

Looking at the Term Homophobic and Its Derivatives as a Weapon to Oppress Those Who Value Traditional Marriage

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Opinion Paper**

1. Introduction

Hate speak is and always has been a tool used by people to impose their will and their viewpoints over others.¹ It is a despotic tool given from a position of some type of authority that is used to embarrass and ridicule a group of people for their beliefs; all the while the oppressing group uses the speech and other means to break down the cohesion of the oppressed group. Hate is infecting and is never good for society, so the groups that use hate speech as a means to oppress other groups' opinions are a destructive force against society (Klu Klux Klan, the Nazis, Skinheads). However, subversive hate groups are among the most dangerous groups in the world, especially hate groups that subvert their own members into being ignorant or ambivalent about their own use of hateful speech.

The hate speech that we are going to look at in this short essay is the term 'homophobic' or any of its derivative terms (homophobia, homophobe, etc).² Homophobe is a term currently used in the pro-gay marriage political camp to

¹ Jacobs, J. (2011). SACRED SPACE AND COLLECTIVE MEMORY: MEMORIALIZING GENOCIDE AT SITES OF TERROR. *Sociology of Religion*, 72(2), 154-65. doi: 10.1093/socrel/srr023.

² Avert.com (2011). HOMOPHOBIA, PREJUDICE & ATTITUDES TOWARD GAY MEAN AND LESBIANS. Available at <http://www.avert.org/homophobia.htm> (Last Visited 2011-09-17). As you can see in this article the definition of 'Homophobic' is fluid and can be adapted to attack and embarrass any particular group that disagrees with the anti-traditional marriage camp.

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describe anyone who does not support gay marriage, or is a person who actually hates gays.¹ As such, it is an oppressive measure against those of us that support traditional marriage but have no hatred in our hearts against gay people. The use of this term is offensive as it groups people who support traditional marriage with hate groups, which is not only a misnomer but also a libelous or slanderous comment. Forward thinking academics and politicians must maintain the statutes against hate speech both ways by protecting the minorities from being called offensive slurs and also protecting the majority from being likewise harassed.

The term homophobe is a political move that has been used in both the legislature and the courts. Limited members of the anti-traditional marriage community have tricked the gay rights community into believing that use of offensive hate speech is acceptable if used to achieve a common goal. Like Senator Joe McCarthy who used the term “communist” to attack political opponents, the anti-traditional marriage camp is using hate speech to attack those who are only upholding the law and supporting traditional marriage. Homophobia is being used as a term to shame law abiding Americans, insinuating that a person has to have a mental disease to uphold the law.²

Recently in a doctoral course, I was accused of being a homophobe for my support of the Defense of Marriage Act, a law that passed congress with substantial support by both parties in a bipartisan congress and that was signed into law by a Democrat president (Clinton). I was defending the legal nature of the law, and for that I was branded a homophobe.

¹ *Id.* If you notice, this definition also accuses ‘homophobic people’ of being afraid of homosexual people, adding to the stigma of defending your values. Even if you do not have a problem with gay people and simply support traditional marriage, you are stigmatized as being hateful and fearful of other people.

² Breiner, Sander J. (2003). Homophobia: A scientific Non-Political Definition. NART.Com available at <http://www.narth.com/docs/coll-breiner.html> (Last Visited 2011). “[H]omophobia is not a correct psychological term, this places much of the discussion on less than solid ground.”

I was simply talking about the constitutionality of the law, but in the eyes of a person that disagreed with me, that made me a homophobe. I used logic, but that person resorted to mudslinging when logic failed them. I challenge anyone, in either camp, to defend a position that logic in itself hates homosexuals. Hate is a truly devastating emotion, and luckily logical reasoning can protect us from hate. To stop this type of hate speech we must make people aware that it is hate speech. Most people in the anti-traditional marriage camp do not know that the term homophobe actually is offensive hate speech and a bastardization of psychological terms that makes them look ignorant, they use it because they have been tricked by militant extremists to believe that it is an OK term. We need to let those people who are moderates and reasonable people know that this is hate speech so that we can separate the bigots from those who are just expressing their opinion.

I feel that it is necessary to explain what DOMA is and how it relates to both the state and United States constitutions, and this discussion. DOMA is a law that gives the states the right to define marriage within their own borders, and allows them to maintain this definition as applied to person who moves there from another state. This allows the states to decide whether or not to allow other states to define their tax code, medical rights, insurance rights, and inheritance law, as marriage is heavily related to the these areas.¹ DOMA does not prevent non-traditional marriage in anyway and makes no effort to do so. DOMA was a duly passed law that protects people from being subject to changes made in the law in the above mentioned areas.

¹ Full Faith and Credit, in the United States constitution does not provide that any state must follow the laws of any other state. Many other licenses are not accepted by other states due to the complexity of the law revolving around the issue. Law licenses, medical licenses, and weapon permits all are not covered by full faith and credit due to the complexity in their areas. Marriage is an area that cannot be covered by full faith and credit because it would be a *de facto* implementation of another states laws on the people of a second state.

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Conversely, we can look at the court actions in Iowa and California to see the unconstitutional actions taken by federal courts in overturning states' rights. In Iowa, following the non-traditional marriage law in Hawaii, the people of Iowa asked their legislature to pass a law that mirrors DOMA to protect their rights to define marriage as is just in a democracy.¹ The legislature passed the bill in a landslide vote. A national 'progressive agenda' organization went directly to the district court with a claim that the Iowa law violated equal protection, even though gender identity is not a protected category.² In a gross misuse of judicial law making, the Iowa court legalized non-traditional marriage in the state, without statute. The citizens of Iowa protested over the course of the next few weeks due to the heinous violation of their rights in a democracy.³ The California case is even more disturbing in its nature as a court ruling allowed non-traditional marriage in the state, and then the people overturned the court by way of a constitutional amendment, which a federal judge illegally overturned in a direct violation of the United States constitution. The case is currently being stayed by a higher court as it awaits briefs to presumably overturn the case as the judge acted beyond both state and federal law. The truly devastating matter is the way in which the case was ruled, that the people of California do not have the standing to protect their constitutional amendment in the United States court. After a turn-coat governor abandoned his duty to protect the law,

¹ MSNBC.com (2011). IOWA SUPREME COURT LEGALIZES GAY MARRIAGE. Available at <http://www.msnbc.msn.com/id/30027685/#.TnSguNSK5GQ> (Last Visited 2011-09-17)

² *Id.*

³ DemocraticUnderground.com (2011). Michele Bachman Burns up Iowa, Decries Gay Marriage. Available at http://www.democraticunderground.com/discuss/duboard.php?az=view_all&address=439x870564 (Last visited 2011-09-17). While this blog post is not specifically relevant to the article, one of the replies is. I non-traditional marriage supporter, in his argument against Bachman's position posts a disfigured caricature of her in support of a one line rebuttal. There is no political inference in the drawing, it is just a purely insulting picture of her, attacking her through insults rather than through logic.

private citizens had to take up the case with their own money.¹ If this case is ruled against traditional marriage the message is clear, the votes of United States citizens have no worth when a national lobbyist group does not like the decision.² Both of these cases occurred as lobbyist flung the slur homophobic at those defending their constitutional right to vote. Hate speech attacking a person's right to fight back in the selfsame court that overturned those people's democratic votes.

Hate is a tool used by people who know that they are in the wrong to convince those who are innocent that they are wrong or to win unsuspecting people over to their cause. If the non-traditional marriage leaders convince their supporters that traditional marriage supporters are evil and mentally deficient, then it is easy to convert more people to their side. Hate breeds more hate, and organizations that support non-traditional marriage are wittingly or unwittingly using hate speech as the key tool in their social arsenal. Now, this article is not to condemn all people who support non-traditional marriage as hate mongers, many of them were just misled by national groups into using offensive hate speech. This article is as much for them as it is for the oppressed, while you have a right to your view we have a right to ours and the use of hate speech is a clear violation of human rights while we debate this grey issue. If you are asking someone else to stop hating, you have to stop hating yourselves.

¹ Hass, Carla (2011). "GAY MARRIAGE" GOVERNOR NOMINATES PROP 8 CRITIC FOR STATE SUPREME COURT. Protect Marriage.com. Available at <http://www.protectmarriage.com/article/-gay-marriage-governor-nominates-prop-8-critic-for-state-supreme-court> (Last Visited 2011-09-17).

² Lindenberger, [Michael A.](#) (2010). A GAY-MARRIAGE LAWSUIT DARES TO MAKE ITS CASE. Available at <http://www.time.com/time/nation/article/0,8599,1951520,00.html> (Last Visited 2011-09-17).