, according to one's temperament and taste, could be many things: an amusement; an occasion to laugh at vain and silly PC clerics; an insult to common sense.

Today, the multi-culti disease is a far more serious illness, and for a tragic reason: Western culture is under violent attack by Islamists. Obviously, Western culture must be defended. However, the Establishment Left is loathe to defend a culture created by ghastly Dead White Males. Instead, the Left—in a tireless outburst of hypocrisy—condemns the West with rhetoric as harsh as Islamists':

“(T)he American flag stands for intimidation, censorship, violence, bigotry, sexism, homophobia and shoving the Constitution through a paper shredder. Whom are we calling terrorists here?” — Barbara Kingsolver, novelist.

“I also think that there is a strong streak of racism whenever we engage in foreign adventures. Our whole history in regime change has been of people of different color.” — Ed Asner, actor.

“The warmongers who stole the White House (you call them “hawks,” but I would never disparage such a fine bird) have hijacked a nation's grief and turned it into a perpetual war on any non-white country they choose to describe as terrorist.” — Woody Harrelson, actor.

“Many families have been devastated tonight. This just is not right. They did not deserve to die. If someone did this to get back at Bush, then they did so by killing thousands of people who DID NOT VOTE for him! Boston, New York, D.C., and the planes' destination of California—these were places that voted AGAINST Bush!” —Michael Moore, Michaelmoore.com, September 12, 2001.

“Capitalism and imperialism were the real co-pilots of those planes.”—Jeanette Winterson, novelist

“America has no thought, no values, and no ideals.”—Amad Nawful, Jordanian Muslim Brethren. (His sentiments could easily come from any Western “liberal,” right?)

Barbara Kingsolver complains that the American flag embodies a litany of sins. Each of the wrongs that she lists is, of course, a *genuine* wrong. Yet she attacks the very nation that's gone to historic lengths to *combat* those wrongs. If Kingsolver could look beyond her own navel, she'd see Indian women fleeing arranged marriage and potential burnings; Mexicans fleeing endemic corruption; Africans fleeing tribal bloodshed or female genital mutilation.

And scandalously, she'd see the immigrant embrace of modern capitalism, the *bete noire* of the intelligentsia that's liberated historic numbers of women (Kingsolver, for instance) from the strictures of patriarchy. Modern capitalism has also benefited the PC hypocrites who condemn Western culture, even as they enjoy the West's historically unique opportunities...the very opportunities that Islamists seek to destroy and that PC hypocrites cannot bring themselves to defend.

Asner and Harrelson, two leading Hollywood intellectuals, make the same error as the anthropologists: they assume culture really boils down to race, and therefore a military attack on another culture is really militarized racism. Naturally, Asner and Harrelson overlook that the US has several times helped *defend* Muslims (e.g., Bosnians, Kosovars, Kurds, Marsh Arabs, Somalians, etc., etc). Asner, an historical amnesiac, also forgot that the Nazis, who suffered “regime change,” were not “people of color.”

As for Moore, his adolescent screed is beyond pathetic: he sees not the slaughter of innocents, but an occasion to whine about the 2000 election. Winterson? She offers the rote dig at capitalism, the very system that's made her a respected author around the world. One waits—pointlessly, of course—for Winterson to tear up her royalty checks. Perhaps if we hold a candlelight vigil....

Celebrate diversity?

A better idea: celebrate the West. No culture has done more to shatter the barriers of race, class and gender, the putative “Holy Trinity” of faculty lounge leftists and dissident movie stars. No culture has done more to secure the freedoms that make possible the pursuit of happiness.

And no culture has done more to protect dissidents. The PC hypocrites should remember that Salman Rushdie was sentenced to death for attacking a nation's leader. Barbara Kingsolver was not. Ms. Kingsolver, are you out there? If so, celebrate *that!*

—FrontPageMagazine.com, August 13, 2003

The Homosexual Agenda

by Cheryl Wetzstein

For years, the issue of same-sex “marriage” in America has surfaced only occasionally, a topic of arcane conversation, and promptly slips away.

No longer. High court decisions in Canada and the United States and a pending lawsuit in Massachusetts will finally force “gay marriage” to the top of the nation’s legal and cultural agenda.

“Today’s decision has awakened a sleeping giant,” attorney Mathew D. Staver said after the June 26 U.S. Supreme Court ruling that a Texas ban on homosexual sodomy was an unconstitutional violation of privacy.

The ruling “will galvanize and reinvigorate the majority of Americans who believe in traditional marriage but have ignored the radical agenda of the same-sex marriage movement,” said Mr. Staver, president and general counsel of Liberty Counsel, the public-interest law firm in Florida that had filed a brief in behalf of Texas.

The high court ruling followed a June 10 decision by Canada’s Ontario Court of Appeal that restricting marriage to “a man and a woman” was unconstitutional.

From now on, the court said, “two people” can marry in Ontario.

The Canadian ruling was greeted with jubilation by homosexual couples—including dozens from the United States—who have gone to Ontario to marry. There has been no test of whether any of these marriages will be recognized in any of the 50 United States.

A more sweeping marriage-related decision could be handed down from the Massachusetts Supreme Judicial Court by tomorrow.

The court is considering a lawsuit titled *Goodridge v. Massachusetts Department of Public Health*, which is brought by seven homosexual couples who say they have been unconstitutionally denied state marriage licenses.

The Massachusetts high-court ruling, from which an appeal could be difficult, could tell the state to begin issuing marriage licenses to same-sex couples. If that happens, say lawyers specializing in domestic law, thousands of homosexual couples will marry in Massachusetts and file lawsuits in every other state seeking recognition of their marriages.

This will lead to the “mother of all cultural battles,” in which “every public official in the country will be forced to take a stand on gay marriage,” predicts Hoover Institution scholar Stanley Kurtz, writing in *National Review Online*.

Same-sex “marriage” has many advocates on the left; liberal religious groups, law firms, child welfare leaders, educators and historians have all filed briefs in support of the Massachusetts plaintiffs.

Democratic presidential candidate Howard Dean, who as Vermont’s governor signed that state’s landmark civil-union

law (in a post-midnight act, without ceremony), has promised that as president he would “insist that every state find a way to recognize the same legal rights for gay couples as they do for everybody else.”

“If a [homosexual] couple goes to Canada and gets married, when they come back, they should have exactly the same legal rights as every other American,” Mr. Dean recently told an interviewer on NBC’s “Meet the Press.”

Traditional family organizations and many religious groups oppose same-sex “marriage,” arguing that it would destroy the unique model of traditional marriage that has lasted in undisturbed form for thousands of years across many cultures.

Some of these groups support an ambitious tactic of adding two sentences about marriage as an amendment to the U.S. Constitution.

The first sentence of the bipartisan Federal Marriage Amendment bill, introduced in May by Rep. Marilyn Musgrave, Colorado Republican, is simple and direct: “Marriage in the United States shall consist only of the union of a man and a woman.” The second sentence is equally forthright: “Neither this Constitution or the constitution of any state, nor state or federal law, shall be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups.”

Senate Majority Leader Bill Frist endorsed the amendment. President Bush has recently declined to do so, though he made a vague endorsement of traditional marriage. “I don’t know if it’s necessary yet,” Mr. Bush told reporters in the Roosevelt Room of the White House. “Let’s let the lawyers look at the full ramifications of the recent Supreme Court hearing [barring prohibition of sodomy]. What I do support is the notion that marriage is between a man and a woman.”

The amendment, promoted by a coalition of religious, legal and civil rights advocates, is called the Alliance for Marriage.

Legal observers say that the Massachusetts decision could have the greatest direct impact, as it will take only one state to start the flood of same-sex “marriage”—and related lawsuits to recognize homosexual unions.

In contrast, the impact of homosexual “marriage” in Ontario—which along with British Columbia are the only two provinces in Canada where it is currently allowed—is minimal.

U.S. states don’t have to recognize any marriage that violates U.S. public policy, says Lynn D. Wardle, a law professor at Brigham Young University who studies same-sex “marriage.” Thus, “what happens in Canada is not going to legally affect what happens here, although its political impact can be pretty profound.”

The effects of a domestic endorsement of a same-sex ritual is less clear. “I think anyone can say with certainty that [Canadian] gay marriage won’t be recognized as a marriage here in New York,” Patrick Synmole, counsel to the city clerk,

told the *New York Daily News*. “It’s against the law.”

Instead, it will be considered a domestic partnership, he said, since “the City Council passed a local law last year permitting any civil union or domestic partnership done elsewhere to be recognized by the city of New York.”

The immediate impact of the 6-3 Supreme Court ruling invalidating the Texas ban on homosexual sodomy is that it invalidates similar laws in Kansas, Oklahoma and Missouri, as well as antisodomy laws in nine other states, including Virginia.

The wider-reaching aspect of the decision, titled *Lawrence v. Texas*, written by Justice Anthony M. Kennedy, is that it overturned a 1983 Supreme Court decision that allowed states to criminalize homosexual sex.

“Liberty presumes an autonomy of self that includes freedom of thought, belief, expression and certain intimate conduct,” Justice Kennedy wrote.

“The [Texas] case involved two adults who, with full and mutual consent from each other, engaged in sexual practices common to a homosexual lifestyle,” he wrote. “Their right to liberty under [the Constitution] gives them the full right to engage in their conduct without intervention of the government.”

Justice Antonin Scalia, dissenting, warned that the decision undermines an elected government’s right to regulate “immoral and unacceptable” sexual behavior. “[L]aws against bigamy, same-sex marriage, adult incest, prostitution, masturbation, adultery, fornication, bestiality and obscenity are sustainable” only when laws on moral choices are upheld, Justice Scalia wrote. “Every single one of these laws is called into question by today’s decision...”

Justice Kennedy wrote that the *Lawrence* decision “does not involve whether the government must give formal recognition to any relationship that homosexual persons seek to enter.”

However, he identified marriage as a protected personal choice: “Our laws and tradition afford constitutional protection to personal decisions relating to marriage, procreation, contraception, family relationships, child-rearing and education. Persons in a homosexual relationship may seek autonomy for these purposes, just as heterosexual persons do.”

Homosexual activists have hailed both the U.S. and Canadian decisions as enlightened, inevitable and essential for equal rights.

The *Lawrence* ruling “starts an entirely new chapter in our fight for equality for lesbian, gay, bisexual and transgendered people,” said Kevin Cathcart, executive director of the Lambda Legal Defense and Education Fund.

“It puts tremendous winds in our sails,” Evan Wolfson, head of Freedom to Marry, told the *Washington Blade* after the Canadian decision. Freedom to Marry is dedicated to legalizing same-sex “marriage” in at least one U.S. state within five years.

New census data show that “gay and lesbian families live in nearly every county in the country,” said David Smith,

spokesman for the Human Rights campaign, the nation’s largest homosexual rights advocacy group. Many of these couples have children, and “these families should have the same protections, rights and responsibilities as other families.” Marriage is “a matter of necessity.”

Conservative and traditional-values advocates see these decisions as undermining the rule of law against sex-related crimes and laying the groundwork to allow same-sex “marriage.”

Private sexual acts have public consequences,” said Ken Connor, president of the Family Research Council. If consent and privacy are the only things that matter, he said, “then that throws the door open to any sexual behavior.” The Supreme Court, he said, has “put this country on the fast track to recognizing same-sex marriages.”

So what should bewildered Americans make of all this?

First, they can realize that they haven’t heard a full debate on the issues, say two media watchers who oppose same-sex “marriage.”

Same-sex “marriage” has been “very theoretical” to most Americans, says Maggie Gallagher, an author and columnist who frequently writes on the issue. But a Massachusetts ruling for the homosexual plaintiffs would put an end to that.

Stanley Kurtz of the Hoover Institution cautions that most of the debate so far has been framed in a way that favors the same-sex “marriage” views. The media elite sees same-sex “marriage” in simplistic civil rights terms—that homosexuals have a right to marry, he says. This point of view makes any opposition to same-sex “marriage” appear as simple prejudice, especially when it comes from a religious group.

What’s not being articulated in much of the media, says Mrs. Gallagher, is that “gay marriage is a complete innovation,” and even though other cultures have accepted homosexuality, “none of them confused these relationships with marriage.”

Mr. Kurtz notes there are important secular arguments to be made against changing marriage. These include recognizing the importance of marriage to providing children with their own fathers and mothers, and the institution of marriage’s ability to harmonize the different genders. These things cannot occur in same-sex unions.

“Once you start redefining marriage on civil rights grounds, the process will not stop,” says Mr. Kurtz, who argues that polygamy and “polyamory” will become marriage battlegrounds as well. Polyamory is the practice of either sex having multiple spouses.

Marriage is not some “warm and fuzzy” lifestyle choice, Mrs. Gallagher argues. If marriage is turned into some kind of benefits system for sexual partners in which “every individual makes up what marriage is and registers it,” marriage as a social institution will lose both its identity and its historic power.

—*The Washington Times*, July 13, 2003, p. 1