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# Tangled thicket of laws and marriage

The Hawaii Supreme Court could, if it rules in favor of same-sex marriages, plunge the United States into a constitutional pickle.

The full faith and credit clause of the Constitution reads as follows: "Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State." At first glance, that would seem to seal the case. If gay marriages become valid in Hawaii, then gay couples from around the nation could fly there, be married and return home as husband and husband, or wife and wife, and the other 49 states would be obliged to recognize those marriages as valid.

But the Constitution goes on to say, "And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof."

A good many constitutional scholars think the second sentence opens the door to national legislation that could limit the legitimacy of same-sex marriages to Hawaii. The Defense of Marriage Act, which would do just that, is currently wending its way through Congress.

The arguments on behalf of same-sex marriage have been cast as so many debates in America are: as a matter of "rights" and "discrimination." The Equal Marriage Rights Home Page on the World Wide Web, for example, proposes the following resolution: "Because marriage is a basic human right and an individual personal choice, resolved, the State should not interfere with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities and commitment of civil marriage."

Where to begin? Marriage is not a basic human right. Though it is conducive to the happiness of men and women, it is not primarily designed for them. It is designed for children. To say that the state ought not to "interfere" with same-sex couples who choose to marry is meaningless. Marriage is something the state confers because it wants to reward certain kinds of behavior. Marriage between men and women, tested over centuries, has been judged to promote a healthy society. Within families created by traditional marriage, children are raised to be good citizens of the larger society.

The state does not currently "interfere" in homosexual relationships (nor should it). But to demand the "right" to marry is to ask more than that the state refrain from interference; it is to ask the state to confer a benefit.

But what good will the state be achieving for itself if it confers the benefit of marriage on homosexuals? Homosexual unions do not advance the interests of the larger society. They do not result in the birth of children.

What about adoption? If the state permits homosexuals to marry, it can hardly discriminate against them when it comes to adoption. Would it be desirable to have significant numbers of children raised by homosexual couples?

The pop answer is that love solves everything. As long as a child gets love, what does it matter whether it comes from two mommies or two daddies?

It matters a lot. We are learning from the epidemic of divorce and illegitimacy just how important it is to grow up with one parent of each sex. Girls without fathers are far more likely than those who grow up with both parents to get pregnant, bear illegitimate children, have trouble in school and have difficulty forming lasting relationships. Boys who grow up with a mother alone are more likely to have trouble in school, break the law, experiment with drugs and commit suicide than those who grow up with both parents.

In a million ways, some subtle, some obvious, men and women contribute different things as parents. Mothers tend to be more protective and nurturing; fathers more playful and challenging. Mothers say, "Be careful on that jungle gym." Fathers say, "How high can you go?" Fathers give daughters a sense of attractiveness and self-confidence. Mothers show their sons how to treat a lady. Mothers teach girls how to become women. Fathers show boys what it means to be a man.

Relationships between those of the same sex cannot be marriages. A marriage is the foundation of a family. They are instead friendships. Let's leave it at that.

Mona Charen is a nationally syndicated columnist.