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The Things We Share
A Catholic's Case for Same-Sex Marriage

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There's this guy I know in Manhattan. Call him Jim. Jim Watson. We're friends, I guess. We used to be friends, anyway—grabbing a hamburger together near Gramercy Park, from time to time, or meeting out on the Stuyvesant Town Oval on a summer afternoon to play some folk and bluegrass with the guitar strummers, mandolin pickers, autoharpers, and amateur banjo players who'd drift by. None of us any good, but fun, you know? Old-timey Americana like “Wayfaring Stranger,” “Pretty Saro,” and “The Orphan Girl.” A version of “Shady Grove,” I remember, was one of his specialties: When I was just a little boy, / all I wanted was a Barlow knife. / But now I am a great big boy, / I'm lookin' for a wife.

A few years ago, his friendship began to cool, bit by bit. You understand how it is: a little here, a little there, and last time I was through New York he didn't even bother to answer my note suggesting we put together one of our low-rent urban hootenannies. The problem, our conversations had made pretty clear along the way, was that I am a Catholic, and Jim is gay.

Well, actually, gay isn't the word he would use. I have what might be the worst ability to recognize sexual orientation on the planet, but no one needed sensitivity to guess Jim's views. Not that he was campy or anything when I knew him, but he was always vocal about his sexuality, naming himself loudly to anyone nearby with words that polite society allows only in ironic use by gay men themselves.

Anyway, Jim gradually started to take our difference personally, growing increasingly angry first at the Catholic Church for its opposition to state-sanctioned same-sex marriage and then at Catholics themselves for belonging to such a church. His transformation didn't come from any personal desire to marry—or, at least, from any desire he ever articulated or I could see.

But then, I've already mentioned how blind I can be, and maybe a hunger to marry was gnawing at his heart. However much the culture piously proclaims the equivalence of all lifestyles, a vision of the lonely bachelor's deathbed can begin to haunt any man. We could talk here of what even back in the 1820s Schopenhauer insisted was the woe in marriage, but we can't deny the sheer companionable comfort that marriage seems to promise as well: the hope that we won't grow old and die alone, the hope that the good life and good death of Baucis and Philemon (in Ovid's wonderful old myth about the gods rewarding an aging couple) might still be available—for me, for you, for any of us.

Still, as Jim began to formulate the emerging thought, his anger wasn't for himself but for his people: exactly as though sexual desire had created an ethnic group that was the source of his deepest, truest self-identity. Measured by the lifetime of most cultural upheavals in American history, the debate about same-sex marriage has risen to its current prominence with astonishing speed. But rise it did, like the sun, becoming the symbolic issue around which a whole galaxy of moral impulses, political aims, social discontents, and personal grievances seem to gravitate. And my friend Jim found himself, like many others, pulled into that orbit.

Fair enough, I suppose. Certainly, without an expressed desire to be married himself, Jim's support for same-sex marriage was at least partly free from the grating self-interest, the fallacy of special pleading, that infects too many declarations on the topic. When we're told—as we were, for example in the spring of 2013—that the conservative Senator Rob Portman (R-Ohio) now supports same-sex marriage² because he's

¹<https://www.commonwealmagazine.org/things-we-share>

²<http://www.cnn.com/2013/03/15/politics/portman-gay-marriage>

discovered that his son is gay, it may have a certain rhetorical effectiveness. And so too when a gay-rights activist speaks emotionally of the personal sorrows he suffered during the time he was unable to marry. But even when offered in service of something we agree with, doesn't that kind of personal fact deployed as argument reduce public discourse to little more than self-interest and self-importance? The sexuality of Portman's son doesn't strengthen the logic of the senator's new position; it weakens it, when offered as the reason for Portman's changed views.

IT'S A LITTLE ODD, I realize, to press an argument against special pleading while writing a personal essay—especially one that opens with a plaint about a decaying friendship. But Jim's increasing anger, the manner and the timing of it, at least helped bring into focus for me the question of what purposes the fight over same-sex marriage has been serving.

Not the fact of the legality of same-sex marriage, exactly. That ship has already sailed, as well it ought to have. By July 2013, thirteen states had already recognized it, and under any principle of governmental fairness available today, the equities are all on the side of same-sex marriage. There is no coherent jurisprudential argument against it—no principled legal view that can resist it. The Supreme Court more or less punted this June in its marriage cases, *Hollingsworth v. Perry* and *United States v. Windsor*, but it was a punt that signaled eventual victory for advocates of same-sex marriage. And by ruling in *Windsor* that Section 3 of DOMA (the 1996 Defense of Marriage Act) is unconstitutional, the justices made it clear that the court will not stand in the way of the movement's complete triumph. We are now at the point where, I believe, American Catholics should accept state recognition of same-sex marriage simply because they are Americans.

For that matter, plenty of practical concerns suggest that the bishops should cease to fight the passage of such laws. Campaigns against same-sex marriage are hurting the church, offering the opportunity to make Catholicism a byword for repression in a generation that, even among young Catholics, just doesn't think that same-sex activity is worth fighting about. There's a reasonable case to be made that the struggle against abortion is slowly winning, but the fight against public acceptance of same-sex behavior has been utterly lost.

I find these practical considerations compelling, just as I think most ordinary Catholics do. The church in America today is in its weakest public position since agitation about Irish and Italian immigration in the 1870s prompted thirty-eight states to pass anti-Catholic Blaine amendments to their constitutions. A great deal of goodwill was built up by Catholic work in the 1980s and 1990s, from John Paul II's successful campaign to "live in truth" by opposing Soviet Communism to the prestige of Mother Teresa's work with the poorest in India. But the goodwill disappeared in a flash, just over a decade ago, with the *Boston Globe's* 2002 stories of the horrifying priest scandals.

Regardless of the church-bashing uses to which some commentators put the news, the central fact of the scandals remains: a corruption, a horror, and an outrage, which many bishops tried criminally to bury in their bureaucracies. And major effects of the scandal included feeding the *schadenfreude* and sense of victory among anti-Catholics, wiping out the moral stature of the church in the mind of the American public, and eliminating the respect in which the seriousness of Catholic ideas was once held even by those who thought that such seriousness began with mistaken premises and arrived at false conclusions. In the context of the deserved contempt that followed, what kind of loony, pie-eyed judgment could lead the bishops to engage in a sex-based public-policy debate they are doomed to lose—feeding mockery of the church while engaged in the expensive process of losing that fight?

An easy answer is that America's bishops have not always been famous for their skill at predicting public reaction. But the more serious response is that the bishops hold exactly what's held by everyone from the Communist Party to the NRA, Occupy Wall Street to National Right to Life: Prudential and practical concerns direct how one fights in public but not why one fights. If a legal regime is wrong, then it's wrong. And however much the culture despises and punishes those who resist its judgments, somebody needs to

rise up and say we're going to hell in a hand-basket if that is indeed where the culture seems to be going.

Like most Americans, I've always had a sneaking admiration for those who resist cultural consensus—the gadflies, curmudgeons, and cranks—however idiotically they choose their fights. And given the social and historical prominence of their ecclesial positions, and the confidence in same-sex marriage among the young and the cultural elite, the American bishops have chosen what these days can only be called the countercultural side in opposing civil recognition of same-sex marriage in America. They cannot have done so for prudential reasons, for every such consideration is against them. Rather, they have taken their position, the place at which they make their stand, for the simple reason that they think same-sex marriage is philosophically wrong: damaging to the individual and destructive for society.

In other words, the bishops are not going to be convinced to end their hopeless fight by some casual appeal to cultural consensus or a feel-good call to join the winning side. And if we appreciate a willingness to be countercultural, how can we ask them to do so for those reasons?

In June 2012, David Blankenhorn took to the New York Times with an interesting op-ed titled “How My View on Gay Marriage Changed.”³ To read Blankenhorn's books—especially his 1995 *Fatherless America*—is to think him the nation's leading commentator on the social importance of marriage. And he opened his op-ed with his long-held view that “marriage is the planet's only institution whose core purpose is to unite the biological, social, and legal components of parenthood into one lasting bond. Marriage says to a child: The man and the woman whose sexual union made you will also be there to love and raise you. In this sense, marriage is a gift that society bestows on its children.”

Same-sex relationships, he noted, cannot by their nature fulfill the biological condition in his deep definition of marriage. But against that fact, he set three considerations that led him to support same-sex marriage: equal treatment (“legally recognizing gay and lesbian couples and their children is a victory for basic fairness”), comity (“we must live together with some degree of mutual acceptance, even if doing so involves compromise”), and respect for the emerging consensus on the topic (“most of our national elites, as well as most younger Americans, favor gay marriage”).

I understand the point, and I suspect that Blankenhorn and I, like many others, are arriving at much the same place. But the Blankenhorn line leaves me unsatisfied. It's not enough for a Catholic to say that legal fairness and social niceness compel us. We have a religion of intellectual coherence, too, and the moral positions we take have to comport with the whole of the moral universe. That's the reason for trying to be serious—for demanding that the unity of truth apply, and that ethical claims cannot be separated from their metaphysical foundations.

If there is no philosophical or theological reasoning that leads to Catholic recognition of civil same-sex marriage, then we're simply arguing about what's politic. What's fair and nice. What flows along the channels marked out by the dominant culture. We're merely suggesting that Catholics shouldn't make trouble. And how is that supposed to convince anyone who holds intellectual consistency at more than a penny-weight?

I DON'T MEAN to hide this essay's conclusions. Where we're going with all this is toward a claim that the thin notions of natural law deployed against same-sex marriage in recent times are unpersuasive, and, what's more, they deserve to be unpersuasive—for their thinness reflects their lack of rich truth about the spiritual meanings present in this created world. Indeed, once the sexual revolution brought the Enlightenment to sex, demythologizing and disenchanting the Western understanding of sexual intercourse, the legal principles of equality and fairness were bound to win, as they have over the last decade: the only principles the culture has left with which to discuss topics such as marriage.

And so, I argue, a concern about the government's recognizing of same-sex marriage ought to come low on the list of priorities as the church pursues the evangelizing of the culture. For that matter, after the long

³<http://www.nytimes.com/2012/06/23/opinion/how-my-view-on-gay-marriage-changed.html>

hard work of restoring cultural sensitivity to the metaphysical meanings reflected in all of reality, Catholics will have enough experience to decide what measure of the deep spirituality of nuptials, almost absent in present culture, can reside in same-sex unions.

But before we reach for those conclusions, there remains, I think, a question religious believers must ask: a prior question of whether the current agitation really derives from a wish for same-sex marriage, or whether the movement is an excuse for a larger campaign to delegitimize and undermine Christianity.

The question is not an idle one. Yes, American culture, through the devices of American capitalism, has repeatedly proved its ability to adapt to social changes, reshaping them into middle-class norms. This was exactly the complaint of the activist Donna Minkowitz back in 1994. Bruce Bawer had just published *A Place at the Table*⁴, his plaintive call for national acceptance of a bourgeois gay lifestyle, and Minkowitz raged against it as a betrayal, a co-opting, of the true radicalism of the gay and lesbian movement. “We don’t want a place at the table,” she announced on Charlie Rose’s national television program⁵. “We want to turn the table over.”

In the years since, the radical wing lost badly the fight to be the public face of the movement, but Minkowitz’s successors have hardly been shy about their desire to use the visibility of the same-sex marriage debate as an opportunity to damage public perception of Christianity. And watch, for instance, the downstream effect on someone like Patrick B. Pexton, who used his Washington Post ombudsman’s column in February 2013 to explain that journalists like himself “have a hard time giving much voice to those opposed to gay marriage”—because “they see people opposed to gay rights today as cousins, perhaps distant cousins, of people in the 1950s and 1960s who, citing God and the Bible, opposed black people sitting in the bus seat, or dining at the lunch counter, of their choosing.”

One wonders what the Southern Christian Leadership Conference, led by the Reverend Martin Luther King, Jr., would have had to say about this interpretation of the civil-rights movement as fundamentally an overcoming of Christianity. But if that’s what the same-sex marriage movement is really about—the redefinition of history as Christian oppression, the rereading of even success stories like the civil-rights movement as tales of defeating Christian evil, all for the purpose of cutting off the religious roots of Western civilization—then to hell with it.

To hell with it, as well, if the campaign for same-sex marriage has anti-Catholicism as one of its major causes, or a feeding of anti-Catholicism as one of its welcome effects. Well through the nineteenth century, the church often seemed as much a refuge as those who felt same-sex desire were likely to find. There are reasons that Oscar Wilde, for example, returned to the church after his public trials, and they involve his aesthetic sense of the capacious Catholic understanding of sin and grace in a fallen world: the beauty of European Catholic medievalism, matched with a sophisticated, confessional-trained understanding of the real pressures under which human beings labor.

In Protestant America, however, a word like sophisticated (to say nothing of confessional) was more a denunciation than mild praise of practical wisdom. Catholics sometimes exaggerate the extent to which they were oppressed by their WASP overlords, but they are not wrong that suspicion of Rome is one of the small but constant motors on which our national story has run.

By the late 1960s, some of the fuel for that motor was still coming from the far right, among the traditionalists keeping alive the antique quarrels of the Reformation. And some was coming from the far left, among the radicals who saw the Vatican as a hindrance to either the communist future of the world or the transformation of human nature through the sexual revolution. At least a little anti-Catholicism, however, remained in the central current of American elite culture, among the heirs of the old Protestant consensus.

They stripped out much of the doctrinal Christianity, of course; the general collapse of the mainline

⁴<http://www.amazon.com/Place-Table-Individual-American-Society/dp/0671894390>

⁵<http://queerswithoutborders.com/QueerArchives/1994/06/charlie-rose-interviews-25-years-after-stonewall/>

Protestant churches is one of the most fascinating historical trends in the past fifty years. But the elites kept that curious mainline class-based combination of a nobly wide ethical concern and an infuriatingly self-confident assertion of moral ascendancy. And to listen to its current members is to get the feeling that they may have also kept, and even reinvigorated, the good old-fashioned, all-American anti-Catholicism and suspicion of Rome. If the campaign for same-sex marriage is just a further development in this historical line, then the theological argument isn't worth making. Isn't worth even trying to develop.

THINK OF IT THIS way: The funny thing is that, back when I first knew him, my gay friend Jim Watson was more conservative than I was. Or more Republican, at any rate. My writings against the death penalty, for instance, produced nothing except a snort from him. He hated the huge tax bite of New York City, municipal taxes piled on state and federal, and the best way to turn him away from his let's-embarrass-strangers-with-my-sexuality game was to mention Manhattan's rent control—provoking a free-market tirade that was good for at least fifteen minutes of soap-box statistics. It bored me, but then my vociferous opposition to legalized abortion probably bored him, and affectionately putting up with each other's crotchets may be as good a description of friendship as we're likely to find in this fallen world.

Andrew Sullivan, Bruce Bawer, Michael Lind, even David Brock—the 1990s had its share of avowedly conservative or libertarian commentators who were also more or less openly gay or activists for gay causes. Sullivan, for instance, is a disciple of the British political theorist Michael Oakeshott, and I remember reading a passage in which Sullivan was willing to put (even though he disagreed with it) a fair statement of a political-theory rejection of same-sex marriage. To be conservative, Oakeshott⁶ had famously written, “is to prefer the familiar to the unknown, to prefer the tried to the untried, fact to mystery, the actual to the possible, the limited to the unbounded, the near to the distant, the sufficient to the superabundant, the convenient to the perfect, present laughter to utopian bliss.” No culture has ever fully embraced same-sex marriage; every culture has understood that marriage, through heterosexual procreation, touches the deepest and least-understood structures by which civilization survives. And this wide testimony from human experience, together with the dangers of meddling in the unknown, ought to make us hesitate.

By somewhere around the midterm elections of 2002, those conservatives had generally disappeared from mainstream conservatism. (Or, at least, the male ones had. Interestingly, the Libertarian, Catholic, and Straussian lesbians tended to remain, many of them still writing for conservative publications.)

Some gay conservatives would later insist that they had been pushed out of public-intellectual conservatism by what they believed were bigoted Evangelicals—the people a conservative movement needs to attract to overcome the large Democratic voting blocs. A good example might be the argument, through the 1990s and 2000s, against allowing gay and lesbian anti-abortion groups a place in prolife marches and strategy meetings. And there are still portions of the Republican world that suffer no dissent on social issues. Just this year, I was invited to give a small talk on faith at CPAC, the enormous annual conservative convention in Washington—and then disinvited, my time given over to someone safer on the topic of marriage.

Other gays seem to have felt the pressure more on the inside, finding it impossible to hold both support for same-sex marriage and any political theory that rejects same-sex marriage. But regardless of the cause, they nearly all disappeared from conservative discussions precisely at the time the issue grew in public importance, and I doubt that there was a single one who didn't vote for Democratic candidates in the 2008 and 2012 elections.

My friend Jim Watson certainly became a functional Democrat, suppressing his fiscal conservatism to vote for Barack Obama as the official candidate of gays. A relatively wealthy man who inherited trust-fund money from his grandparents, he stopped giving to conservative candidates and even gay groups like Log Cabin Republicans, transferring his election-year donations to left-leaning same-sex-marriage organizations and Democratic office-seekers.

⁶<http://faculty.rcc.edu/sellick/0n%20Being%20Conservative.pdf>

Along the way, Jim also picked up a case of virulent anti-Catholicism. I suspect that there genuinely exist activists who welcome same-sex marriage as part of the great destructiveness of the Enlightenment project: a blow against whatever medieval Christian ideas still linger in modernity. I also suspect that they are a minority, and Western culture will prove, as it has so often before, resilient enough to absorb same-sex marriage—turning it possibly into an aid to, but at least not a further weakening of, the endangered culture of marriage.

Still, I can't ignore the changes in Jim. In the first years I knew him, he would speak of the Catholic Church as something like a batty great-aunt: crazy, of course, but fondly indulged. He admired the solemnity of the Mass, in the abstract, together with the beauty of the church's long deposit of art and architecture. The dedication of hospice nuns invariably made him quote Santayana's wistful line, "There is no God, and Mary is his mother." Without a religious bone in his body, as far as I could tell, he nonetheless appreciated the seriousness of Catholic intellectuals, even if the church's continuing ability to attract any intellectuals seemed to him one of the mysteries of the age.

A decade or so later, and all that was gone. The Catholic Church now appeared to him genuinely *evil*, and Catholic intellectualism an entirely malignant force, born mostly from hatred of gays in general and even, at his most paranoid, of him personally. The long denunciations of the bishops' contrarian and countercultural leadership had taken its toll. The old ACT-UP protests over condoms hadn't moved him, but the same-sex marriage agitation pushed him over the edge—until I do not believe Jim can now be conciliated even by something like the Catholic case for same-sex marriage. Nothing but the total eradication of the Catholic Church, its complete repudiation by its members, will satisfy him. *Ecclesia delenda est*, I can picture him mumbling to himself as he paces through New York. The church must be destroyed.

ONE MORE ASIDE before we arrive at the argument for same-sex marriage—not a mea culpa exactly, but an attempt to examine my own conscience, for even as I write this personal essay, I'm growing uneasy with the petulant and aggrieved way it is presenting the idea that anti-Catholicism was one of the purposes of, or at least one of the bonuses for, the cultural elites who took up the cause of same-sex marriage.

I've made it sound, for example, as though the fading of my friendship with Jim came entirely from his side. Actually, it did, considered purely as a private matter. If only the personal were the political, as the 1970s feminists used to claim, then Jim and I wouldn't have had much more than an abstract disagreement. Unfortunately, often enough, the political becomes the personal, and Jim had public activities for which to blame me.

I did not believe then, as I do not believe now, that opposition to same-sex marriage must, by its nature, derive from (or issue in) hatred of gays and lesbians—else one would never see pieces like Doug Mainwaring's "*I'm Gay and I Oppose Same-Sex Marriage*,"⁷ which appeared in March 2013 to argue, "In our day, prejudice against gays is just a very faint shadow of what it once was. But the abolition of prejudice against gays does not necessarily mean that same-sex marriage is inevitable or optimal. There are other avenues available, none of which demands immediate, sweeping, transformational legislation or court judgments."

Still, in the current state of the public square, opposition to same-sex marriage gets portrayed (and thereby perceived) as hatred. And if I have felt old friends pull away from me over the issue, then I also have to admit that they must have felt my occasional public work on the topic to be the equivalent from my side. To be my breaking off friendship with them. To be an attack on them individually in what they take as part of their very existence.

I think I met Bruce Bawer once at a poetry festival or a magazine party, but maybe not, and regardless I can't say I know him. Still, perhaps we could use him as an example here—for I recall being taken aback when I came across an interview in which he declared me fundamentally unchristian, some years after my

⁷<http://www.thepublicdiscourse.com/2013/03/9432/>

negative review⁸ of his 1996 anthology, *Beyond Queer: Challenging Gay Left Orthodoxy*⁹. Insofar as I remember the book, I still think *Beyond Queer* was not great work. For that matter, even though Bawer is an admirable poet and interesting author of nonfiction, he has surely received other unflattering reviews. But what I hadn't considered is the way disagreement over this particular topic feels intensely personal: perceived not as rejection of a public position but rejection of how one understands the self.

We could probably work up an indictment of the media, identity politics, and the grievance industry for this perception (as Bawer himself has in other contexts): turning even slight deviations from the accepted position into occasions for full-blown accusations of bigotry. But why bother? Hot or cold, the water in which we find ourselves is the water in which we have to swim. The Catechism of the Catholic Church makes a distinction between same-sex orientation and same-sex activity that might have once seemed intelligible, even commonsensical. But the distinction has absolutely no purchase today. And what good does it do to complain—as does, for example, Ryan T. Anderson¹⁰, the sharpest of the younger activists now working against same-sex marriage—that the distinction somehow ought to have purchase?

Some of the perceived offense may have come from inattention. In 2011, the *Washington Times* asked me for a little piece celebrating the anniversary of the classic 1981 BBC mini-series version of *Brideshead Revisited*. And after its publication, David Boaz, the gay-marriage supporter from the libertarian Cato Institute, dropped me a note taking me to task for using the word “homosexuals” instead of “gays” in my opening description of the series' reception. He understood that I was trying to recapture the tone of those early 1980s days, when homosexuals was still more or less the polite term of reference. But we are long past all that, he insisted, and I should realize that the word, taken as a generic noun, had picked up enough negative connotations that writers ought not to employ it even in a historical way.

I think I replied with a casual apology and a hackneyed quip about how one should never give offense unless one actually means it. But I didn't mean personal offense with any work I did on same-sex subjects—and still I managed to give offense.

How rarely the subject actually came up surprises me now, looking back. In the hundreds of essays, poems, and reviews I published over those years, opposition to legalized abortion and rejection of the death penalty are constant themes. Raging themes, to the point where I probably lost most of even the best-willed readers. But gay topics? A brief contribution as the token Catholic in a little-noticed symposium in *Newsweek*. A 2004 editorial co-written with Bill Kristol. A review of Bawer's anthology in the *Weekly Standard*. Another of Andrew Holleran's depressing novel *The Beauty of Men*. And not much else that I can still find.

In my editorial jobs at the *Weekly Standard* and *First Things*, of course, I came to know some of the people fighting same-sex marriage. Ryan T. Anderson, for example, co-author of the widely discussed, career-defining 2011 essay “What Is Marriage?”¹¹ in the *Harvard Journal of Law and Public Policy*. Later expanded into a book, it remains the clearest, most cogent defense of traditional marriage. David Orgon Coolidge, too, founder of the Marriage Law Project before his untimely death in 2002: Richard John Neuhaus helped raise money to support Dave's work, and we would often sit together and drink at Fr. Neuhaus's innumerable theological and social-policy meetings.

I was much under the influence of the Christian poetics of W. H. Auden in those days—a man who, though gay himself, hated organized homosexuality: “the Homintern,” he mockingly named the gay establishment in poetry (playing off the Comintern, the international arm of party-line Soviet policy). Under the influence, for that matter, of the suspicions of attempts to claim victimhood expressed by Ren Girard—the contemporary writer who most formed my mental universe. Then, too, as the mantle of gay rights passed from the wild contrarians and countercultural figures of its early days to become the received view of the

⁸<http://www.weeklystandard.com/Content/Protected/Articles/000/000/007/483wdevd.asp>

⁹<http://www.amazon.com/Beyond-Queer-Challenging-Left-Orthodoxy/dp/0684827662>

¹⁰<http://www.heritage.org/about/staff/a/ryan-anderson>

¹¹http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1722155

entire elite liberal class, it came to seem increasingly bland and uninteresting, with little in it tempting me to reject the general conservative position.

“At times one remains faithful to a cause,” Nietzsche writes, “only because its opponents do not cease to be insipid.” It’s a sad observation of human behavior, but who among us hasn’t been guilty of it? “Same-sex marriage is the great civil-rights struggle of our time,” a young newspaper writer grandly announced to me in 2009. She had come to interview me for some article she was planning, but she spent most of her time lecturing me on how immoral it is that anyone opposes the right of gays to marry.

As it happens, when I asked, she proved to know almost nothing about the controversy: hadn’t read the legal decisions, hadn’t followed the arguments, hadn’t examined DOMA, hadn’t even tried to keep up. Only the warmth of her conviction of her own moral superiority seemed necessary, and I remember thinking: This is supposed to persuade me? Insipid self-righteousness—delivered in exactly the hectoring tones with which her Protestant great-grandparents would have lectured me about lack of Catholic support for Prohibition?

At the same time, looking back, I can see that even in my editorial choices I was avoiding the topic. Not entirely: there are some pieces the institutional weight of a magazine simply won’t let an editor refuse. But generally I turned down pieces on same-sex topics—and I did so by telling myself I found the subject dull. That’s an editor’s privilege, of course, and a lot of the thinking genuinely was dull. Dull as dishwater, gray from all the old, similar writing that had already been washed in it. But the avoidance was also, I now realize, a species of dishonesty: an unwillingness to sit down and decide what I really thought about it all.

Not that the world was waiting breathlessly for my nattering asseverations on the topic—and, anyway, the moment for being genuinely serious about same-sex marriage may have passed while I wasn’t looking. Or while I was refusing to look.

Still, it all came to a head for me when, one morning down in Lansdowne, Virginia, Chuck Colson woke up with a plan to gather every religious leader he could find and decry the destruction of Christian culture in America—promising civil disobedience, if necessary. The outcome was *The Manhattan Declaration: A Call of Christian Conscience*¹², a manifesto issued in November 2009 that equated abortion, same-sex marriage, and intolerance of religion, and vowed to oppose any mainstream consensus that licensed them. Dozens of important religious figures met with Chuck Colson in New York to become the initial signers, and *The Manhattan Declaration* would go on to find half a million additional signatories.

One of the problems with the document was that none of the people on the drafting committee—Chuck himself, Princeton’s Robert P. George, and the very smart Baptist divinity-school dean Timothy George—were primarily writers. They were activists and teachers who happened to write, sometimes (as in Robby George’s 1995 book *Making Men Moral*) with real skill. But the genuine literary talent behind an entire generation’s set of manifestos had been Richard John Neuhaus—first as a Christian protester against segregation and Vietnam, and then as a Christian neoconservative. And with Richard’s death from cancer earlier in 2009, they had to produce *The Manhattan Declaration* in his absence.

The result would prove turgid, politically clumsy, and strangely disorganized. Just as there’s a rule in some online discussion groups that you’ve automatically lost an argument if you compare your opponents to the Nazis, so there ought to be a rule in public discourse that you’ve guaranteed your failure if you compare modern America to the decline of Ancient Rome. But that’s how the declaration opened, and as it wandered through its various complaints about the nation, it came to seem more and more a laundry list in search of a thesis: there’s bad stuff out there, people hate us, and it all adds up to, well, a picture—a modern reflection of the moral collapse of Rome from the stern glories of the republic to the satyricon of the empire.

I spoke to Chuck privately about the draft several times, urging him to reorganize it and tone it down, but he was too enamored of the frisson of rebellion in its call for civil disobedience to agree. Finally, at the New York meeting, I got up and announced publicly my unease: The equating of these three concerns is a mistake; not only do the possible negative results of same-sex marriage fail to match the horrors of

¹²<http://manhattandeclaration.org/#0>

abortion, but religious freedom isn't even the same kind of thing. It's like equating a small weed to a giant sequoia—and then lumping them both together with an umbrella. The entire text needs to be recast, I said. If the document has to threaten civil disobedience, then it ought to be about freedom: religious Americans may accept a culture that recognizes same-sex marriage, but they hereby announce that they will not accept a legal regime that uses same-sex marriage as a wrecking ball with which to knock down every religious building in the public square.

And in response, Maggie Gallagher stood up in that crowded room to call me a coward—or, at least, she declared that any reduction in the status of the fight over same-sex marriage was a counsel of cowardice, born from a fear that same-sex marriage was inevitable. A writer and activist, former president of the National Organization for Marriage, Gallagher has always struck me as a fearless and contrarian figure, and in this case, I think, she was correct.

Oh, not about the law: the legal victory of same-sex marriage actually was inevitable; not a single persuasive legal argument emerged against it in the courts. But right in her accusation of cowardice—although maybe not in quite the way she thought. My worry with *The Manhattan Declaration* wasn't about the consequences of defeat, as Gallagher suggested; if something is wrong, you oppose it even though the heavens fall. But cowardice about my own mind, yes: my profamily friends were a strong public-intellectual force opposed to abortion, and I went along with them on same-sex marriage mostly because I lacked the seriousness and strength of mind to work through it for myself. I was just like that young woman journalist I found so insipid and self-righteous for pronouncing uncritically the views of her class.

In the end, my friends . . . but why should I continue to blame them for my own fault? In the end, I let myself be talked into publishing the (only slightly altered) document, despite my objections—talked into becoming one of the original signers of *The Manhattan Declaration* myself. It was a mistake, and one I regret.

LET'S TURN AT LAST to the actual intellectual questions raised by same-sex marriage. At the time Americans were waiting for the Supreme Court to rule on the two pending marriage cases, Catholics were waiting to see if the new reign of Pope Francis would signal any change in the church's views. And if, as I suggested earlier, the Supreme Court basically punted when it handed down its opinions on June 26, the pope refused to punt at all when he promulgated his first encyclical, *Lumen Fidei*, on July 5.

There's something in the new encyclical to disappoint everyone who longs for direct political action from the Vatican. Those who were hoping that a radically leftist Pope Francis would repudiate what they saw as the radically rightist work of his predecessor are bound to be saddened. A draft was prepared under Benedict XVI before his retirement on February 28, and Francis himself has described the completed document as written with "four hands"—Benedict's and his own.

At the same time, disappointment must haunt those who hoped that a radically traditional Francis—a lifelong churchman instead of an academic theologian like his predecessor—would step back from the softness of Benedict's economics and confront the world with the hardest edges of the institutional church. Faith is at "the service of justice, law, and peace," Francis insists. We need it "to devise models of development which are based not simply on utility and profit, but consider creation as a gift for which we are all indebted." Yes, he notes, all "authority comes from God," but it is meant for "the service of the common good."

Not since John Paul II's great crusade against Soviet Communism has the Vatican been easily classifiable by the world's political categories, despite the incessant effort of the world, left and right alike, to pin the church with those categories. That unclassifiability may be the best way to understand our new pope. He is an advocate of the poor who opposed many of the Argentinian government's programs for the poor. A social activist who cannot be counted on to support social reform. A churchman who refused the elaborate trappings of his office even while he promoted the power of the church. A radical who rejects the state power and cultural change demanded by the secular left. A traditionalist who despises the accumulation of wealth and libertarian freedoms praised by the secular right. No attempt to impose liberal and conservative

definitions on him will succeed. Pope Francis simply won't fit in those categories.

Still, in *Lumen Fidei* he grants the faithful Catholic little room to maneuver on same-sex marriage. In "Faith and the Family," section 52 of the encyclical, he calls the family the "first setting in which faith enlightens the human city"—a political-theory reading of the church's interest in the institution. Indeed, "I think first and foremost of the stable union of man and woman in marriage," he explained. "This union is born of their love, as a sign and presence of God's own love, and of the acknowledgment and acceptance of the goodness of sexual differentiation, whereby spouses can become one flesh (cf. Gen 2:24) and are enabled to give birth to a new life, a manifestation of the Creator's goodness, wisdom, and loving plan." In marriage, "a man and a woman can promise each other mutual love in a gesture which engages their entire lives and mirrors many features of faith Faith also helps us to grasp in all its depth and richness the begetting of children, as a sign of the love of the Creator who entrusts us with the mystery of a new person."

But perhaps Francis does offer us an opportunity to think about marriage in terms of the politically unclassifiable that constitutes much of Catholic teaching. The stony ground on which the church must sow is the landscape created by the sexual revolution. Made possible by the pill, accelerated by legalized abortion, aided by easy pornography, that revolution actually needs none of these any longer to survive, because they never defined it. They merely allowed it, and the completed change is now omnipresent. The revolution is not just in the way we use our bodies. It's in the way we use our minds.

One understanding of the sexual revolution—the best, I think—is as an enormous turn against the meaningfulness of sex. Oh, I know, it was extolled by the revolutionaries as allowing real experimentation and exploration of sensation, but the actual effect was to disconnect sex from what previous eras had thought the deep stuff of life: God, birth, death, heaven, hell, the moral structures of the universe, and all the rest.

The resulting claim of amorality for almost any sexual behavior except rape reflects perhaps the most fascinating social change of our time: the transfer of the moral center of human worry about the body away from sex and onto . . . well, onto food, I suppose. The only moral feeling still much attached to sex is the one that has to hunt far and wide for some prude, any prude, who will still condemn an aspect of sexual behavior—and thereby confirm our self-satisfied feeling of revolutionary morality. Of course, the transfer of moral anxiety away from sexual intercourse might not be so peculiar. Think how often ancient thinkers, from the pagan stoics to the church fathers, would reach to gluttony and fasting, instead of lust and chastity, when they needed examples for their discussions of virtue and vice.

The turn against any deep, metaphysical meaning for sex in the West, however: that is strange and fascinatingly new, unique to late modernity. Jean-Paul Sartre once denounced Michel Foucault as one of the "young conservatives" for his refusal to embrace Communism, but in other ways, the radical gay philosopher, the very model of a star French philosophe before his death from AIDS in 1984, was the key explicator of the sexual revolution. And just as he saw a change in moral understanding of the body slowly developing among Christian writers from the fourth-century John Cassian to the eleventh-century Peter Damian, so he saw yet another change emerging in modern times. The comic line that "sex was invented in 1750" is an exaggeration of his thought, but Foucault quite rightly understood that there were bound to be consequences to what Max Weber called the great "disenchantment of the world" in the joining of the "elective affinities" of the Protestant Reformation, the scientific and industrial revolutions, and the triumph of Enlightenment philosophy.

Those consequences were, in essence, the stripping away of magic—the systematic elimination of metaphysical, spiritual, and mystical meanings. Science, Francis Bacon told us, could not advance in any other way. Real democracy, Diderot explained, would not arrive "until the last king is strangled with the entrails of the last priest." When the Supreme Court gave us the infamous "mystery passage" in the 1992 abortion case *Planned Parenthood v. Casey*—"At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life"—the justices were merely following out to its logical conclusion the great modern project of disenchantment. And it's worth noticing that the mystery passage was quoted approvingly and relied upon in the 2003 sodomy-law case *Lawrence v. Texas* and by the

Supreme Judicial Court of Massachusetts in 2005 when it ordered the state to register same-sex marriages.

As a practical matter, the gay-rights lawyers were probably smart to take the mystery passage and run with it. You use what tools you're given, even if they confirm your opponents' inchoate sense that all social issues are somehow joined, abortion of a piece with same-sex marriage. But as a theoretical matter, I'm less convinced. What kind of moral or social victory do you obtain if the marriage you're granted is defined as nothing more than a way in which individuals define the concept of their own existence? Marriage seemed one of the last places left where Weber's "great enchanted garden" of traditional societies could still be found.

And yet, again, I could be wrong, even about a premodern enchantment perduring in marriage. G. K. Chesterton once suggested that if there truly exists such a thing as divorce, then there exists no such thing as marriage. The root of the paradox is his observation of the metaphysics implicit in marriage ceremonies: "There are those who say they want divorce in the second place without ever asking themselves if they want marriage in the first place. So let us begin by asking what marriage is. It is a promise. More than that, it is a vow." If we allow divorce, then we have already weakened the thick, mystical notion of marriage vows. Adultery is an everyday sin. Divorce is something more: a denial of a solemn oath made to God.

I'm not trying to argue here directly for an end to the culture's embrace of legalized divorce, much as the sociological evidence about the harm to children now appears beyond dispute. Rather, the point is that the legal and social acceptance of divorce, building in Protestant America from the late nineteenth century on, culminated in the universal availability of no-fault divorce. And if heterosexual monogamy so lacks the old, enchanted metaphysical foundation that it can end in quick and painless divorce, then what principle allows a refusal of marriage to gays on the grounds of a metaphysical notion like the difference between men and women?

Think of the parallel with laws against sodomy. Justice Thomas may actually have been right that, bad as such laws were, it's better to have our feckless legislators accept democratic responsibility and replace them than it is to have the courts rule on their constitutionality. But whatever the cruelty and prudence of such laws in the first place, they had become entirely ungrounded by the time of the 2003 *Lawrence* case. If marriage is nothing more than a licensed sexual playground, without any sense of sin attached to oral sex and anal sex and almost any other act, then under what intellectually coherent scheme can one refuse to others the opportunity for the same behavior?

And, of course, not only did marital relations become a value-free zone in the sexual revolution, but non-marital relations did as well. The seal of virginity, the procreative purpose, the mystical analogy of marriage to Christ's espousal of his church, the divinely witnessed vow, the sexual body as a temple, the moral significance of chastity: all that old metaphysical stuff got swept away. And regardless of whether the metaphysics was right or wrong, without it there is simply no reasoning that could possibly outweigh the valid claims of fairness and equality. Same-sex marriage advocates don't just have better public relations than their opponents. They have better logic, given the premises available to the culture.

THIS POINTS US toward the general problem with arguments that rely on natural law—natural law, that is, in the modern sense, as developed most notably by the philosophers John Finnis and Germain Grisez, and explicated for political application by Robby George and many subsequent conservative writers. As deployed in our current debates, this kind of thing has always seemed to me a scientized, mainline-Protestantized version of the thicker natural law of the medievals: natural law as awkwardly yoked to the "elective affinities" of modernity.

On point here is Russell Hittinger's critique of "new natural law" as an attempt to have a theology-free version of a rational philosophy that depended, by its original internal consistency, on premises of God, creation, and Aristotelian natural forms. Natural law was always a little theologically thin. It derived from a rich understanding of the world, yes, but it was something like the least common denominator of spiritual views: a "mere metaphysics" (to misapply a concept of C. S. Lewis's). And it worked well enough as a

philosophy in a time when people generally agreed that the world was enchanted, however vehemently they disagreed about the specifics of that enchantment. Natural law broke spirituality down to its most basic shared components and then built a rationally defensible ethics up again from that foundation.

Don't get me wrong. I believe in a thick natural law. To read the questions on law in the *Summa* is to watch Thomas Aquinas assemble a grand, beautiful, and extremely delicate structure of rationality. As the Duke theologian Paul Griffiths pointed out in a prescient 2004 Commonweal article ("Legalize Same-Sex Marriage," June 28, 2004)¹³, the premises may not be provable, but they are visible to faith, and from them a great and careful mind like Thomas's can logically derive extraordinary things. The delicacy is revealed, for example, in his analysis of the questions of marriage. Too careful, too honest, simply to condemn everything except the sanctified monogamy that Christianity had given him, Thomas works through an escalating series that ends up preferring the Christian idea of nuptials as the richest, most meaningful form of marriage—without condemning even polygamy as necessarily a violation of the most philosophically abstract application of the natural law.

In this, I think, is a model for how Catholics might think about the world in which legal recognition of same-sex marriage has emerged. The goal of the church today must primarily be the re-enchantment of reality. This is the language in which Pope Francis speaks: Marriage "as a sign and presence of God's own love." Birth as "a manifestation of the Creator's goodness, wisdom, and loving plan." Mutual love as something that engages our entire lives and "mirrors many features of faith."

Is sex the place in which that project of re-enchantment ought to begin? I just can't see it—not after the nearly complete triumph of the sexual revolution's disenchantment, not after the way "free love" was essentially sold to us by the Edwardians as an escape from narrow Victorian Christianity, not after part of the culture's most visible morality became the condemnation of those perceived as condemning something sexual. The campaign for traditional marriage really isn't a defense of natural law. It revealed itself, in the end, as a defense of one of the last little remaining bits of Christendom—an entanglement or, at least, an accommodation of church and state. The logic of the Enlightenment took a couple of hundred years to get around to eliminating that particular portion of Christendom, but the deed is done now.

We should not accept without a fight an essentially un-Catholic retreat from the public square to a lifeboat theology and the small communities of the saved that Alasdair MacIntyre predicted at the end of *After Virtue* (1981). But there are much better ways than opposing same-sex marriage for teaching the essential God-hauntedness, the enchantment, of the world—including massive investments in charity, the further evangelizing of Asia, a willingness to face martyrdom by preaching in countries where Christians are killed simply because they are Christians, and a church-wide effort to reinvigorate the beauty and the solemnity of the liturgy. Some Catholic intellectual figures will continue to explore the deep political-theory meanings manifest in the old forms of Christendom, and more power to them, but the rest of us should turn instead to more effective witness in the culture as it actually exists.

In fact, same-sex marriage might prove a small advance in chastity in a culture that has lost much sense of chastity. Same-sex marriage might prove a small advance in love in a civilization that no longer seems to know what love is for. Same-sex marriage might prove a small advance in the coherence of family life in a society in which the family is dissolving.

I don't know that it will, of course, and some of the most persuasive statements of conservatism insist that we should not undertake projects the consequences of which we cannot foresee. But same-sex marriage is already here; it's not as though we can halt it. And other profound statements of conservatism remind us that we must take people as we find them—must instruct the nation where the nation is.

For that matter, the argument about unforeseen consequences is a sword that cuts both ways. Precisely because human social experience has never recognized same-sex marriage on any large scale, we don't know the extent to which metaphysical meanings—the enchantment of marriage—can be instantiated in same-sex

¹³<https://www.commonwealmagazine.org/legalize-same-sex-marriage-0>

unions. How faithful will they prove? How much infected by the divorce culture of modern America? How spiritual? How mundane? How will they face up to the woe of the quotidian that, as Schopenhauer insisted, marriage forces us to see? How will such unions aid their participants to perceive the joy of creation?

The answer is that we can't predict the effects of same-sex marriage. I think some good will come, I hope some good will come, but I cannot say with certainty that all must go well with this social change. Still, as the church turns to other and far more pressing ways to re-enchant the world, we'll have time to find out. And when we are ready to start rebuilding the thick natural law that recognizes the created world as a stage on which the wondrous drama of God's love is played, we will have the information we need to decide where same-sex marriage belongs in a metaphysically rich, spiritually alive moral order.

I UNDERSTAND THAT THIS IS not the answer my traditional-marriage friends demand. But then, it's not the answer same-sex marriage advocates want, either. Far too many people on both sides see the issue in such stark terms that they dismiss any nuance as merely giving excuse to immorality. As only lending countenance to evil.

Certainly it will not satisfy Jim Watson, my old friend from New York. How could he accept talk of the Catholic Church's charity and evangelizing? He wants the church hurt, its tax exemptions and even property-holding rights stripped away until it not only accepts laws allowing same-sex marriage, not only encourages same-sex marriage, but actually performs same-sex marriage. Even that might not be enough; the institutional weight of the history of Catholic bigotry, he thinks, is probably too much for repentance and reformation to overcome. Best, really, if the Catholic Church is systematically outlawed.

And that is one Catholic fear about same-sex marriage with force—the fear that the movement is essentially disingenuous. That gays don't actually want much to marry, but Catholic resistance to the idea is just too useful a stick not to use. That modern Americans, heirs to the class-based self-satisfactions of their Protestant ancestors, look at same-sex marriage and think how wonderful a device it proves for a little Rome bashing.

But how can we not take same-sex marriage advocates at their word, accepting that they really seek the marriages they say they desire? For that matter, I still believe in the general resilience and common sense of America, which will halt those who wish to hijack the movement. Christians are sometimes called to martyrdom: "The sacrifices you want to make aren't always the only sacrifices God wants," as the interesting lesbian Catholic commentator Eve Tushnet once observed here in *Commonweal* ("Homosexuality & the Church," June 11, 2007)¹⁴. But I just don't think that same-sex marriage is going to be the excuse America uses to go after its Catholic citizens.

At the same time, there's been damage done in the course of this whole debate, some of it by me. And I'm not sure what can be done about it. I certainly lost my friend Jim along the way. Some come here to fiddle and dance, I remember he used to sing. *Some come here to tarry. / Some come here to prattle and prance. / I come here to marry.* You remember how it goes. "Shady Grove," the song is called. A bit of old-timey Americana, the stuff we all still share.

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¹⁴<https://www.commonwealmagazine.org/homosexuality-church-1>