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Gay Marriage's Big Problem

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I found myself in a conversation at a friend's home with a man I just met. Small talk turned to the New York Senate's defeat of the marriage equality bill.

Given the crowd, I was surprised when he said he was "thrilled" by the defeat. I was surprised again when he said "I believe in equality. But not this. To be honest with you, I have a problem with the whole [pause to find the acceptable words] gay thing."

A friend's home not being the place for what could become a high-decibel exchange, I excused myself and walked away thinking: There you have it. This is what same-sex marriage is up against.

It might be about constitutionality. It might be about state's rights. It might be about the definition of marriage. But it is also very clearly about members of a majority withholding rights from members of a minority that they simply don't like.

I have some tangential experience here. I wrote a book that shared my findings that lesbian mothers were raising happy, healthy and masculine boys. I still get the occasional death threat.

Granted, my cocktail party encounter was a demographic of one. But let's also review the record.

Not one state has ever granted marriage equality through voter initiative. Voters in California and Maine have, however, taken it back. New York senators voted it down because -- post vote analysis has concluded -- they already had enough to worry about with angry home constituents. New Jersey supporters, feeling the shock waves rippling southward, canceled a gay marriage vote that was supposed to happen this week -- even though they only have until January 19, when the current governor who supports it will be replaced by a new governor who has promised to veto it.

What do we take from the recent setbacks? Is the glass half full, half empty or smashed against the wall?

Half full: Five states allow gay marriage, and seven recognize marriages from other states. Ten offer various civil protections. Some 38 percent of Americans live in a state that in some way addresses the rights of gay couples. On the hearts and minds front, yearly Pew surveys show a slow but steady shift toward greater gay marriage support.

Half empty: Early progress and "yes we can" optimism rode a Bush backlash and the coming of Obama. But anti-gay rights forces mobilized and a financial meltdown put Americans on edge and politicians on alert. The Obama administration's hands-off approach to Maine and the Democratic National Committee's refusal to aid in funding the campaign there show -- warm campaign promises aside -- which way the chilly political wind is blowing. The going will be tougher ahead.

Glass against the wall: The current progress is a high water mark. Preoccupied ambivalence will merge with more organized opposition. Weaponized messaging -- "they are going to teach homosexuality to our kids in school" -- will remain a powerful deterrent. The real battle will be to hold on to gains already made.

The open question in an age of polarization is this: have all those prepared to change their minds on the issue of gay marriage already done so? Are the divisions that remain calcified by deeply held fears and prejudices?

A recent article by Georgia State University's Gregory Lewis in *Policy Studies Journal* points to the possible hurdles ahead. In reviewing 24 national surveys since 1974, he found a strong link between belief in a biological basis for homosexuality and the support for gay rights. For those who see it as a choice, moral condemnation leads directly to opposition.

The state-by-state approach has been criticized as a popularity contest. If Lewis is right, and support is tied to the un-provable issue of choice versus genes, it's a contest that, for now at least, gays are not going to win.

The options are clear, even if the best choices are not:

Keep working state by state in the hope that the hard lessons of past disappointment will pave the way to better results. Take a page from civil rights history (try to envision 60s-era deep South referendums on voting rights) and launch an all-out effort at the federal legal and judicial levels. Go for a Washington-state-style "everything but marriage" approach and settle for legal, albeit civil, protections. Wait five or ten years until the economy has people in a better mood and nature begins to change the balance of younger supporters and older resisters.

While we ponder timing, demographics, politics and other issues, we will have to remember that any strategy must also embrace the intractable reality of a sizable group of voting Americans who believe fervently in individual rights, but have "a problem with the whole (pause to find the acceptable words) "gay thing."