

# *The Government of Québec Declares War* on a 'homophobic' and 'heterosexist' populace

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The *Québec policy against homophobia* was released in December with introductory fanfare from Premier Jean Charest and Justice Minister Kathleen Weil, who is officially “the minister responsible for the fight against homophobia.” It diagrams a full-scale assault, to be coordinated by an inter-departmental committee, against “homophobic attitudes and behaviour patterns” and “sets out the government’s goal of removing all the obstacles” to full recognition of LGBT interests and modes of life. What is thus promulgated is no ordinary policy document, for it aims at the conversion, not merely of this or that piece of public infrastructure, but of the psychological and moral and sexual infrastructure of a generation. It is not directed at creating a situation of legal equality – that, it proudly proclaims, has already been accomplished – but at creating “a society free of prejudice with regard to sexual diversity.”<sup>2</sup>

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<sup>1</sup> Personal © 20 January 2010 (web-published by the Catholic Civil Rights League at [www.CCRL.ca](http://www.CCRL.ca)). It goes without saying that the views expressed here are strictly my own; whether it goes without saying that I am still a free citizen with a right and – on a subject of such importance – a duty to speak my mind, we shall see.

<sup>2</sup> This document (<http://www.justice.gouv.qc.ca/english/publications/rapports/pdf/homophobie-a.pdf>) answers the call issued two years earlier in a French-only report from the Commission des droits de la personne et des droits de la jeunesse, entitled *De l'égalité juridique à l'égalité sociale – Vers une stratégie nationale de lutte contre l'homophobie* (2007). The above quotations are from the introductory letters.

Herewith the Ministry of Justice moves boldly and decisively into territory once reserved for the voluntary organs of civil society. Not only is homophobia to be eradicated “at all levels of society,” it is to be eradicated as a matter of government policy and by means of government action. “The first challenge,” we are told, “is to ‘demystify’ sexual identities and orientations and the realities they involve. Prejudice is the foundation for homophobic attitudes and behaviour, and because of prejudice, sexual minority members are often forced to keep their sexual identity quiet, perpetuating the lack of understanding and the rejection of difference.”<sup>3</sup> So the government will undertake to “raise awareness of the realities” and promote respect for the rights of sexual minorities, to “rally all players in society” to their cause, and to “ensure a concerted approach” to the matter in all branches of the bureaucracy.

This putative de-mystification, as we shall see, is actually an exercise in obfuscation. But there can be no obscuring the fact that the *Québec policy against homophobia* is an official endorsement of – indeed, the assumption of full responsibility for – the activist agenda of so-called LGBT groups. As such, it is also a declaration of war by the Charest government on all groups and citizens who oppose that agenda. That this war must be fought on a broad front is not denied:

Some widely held beliefs about sexual minority members are still common in Québec. For example, it is still possible to hear people say that homosexuality is an illness, morally wrong or a form of deviant behaviour, and that people choose their sexual orientation. These beliefs, often instilled in the past, tend to marginalize sexual minority groups and prevent full recognition of their social equality.<sup>4</sup>

That is a very broad front indeed, just as the ambition to create social, and not merely legal, equality is a very large ambition. But the government is determined to assert “the state’s role as a leader in upholding rights and freedoms and keeping public order,” as well as “the responsibility and commitment of all institutional and social players, and of the general public, to combat homophobia.”<sup>5</sup>

Can the government win such a war? Perhaps not. But a government so lacking in constitutional modesty, in moral judgment, and in political sense as to wage it, is a

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<sup>3</sup> p. 18

<sup>4</sup> p. 19

<sup>5</sup> p. 16

government that can and will wreak havoc in Quebec society. I feel it my duty to point that out to my fellow citizens, and to comment on some of the tactics displayed by the document, though these will already be familiar to anyone who has observed the earlier stages of this *Kulturkampf*, when the combatants were volunteers rather than conscripts.

Before I begin, let it be noted that nothing I have to say here is directed at or against people of homosexual inclination, among whom I too have friends and colleagues, some of whom would agree with the main thrust of my argument even while disagreeing strenuously on points of substance or of detail, whether in morals or politics or in social phenomena. Which is to say, there is by no means unanimous support among such people for the *Kulturkampf* to which I am objecting. Some of them feel that the government, or the activists pushing the government, by pursuing a cause that far exceeds the necessary defence of those who are persecuted for their personal tendencies or private actions, are making the situation worse rather than better. They do not wish to find themselves in a society where it is not possible to enquire openly about the causes and consequences of sexual behaviour, or to make moral claims about sexual behaviour that do not suit the people in power. And they can see that this is where we are headed; that the new moralists (as I have elsewhere referred to them) are in some ways much more rigid and prone to persecute than the old. They may not like it, for example, if an institution or an individual refers to their condition as “disordered” or their behaviour as immoral,<sup>6</sup> but they would defend the right to hold such a view, to live by it, and even to argue for a polity that takes it into account.

■ That right is just what is threatened by the *Québec policy against homophobia*. The first obfuscating tactic on which I want to comment is connected to the document’s main term, variants of which occur no less than 234 times in this thirty-five-page manifesto. Back in 2001 I ventured some observations in the *National Post* that I think are worth revisiting, though clearly they fell on deaf ears:

Of all the words bent with Orwellian cynicism into blunt ideological instruments, “homophobia” is currently the prime example. It is time for a moratorium on its use in any discourse aspiring to intelligent debate on human sexuality.

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<sup>6</sup> As does, e.g., the *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons* ([http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19861001\\_homosexual-persons\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19861001_homosexual-persons_en.html)).

The word, in its literal sense, refers to an entrenched fear or dislike of the male sex or, more generally, of human beings. The *Oxford English Dictionary* refers us to *Chambers's Journal* (5 June 1920): "Her salient characteristic was contempt for the male sex as represented in the human biped... The seeds of homophobia had been sown early." By the early Seventies, however, in part under the influence of the Manhattan psychotherapist, George Weinberg, the word was being used to refer to any aversion in the general population to the persons or practices of the homosexual minority.

This redefinition of the word was part of a deliberate attempt to turn the tables on those who believed that homosexual behaviour was itself related to an unhealthy aversion to so-called normal men or women. Indeed it appears that "homophobia" and "homophobic" were semantically retooled for one crucial purpose: to identify those who regarded homosexuality as a sign of psychological or moral difficulty as witnesses against themselves, that is, against their own mental or moral health. In short, if homosexuality were no longer to be regarded as a form of mental illness – it was struck from the list by the American Psychiatric Association in 1973 after a brief but intense form of institutional warfare – another such illness would have to take its place. That illness was homophobia.

Whatever one makes of the arguments about homosexuality, the view that Weinbergian "homophobia" is an illness is highly dubious. No one doubts that there are people who express their secret fears in the form of social or even physical violence against homosexuals. And such people, whether heterosexual or homosexual, can rightly be said to be ill; in some cases, they might even be said to be evil. But one of the many problems with the current usage of the word homophobia is that it is not being used chiefly to refer to the psychological condition of such people. Rather, it is being applied to anyone at all who is not ready to assent to the proposition that homosexual behaviour is a social good, or at all events good for those who are inclined to practice it.

As a matter of fact, one does not even need to harbour any such skepticism in order to receive a bloody nose from the "homophobia" charge or something very like it. Consider the fate of two of my McGill colleagues, whose only crime was to answer the government's call for an expert opinion on the history and social merits of reserving the category of marriage for stable heterosexual unions. Their email systems were jammed by a risible petition circulated by something called Project Interaction: The Gay, Lesbian, Bisexual and Two-Spirit Initiative of the McGill School of Social Work (a quite unofficial body, I hasten to add, which presumably wishes to see the definition of marriage expanded to include communities of three or more). Neither their academic work nor their personal views would support a charge of homophobia, on any definition, against these scholars. Yet the petition boldly asserts that it is "unacceptable and unethical" for the university even to employ such obvious enemies of the people. So much for civil discourse.

But there are better reasons for a moratorium on the use of this word in good company – heterosexual or otherwise – than the bad company the word itself is in the habit of keeping. The best reason is that the word is designed and deployed to prevent, rather than to promote, reasoned debate about a fundamental aspect of our common humanity, and of the common good.<sup>7</sup>

The definition that now guides Quebec policy was certainly designed, not to expand, but to dampen debate about human sexuality and about the relation between sexual mores and the common good. Indeed, the present document appears to be a naked exercise of power politics aimed at the suppression of meaningful debate. "Homophobia," we are informed, refers to "all negative attitudes leading to the

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<sup>7</sup> "Sexual politics and language," *National Post*, 31 August 2001. On the events of 1973, see e.g. Ronald Bayer, *Homosexuality and American Psychiatry* (1987).

rejection of and direct or indirect discrimination against gays, lesbians, bisexuals, transsexuals and transgenders, or against persons whose appearance or behaviour does not conform to masculine or feminine stereotypes.”<sup>8</sup> Not much wiggle room there! By this expansive definition – note the word “all” and the word “indirect” – the inventory of people suffering from the disease, hence unfit to engage in public debate, extends to much of the electoral roll. I, for one, don’t “reject” people who place themselves in LGBT categories but I do deny the moral validity and social merits of the modes of life many of them practice or promote.<sup>9</sup> So it seems that I, too, must be placed on the list of those with the negative attitudes the government intends to cure or stamp out. Of course, whether I am or am not is a matter of little moment. What is of great moment is that we now have a government that thinks it fine to keep such lists; that is, to stigmatize opponents of radical change in sexual mores.

■ I turn now to the document’s key assumptions. Is it true to say, with Premier Charest, “that our society has everything to gain from accepting sexual diversity and fighting intolerance”? It should not escape our notice that this crafty hendiadys, “accepting sexual diversity and fighting intolerance,” begs a number of important questions. Refusing to accept sexual diversity as a public desideratum may indeed be a form of intolerance, but is it a *bad* form of intolerance or a good form? Is a refusal to promote or celebrate homosexuality in its various manifestations (for that is what “accepting sexual diversity” means) injurious to the public welfare, or a sound judgment about what makes for that welfare? If injurious, as the premier implies, then what exactly are the limits of the “diversity we are to celebrate?”<sup>10</sup> Otherwise put, at what point and by what measurement might we say that diversity has passed over into perversity? Or are we to dispense with the notion of perversity altogether, as a perusal of gay literature might suggest? But a great many practices are taken for granted there,

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<sup>8</sup> p. 12

<sup>9</sup> Confusing the rejection of acts with the rejection of persons is another habit that deserves remark, but any serious consideration of this topic must take us quite deeply into the philosophy of personhood, which is not possible here. Suffice it to say that personal experience teaches all of us how vital this distinction is, and there is really no use denying it.

<sup>10</sup> This diversity, we must bear in mind, is all “homo-diversity,” where *homo* no longer means “man” but “same”. Built as it is on the rejection of the natural diversity of male and female – a point to which we will return later – it involves an endless search for substitute forms of diversity.

or agitated for, or at least debated on their merits, that would still cause most members of the government to recoil in disgust.<sup>11</sup>

Plainly we are not intended by the government simply to tolerate everything – that is impossible – but what are the principles that will help us distinguish the intolerance of the drafters of the *Québec policy against homophobia*, say, from the intolerance of those they call homophobic? Both have views about sex, and both believe that views about sex, as well as actual sexual practices, touch on the common good, such that some views should be endorsed, and some practices encouraged, while others should be repudiated or discouraged. Yet their respective views and beliefs are incompatible. How shall we decide between them?

When we read in the new policy document that “prejudice is the foundation for homophobic attitudes and behaviour,” we are being told that the views of the former are rational and the views of the latter are irrational. That is the more fundamental assumption. But on what is it based? Those with ears to hear will recognize the muffled sounds of Jeremy Bentham’s voice, escaping the closet at University College London where he has been sitting patiently for two centuries, awaiting his time. It was Bentham who first tried to teach us, in his essay on pederasty, that it is irrational to object to homosexual acts. Bentham enquires in that essay as to whether certain common objections to homosexual acts – those, that is, that highlight their negative consequences – are solid objections. He deals with a long list of alleged consequences and, finding them all doubtful or open to challenge, concludes that the censure of homosexuality reflects an irrational antipathy that is grounded “only in prejudice.”<sup>12</sup>

Now if Bentham’s thesis were actually established, then Charest would be right: society would have something to gain from confronting (so-called) homophobia, for in doing so it would be defending reason, which is a basic precondition for good public order, or indeed for any kind of order. It would also be defending those whose way of

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<sup>11</sup> One assumes that the premier and the justice minister are not entirely ignorant of the variety of sexual practices, legal and illegal, associated with the gay community. It would be a shame, in more ways than one, to have to mention them, and of course the strategy laid out in works like *After the Ball: How America will conquer its fear and hatred of gays in the 90’s* (1990) forbids mentioning them. The camel’s nose, as Kirk and Madsen remind us (p. 146), must precede the beast itself into the tent.

<sup>12</sup> This essay was composed ca AD 1785 and elaborated in his later writings, but published and disseminated only in recent decades; see further my remarks and references in John Haas, Douglas Farrow, Maria Kraw, François Pouliot, *A Matter of Conscience* (2009), 56-60.

life has been unreasonably challenged. But while the government manifesto is peppered with statements that take for granted the veracity of Bentham's thesis, the thesis itself remains unexamined and undefended. It might be argued that Bentham's essay grappled mainly with straw men; but in any case we have today much more data respecting the consequences of homosexual practices. We know, for example, that males who adopt the notoriously promiscuous "gay" mode of life have on average a dramatically shorter life span (some two decades shorter); that they suffer a far higher rate of debilitating injuries, infections, and diseases, including anal cancer, Gay Bowel Syndrome and AIDS; that they are several times more likely to experience substance abuse, conduct disorders, clinical depression, and mental illness than the rest of the population; and that their rates of suicide or attempted suicide far outstrip those who do not engage in homosexual behaviour.<sup>13</sup> And these are just some of the health-related consequences; there are corresponding economic and social consequences, not to speak of the moral and spiritual consequences that Bentham chose to discount.<sup>14</sup> We also know, by the way, that inter-gay battery or violence is more of a problem than anti-gay violence,<sup>15</sup> and that both ephebophilia and pedophilia are far more frequent (relatively speaking) among homosexual than among heterosexual males.<sup>16</sup> It is no slur on this or that homosexually engaged person – indeed, it may be essential to his support and protection – to admit these unfortunate facts.

On the pages of the *Québec policy against homophobia*, however, hardly any of this is admitted or acknowledged, despite the stated determination to raise awareness of the realities of LGBT modes of life. Moreover, the bit that is acknowledged – namely, high rates of depression and suicide – is acknowledged mainly for the purpose of further

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<sup>13</sup> See e.g. David Fergusson et al., *Is Sexual Orientation Related to Mental Health Problems and Suicidality in Young People?*, 56 *Archives of General Psychiatry* 876 (1999), and Richard Herrell et al., *Sexual Orientation and Suicidality: Co-twin Control Study in Adult Men*, 56 *Archives of General Psychiatry* 867 (1999).

<sup>14</sup> Bentham, being the pioneer of utilitarianism, broke decisively here with the classical tradition; on the latter, see e.g. Anne Gardiner, "Why Does Dante Consider Sodomy Worse Than Homicide & Suicide?", *New Oxford Review*, September 2004 ([www.newoxfordreview.org/article.jsp?did=0904-gardiner](http://www.newoxfordreview.org/article.jsp?did=0904-gardiner)).

<sup>15</sup> Figures vary; one study in the *American Journal of Public Health* indicates that nearly 40% of males engaging in homosexual behaviour are abused by other homosexuals. Cf. David Island and Patrick Letellier, *Men Who Beat the Men Who Love Them* (1991).

<sup>16</sup> See Judith Reisman, "Crafting Bi/Homosexual Youth," [2002] *Regent University Law Review* 14 (283-342), 295ff. See also Brian Clowes and David Sonnier, "Child Molestation by homosexuals and heterosexuals," *Homiletic and Pastoral Review*, May 2005, 44-54.

tarnishing the intolerant. “The risk of suicidal thoughts or suicide attempts,” we are told, “is between six and sixteen times greater for young gays and bisexuals than for young heterosexuals. Young lesbians are almost five times more likely to attempt suicide than heterosexual girls.”<sup>17</sup> And who is responsible for that? Over and over again, the culprit is the homophobe: “Various health problems, especially in the field of mental health, affect *the victims of homophobia*: stress, isolation, psychological distress, suicidal thoughts, etc.”<sup>18</sup>

Note how much is passed over with the vague expression, “various health problems,” which is elaborated only in terms of emotional states. In the rush to deflect as much responsibility as possible onto the population at large, little mention is made of actual physical problems, for which the sexual partners alone are responsible. Note as well that no account is taken of the substantial literature exploring along other, quite different lines the root causes of depression and suicidal tendencies; only literature determined to make the link to homophobia is cited.<sup>19</sup> Note, above all, that no hint is given of the fact that studies of homosexual health problems and suicide rates in countries regarded as “gay friendly” (such as Holland or Denmark) produce similarly discouraging results. Instead, we meet in this policy document only the stubborn determination that more and more Quebec youth should be educated in such a way as to see the LGBT modes of life as viable, even attractive, alternatives. If everyone can be persuaded not only to tolerate but to celebrate homosexuality, runs the argument, then the reasons why one might not celebrate it – those dark realities of depression and suicide – will disappear and it will turn out to be worth celebrating.

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<sup>17</sup> p. 27

<sup>18</sup> p. 26 (emphasis mine); cf. pp. 9, 14, 20, 25, 26-27.

<sup>19</sup> The original task force (see p. 15, n. 21) was constituted in a patently one-sided way, and the preferred literature behind the present policy document still reflects that. This example from p. 13 (emphasis added) clearly demonstrates the operative bias: “A study presented in 2002 [Danielle Julien, Élise Chartrand and Jean Bégin, *Les personnes homosexuelles, bisexuelles et hétérosexuelles au Québec: une analyse comparative selon les données de l'Enquête sociale et de santé 1998*, Rapport final présenté au Bureau de la recherche du ministère de la Santé et des Services sociaux, July 2002] shows that homosexuals and bisexuals, as a group, were more likely to have physical or mental health problems than heterosexuals, *not because of their sexual orientation but as a result of homophobia*. In addition, the study showed that homosexuals and bisexuals had lifestyle habits that carried more risk for their health, *had less social support*, and were in less good physical and mental health than heterosexuals.”

But what if those dark realities don't disappear? What if they are in fact linked (as many doctors, psychiatrists, and field workers still believe) to intrinsic rather than extrinsic factors? What if Bentham is wrong and the attack on "homophobia" doesn't do the trick? What if our youth are herded in ever-larger numbers into a mode of life that, on balance, is more debilitating than liberating? Then what? Some day, unless I miss my guess, this gamble with Quebec youth will be recognized as having been morally – perhaps criminally – irresponsible. We've been there before, but it seems we haven't learned much.<sup>20</sup>

■ Despite its unwillingness to face even the medical facts, the *Québec policy against homophobia* tries to leave the impression that it is rational, because it is in accord with modern science, and that it is just, because it respects nature. Not so the homophobic population, whose prejudice has bound them to a darker past in which sexual minorities were entirely misunderstood and hence treated with disdain. "It is still possible," lament the authors, "to hear people say that homosexuality is an illness, morally wrong or a form of deviant behaviour, and that people choose their sexual orientation."<sup>21</sup>

Well, it is indeed possible to hear people say such things, and among those people – though you would never know it from reading the *Québec policy against homophobia* – are eminent moralists and theologians, psychologists and psychiatrists, geneticists and medical scientists. What are we to make of that? They have laid out their respective cases carefully enough, and many are those who have been persuaded by them to a quite different judgment about the rationality of any official promotion of homosexuality. The suggestion that only benighted bigots question that rationality is thoroughly dishonest.<sup>22</sup>

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<sup>20</sup> One thinks of the residential schools, for which our leaders have been so apologetic, and more especially of the sexual abuse crisis, with which they have not yet fully come to grips, in part because it has undeniable connections to "sexual minority" behaviour.

<sup>21</sup> The assumption here is that homosexuality is entirely natural and, as such, unobjectionable. The expression "sexual minorities" says it all. This is not the kind of language one would use, for example, to refer to adulterers or child abusers; no, its rhetorical analogue is "ethnic minorities" or "racial minorities," which have a *prima facie* claim on our tolerance, though not necessarily an absolute one.

<sup>22</sup> It is difficult to reach any other conclusion, in fact, than that the government has adopted the strategy of "jamming" and "silencing" advocated by Kirk and Madsen in *After the Ball*, and indeed of making

The government's refusal to countenance any deviation on the point that sexual orientation is biologically fixed, prior to any volition, is especially problematic. It makes bigots of many lesbians, for example, who *do* see their orientation and sexual practices as a matter of choice, not to mention the significant number of gays who take their cues from the queer theorists. Queer theory, for those who find all of this rather puzzling, rejects any hint of "essentialism" and proposes that even sex and gender be understood as socially constructed.<sup>23</sup> It does not hold to the innateness of homosexuality or of any other sexual configuration.

It is worth observing, in passing, that the word "queer" does not appear in this document. Perhaps that is because queer theory does not lend itself quite so readily to the collective mobilization the document calls for. John D'Emilio, the prominent gay activist and University of Illinois history professor, put his finger on the problem in a recent interview:

It seems to me that at its best, queer theory is a perspective that asks us to question normalcy, to be skeptical of seeing both gender and sexuality as fixed categories. Who can argue with that? And, again, at its best, this can be an angle of vision on society that allows us to critique, to rebel against, to organize against, normative systems that oppress people who refuse to follow the rules of gender and sexuality. That's invigorating. I'm not sure I know how that might lead to collective mobilization as opposed to the individual's assertion of a right to be who and how we want to be.<sup>24</sup>

In other words, "a right to be who and how we want to be" may appeal to the Benthamite and Millsian mind, but such a right is hard to sell as the foundation for so draconian a policy as the government has adopted. Most likely, however, queer theory doesn't appear in the *Québec policy against homophobia* because it openly questions the idea that people do not choose their sexual orientation, and the "born gay" thesis on which the document relies. D'Emilio again:

"Born gay" is an idea with a large constituency, LGBT and otherwise. It's an idea designed to allay the ingrained fears of a homophobic society and the internalized fears of gays, lesbians, and bisexuals. What's most amazing to me about the "born gay" phenomenon is that the scientific

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opposition to homosexuality (cf. e.g. Jeffrey Satinover's *Homosexuality and the Politics of Truth*, 1996) the very definition of bigotry.

<sup>23</sup> Indeed, the new McGill Institute for Gender, Sexuality, and Feminist Studies does not shy, in its founding documents, from declaring that "the categories of men and women ... are social constructs." I am not sure what that implies for the reorganization of the study of medicine at McGill.

<sup>24</sup> *International Socialist Review*, Issue 65, May-June 2009 ([www.isreview.org/issues/65/feat-demilio.shtml](http://www.isreview.org/issues/65/feat-demilio.shtml)). Cf. D'Emilio's *The World Turned: Essays on Gay History, Politics, and Culture* (2002).

evidence for it is thin as a reed, yet it doesn't matter. It's an idea with such social utility that one doesn't need much evidence in order to make it attractive and credible.

Now queer theory (its remarkable inroads in arts and law faculties notwithstanding) is essentially anti-science, like all radical social constructivism. But D'Emilio is certainly right that scientific support for the "born gay" thesis is thin as a reed. The prematurely celebrated "gay gene" has never been found, though the search has been intense. What can be said, scientifically, is that there are biological factors that either compete or converge with the social and psychological factors that contribute to sexual inclinations, and that social and psychological factors, including actual sexual habits, can and do have a biological impact on the brain itself. However, the prominent Spanish psychiatrist, Professor Enrique Rojas – pointing to recent studies on gay adoption – asserts unambiguously that the lion's share of homosexuality can be accounted for by environmental factors. And that is something that gay literature itself, and in particular its strategic literature, regularly assumes to be true.<sup>25</sup>

Any honest acknowledgement of this fact – that there is no solid science behind the "born gay" theory – badly undermines the policy's basic rationale, which is not pure Benthamism but a curious mixture of Benthamism and civil rights discourse. The former contends that opposition to the public endorsement of homosexuality must be rooted in mere prejudice, because homosexuality has no negative consequences of concern to the public; the latter contends that opposition, whether rooted in prejudice or not, comes down to unjust discrimination, because homosexuals (like people with dark eyes or dark skin) are born that way. But neither contention is well grounded; indeed both do violence to the facts known to us, while conveniently ignoring embarrassing disputes about those facts even within and between the various LGBTQ sectors.<sup>26</sup>

■ All of this is devastating enough. We cannot get the measure of this document, however, without examining its condemnation of a second and related error:

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<sup>25</sup> Cf. P. E. Rondeau, "Selling Homosexuality to America," *Regent University Law Review* [2002] 14:443-85. Queer theorists would nonetheless take umbrage at Rojas' claim that homosexuality is "a clinical process that has an etiology, pathogeny, treatment, and cure" (<http://www.lifesitenews.com/ldn/2008/may/08050110.html>; cf. [www.zenit.org/article-26183?l=english](http://www.zenit.org/article-26183?l=english)).

<sup>26</sup> Q, of course, standing for the *soi-disant* "queer," who remains invisible in this document.

heterosexism. Homophobia and heterosexism are the twin evils that must be rooted out of the populace by a rigorous application of the new policy's bureaucratic priesthood. As with homophobia, a canonical definition is supplied. Heterosexism is "affirmation of heterosexuality as a social norm or the highest form of sexual orientation; social practice that conceals the diversity of sexual orientations and identities in everyday representations, social relations and social institutions, in particular by taking for granted that all people are heterosexual."<sup>27</sup> In short, heterosexism is the attitude that supports heteronormativity.

Only when we pause to take this in – the Government of Quebec has rejected heterosexuality as a social norm! – does the full scope of this absurd war begin to appear. Quebec society, like every other society in the world, has been built on heterosexuality as the social norm. Quebec citizens, like citizens of every other society in the world, are the product of parents and grandparents and great-grandparents who all took heterosexuality as the social norm.<sup>28</sup> Every native-born Quebecer, and every immigrant too, knows that his or her own origins are heterosexual. But the Government of Quebec, giving a mind-boggling twist to the doctrine of original sin, has declared all the implicit and explicit "heterosexism" that is built into these undeniable facts an enemy of the state. In its breathtaking stupidity it has declared war, not only on its own citizenry, but on nature itself.<sup>29</sup>

Here common cause is quietly made with the queer theorists. True, the latter oppose heterosexism on other grounds, namely, that heterosexism oppresses people "who refuse to follow the rules of gender and sexuality." For their part, the drafters of the *Québec policy against homophobia* imply that LGBT people are in fact following rules – nature's rules for *them*. But this is a distinction without a difference in the attack on heterosexism, where the queer theorists are obvious allies. Indeed, queers are the shock

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<sup>27</sup> p. 12

<sup>28</sup> Mes Aïeux's *Dégénération* ([www.youtube.com/watch?v=cKCRHhmHvjg](http://www.youtube.com/watch?v=cKCRHhmHvjg)) comes to mind here.

<sup>29</sup> The doctrine of original sin teaches that the fallenness of the first humans passes "by origin" (through the generative act) to each subsequent human. One begins to wonder whether the Ministry's soteriologists think that human beings can and should be separated somehow from their sexual origin. That, at all events, is the neo-gnostic or transhumanist trajectory of their logic, as I began to see when writing *Nation of Bastards*.

troops who march in the vanguard, because they are not quite so vulnerable as the rest. There is a problem, you see, with the “we are nature’s minority – don’t make victims of us” plea. The problem is that it invites a concessionary response, perhaps no more than a form of sympathy, and sympathy has its limits. The queer theorists are unaffected by this. They are free rather to attack heterosexual privilege as the spoils of an oppressive power game and to demand an even playing field. The “choose to be gay” rhetoric thus has certain advantages over the “born gay” rhetoric, but the vanguard’s lewd and deliberately transgressive displays have mixed effects on the populace. If they desensitize some people to the debauched reality of many “sexual minority” cultures, they are only reminders to others that their prejudices are not entirely unfounded.

Be that as it may, the Government of Quebec has boarded the bus and committed itself to the combined LGBTQ assault on heterosexism. That assault will not grind to a halt with vexatious arguments (coming soon even to venerable establishments like McGill) as to whether the lack of omnisex washrooms constitutes an actionable form of heterosexism under the new policy, and if so, whether the problem can be rectified within current budgetary and space constraints.<sup>30</sup> Rather it will roll on to many other equally ludicrous (and expensive) ports of call. Eventually it will come, as analysts on all sides have predicted, to a major clash of putative rights, and particularly to a clash between the new gay rights and the old religious rights.<sup>31</sup> But it will also come to general cultural chaos, for heteronormativity is not a detachable feature of our culture, or of any other culture for that matter. It is a cultural universal, and the attack on it can only amount to cultural suicide.

■ This is not alarmism, just common sense. But the Charest government has taken leave of common sense, and of its own senses too. In committing itself to the assault on heterosexism it has committed itself to an assault on the family and on the whole fabric of civil and religious communities in Quebec. We are told that “a government action plan, including rigorous monitoring and assessment mechanisms, will ensure the

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<sup>30</sup> Bentham never thought about unisex water closets, as far as I know, nor did he propose any such attack on heteronormativity, which he knew would upset the balance of his consequentialist argument; but the Government of Quebec will have to think about it.

<sup>31</sup> Cf. *Same-Sex Marriage and Religious Liberty: Emerging Conflicts*, ed. Douglas Laycock, et al. (2008).

implementation of the policy and the achievement of its objectives.”<sup>32</sup> Institutions, public and private, will be pressed into partnership. The cooperation of every citizen is already expected, and will soon be demanded. A supportive school curriculum, mandatory in nature, will be forthcoming – indeed, the *Ethics and Religious Culture* program has already laid the foundations.<sup>33</sup>

During the same-sex marriage controversy, the University of Alberta law professor, F. C. DeCoste, rightly prophesied that the state’s assumption of control over marriage meant that family and social life would be “further occupied by the state” in coming years. “Through the state’s coercive power,” he predicted, “social relationships will be, not just re-defined at law, but changed root and branch by law.”<sup>34</sup> It is root and branch change at which the government is now aiming with the *Québec policy against homophobia*, and the link between these two developments is acknowledged. Same-sex marriage, it says, served to “consecrate” the legal equality of same- and opposite-sex couples; it is time to press on to full social equality.<sup>35</sup> I have already shown in *Nation of Bastards* how that consecration permits and even requires the state to set itself firmly against the natural family and parental rights, against Articles 16 and 26 of the *Universal Declaration of Human Rights*, and against vital civil and religious liberties. It needs only to be emphasized here that the ultimate goal of same-sex marriage legislation was not legal equality between same- and opposite-sex couples but more precisely, as we now see, the end of heterosexuality as a social norm and the end of the family as “the fundamental group unit of society.”<sup>36</sup>

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<sup>32</sup> p. 10

<sup>33</sup> “Training on sexual minority rights, including an examination of the various aspects of homophobia, must be organized and adapted to various client groups. *Schools can play a key role in this regard.*” (p. 23, emphasis mine). We may be some distance yet from the American “Fistgate” scandal (involving GLSEN founder, Kevin Jennings, who is currently Obama’s “safe schools” czar), but a perusal of emerging curricula options for sex education suggests that we are headed rapidly in that direction.

<sup>34</sup> See “Courting Leviathan,” [2005] 42 *Alberta Law Review*, 1099-1122; cf. D. Cere and D. Farrow, *Divorcing Marriage* (2004), 120ff.

<sup>35</sup> p. 9. The word “consecrated” is telling, particularly in view of the Supreme Court of Canada’s vain effort to isolate civil marriage laws from their religious implications, a move DeCoste ably critiques.

<sup>36</sup> D’Emilio (*supra*) puts it well enough: “If we value a broad spectrum of household arrangements, we will be making it harder for heterosexual privilege to reproduce itself.” Cf. Farrow, *Nation of Bastards* (2007), 25ff., 69ff.

I say that the government has taken leave of its senses because this is a revolution far too big for it to handle, an altercation far too consequential for it to manage or contain. If we are to ask how its judgment could have become so impaired, I do not know what answer to give except the answer given long ago by St Paul: its thinking has become futile because it no longer acknowledges what every human being should acknowledge about the Author of morality or about the fundamentals of morality.<sup>37</sup> In other words, because it has carried an earlier revolution, the Quiet Revolution, much too far, and got it all mixed up with the sexual revolution that began about the same time.

Make no mistake: both these revolutions are still in progress today. The conceptual pairing of heterosexual and homosexual, which in the present phase of the sexual revolution is mediated by “bisexuality” and “transsexuality,” is replacing in public discourse the natural pairing of male and female, mediated by generativity (that is, by the children of the love between a man and a woman). This demands the deconstruction of any institution, and of any conceptual scheme, that is built on that generative pairing. In the absence of any moral authority to question this substitution or to resist this deconstruction, and under real pressure from those who are bent upon it, our government has not merely capitulated but itself become so confused as to equate the old conceptual and institutional structures with sin or injustice and the new (obviously unstable) conceptual structures with righteousness or justice. To attack “heteronormativity” or “heterosexism” is the new sexual morality; which means also that to support or encourage chastity and faithfulness is the new taboo. This our government has accepted. But no society that adopts such a course can hope to survive for long, for along with the reforming and redemptive effects of religion it has rejected the natural, self-replenishing diversity that is the root of its own vitality, in favour of an artificial, stifling “diversity” that can only degenerate into a culture of compulsion and despair.

■ Here, if we are honest, we will have to acknowledge that the fault lies with us all, for the sexual revolution was and is both heterosexual and homosexual. What John Paul II

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<sup>37</sup> See Romans 1:18ff.

dubbed “the contraceptive mentality” helped to produce our moral blindness and corresponding intellectual futility. The famous Wittgenstein scholar, Elizabeth Anscombe, in a paper delivered in Toronto in 1968 in the midst of the furore over *Humanae vitae*, already recognized in that mentality, as did Paul VI, the end of any meaningful distinction between diversity and perversity:

If contraceptive intercourse is permissible, then what objection could there be after all to mutual masturbation, or copulation *in vase indebito*, sodomy, buggery (I should perhaps remark that I am using a *legal* term here - not indulging in bad language), when normal copulation is impossible or inadvisable (or in any case, according to taste)? It can't be the mere pattern of bodily behaviour in which the stimulation is procured that makes all the difference! But if such things are all right, it becomes perfectly impossible to see anything wrong with homosexual intercourse, for example. I am not saying: if you think contraception all right you will do these other things; not at all. The habit of respectability persists and old prejudices die hard. But I am saying: you will have no solid reason against these things...<sup>38</sup>

Anscombe pointed out that “those who try to make room for sex as mere casual enjoyment pay the penalty: they become shallow.” And so we have. We have become shallow to the point that even our premier, on whom rests the final burden of responsibility, can sign a letter in support of a policy that sets out to eradicate what “habit of respectability” still exists. He can do so, apparently, without any inkling of what he is doing and without – at least so far – any significant public outcry.

Do we ourselves have any idea what our ministers and mandarins are doing? Or have we all become so shallow that we neither know nor care? No doubt the drafters of the *Québec policy against homophobia* know what they are doing, and what they have done. They have persuaded the government to declare war on what is left of the conventional morality that is at the foundations of Quebec society, and on every citizen and every civil institution that still holds to that morality. I warn my fellow citizens, and the leaders of their religious and social institutions, not to take this declaration lightly. I urge them not to retreat from the challenge, nor to be content with their (often valiant) attempts to establish private alternatives to our present public options. At this moment something more is demanded. For it is now clear that we have slid, collectively, to the very edge of the precipice.

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<sup>38</sup> This quotation is from “Contraception and Chastity,” a later version of the paper (available on-line at [www.orthodoxytoday.org/articles/AnscombeChastity.shtml](http://www.orthodoxytoday.org/articles/AnscombeChastity.shtml)). Anscombe understood what the perverse and fraudulent Alfred Kinsey also understood; but he, not she, was the savant to whom we turned.

■ There are those, I suspect, who will largely agree with my analysis, and who may even welcome my decision to speak as frankly as I have, but who will not think it necessary to act in direct opposition to this policy. Perhaps they don't afford any policy paper this degree of respect, given the consistent gap between doctrine and praxis in matters of governance. That is perfectly understandable, but they should ask themselves whether they would not, even a decade ago, have laughed at the idea of same-sex marriage, which Quebec helped to pioneer in North America.<sup>39</sup> Or perhaps – I leave aside those who are merely frightened – they have been misled by the much-quoted conclusion to Alasdair MacIntyre's *After Virtue*, with its nuanced analogy to the way in which an earlier crisis in western culture was handled:

A crucial turning point in that earlier history [the decline of the Roman empire into the Dark Ages] occurred when men and women of good will turned aside from the task of shoring up the Roman *imperium* and ceased to identify the continuation of civility and moral community with the maintenance of that *imperium*. What they set themselves to achieve instead – often not recognizing fully what they were doing – was the construction of new forms of community within which the moral life could be sustained so that both morality and civility might survive the coming ages of barbarism and darkness. If my account of our moral condition is correct, we ought also to conclude that for some time now we too have reached that turning point. What matters at this stage is the construction of local forms of community within which civility and the intellectual and moral life can be sustained through the new dark ages which are already upon us.

This is fine and well, but we must not overlook the decisive fact, noted by MacIntyre, that the war that has now overtaken us is civil war – that the enemy today is *inside* rather than outside the gates, and that he is determined to deploy to full effect the levers of power that were generated in a more civilized, and civilizing, age.<sup>40</sup> The government's war on homophobia and heterosexism is not merely a new barbarism from which those who are so inclined may hope to withdraw, as if to form small pockets of light that will herald some new morn. It is, by its own account, a draconian effort to snuff out even these.

Listen once more to the threats and promises with which we are confronted in the *Québec policy against homophobia*:

The third guideline ... will make it necessary to deal with the heterosexist values on which some institutional practices are founded... To ensure that the actions taken to combat homophobia are

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<sup>39</sup> The member of our national parliament in Ottawa did just that in 1999.

<sup>40</sup> As MacIntyre says (1984, p. 263), the barbarians "have already been governing us for quite some time. And it is our lack of consciousness of this that constitutes part of our predicament."

coherent and effective, all players in society must work together in a focused and coordinated way... The fourth guideline—Ensure a concerted approach—reflects the government’s intention to take the lead in the fight against homophobia, and to rally all players in society. Systemic investigations must be one of the actions given priority. They allow an analysis of the individual and institutional practices, decisions and behaviour patterns that have a discriminatory effect on a given group. Investigations of this kind, discrimination testing and an ongoing scan of concepts and tools relating to homophobia against women and men will improve the documentation of the current situation of sexual minority members.

The general population and the sectors concerned must be made aware of the infringements of rights caused by homophobic attitudes and behaviour patterns. All players—whether public organizations, local and regional authorities, employers or union organizations—must be encouraged to take more responsibility and to work together to fight the injustice and inequality created by homophobia. In addition, the actions taken to promote rights must reach out to all segments of the population, in both urban centres and outlying regions. In addition to the obvious use of province-wide campaigns, rights must also be promoted through targeted actions. Training on sexual minority rights, including an examination of the various aspects of homophobia, must be organized and adapted to various client groups. Schools can play a key role in this regard.<sup>41</sup>

You have been warned, then, and not merely by me. War has been declared, and war there will be. Let those who intend to fight, fight now. Let them fight with the weapons of St Benedict, yes, but with the weapons of Martin Luther King, Jr, too.<sup>42</sup> Let them meet and consult, and determine to act publicly and in concert, laying aside their customary deference, which has no place in a time of war. If I may be so bold, permit me to suggest that a concerted effort be made to declare to the public, as to the Government of Quebec, the following claims and demands as a minimum counter-position:

1. Encouraging homosexuality is not a publicly agreed desideratum, and the promotion of homosexuality by the government, particularly to children, is unacceptable.
2. The citizens and institutions of Quebec must remain absolutely free, in public as in private, to argue about sexual behaviour and sexual norms (as about everything else) and to defend, if they will, the traditional view that homosexuality is deeply problematic physically, mentally, and morally.
3. The *Québec policy against homophobia* must be retracted and the government must repudiate its role as partner and patron of sexual lobby groups, determining to work instead with parents and families in accordance with Article 16 of the *Universal Declaration of Human Rights*.<sup>43</sup>

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<sup>41</sup> p. 23

<sup>42</sup> MacIntyre’s new and “doubtless very different” St Benedict will have to wield weapons from both armouries.

<sup>43</sup> Art. 16, making precisely here a direct appeal to nature, declares at par. 3: “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.” Art. 26, par. 3, adds: “Parents have a prior right to choose the kind of education that shall be given to their children.”

If even these limited demands are refused by the government, and its determination to go to war with the citizens and social institutions of Quebec is reaffirmed, then the government itself will become to many of those citizens the “object of detestation”<sup>44</sup> that it supposes individual homosexuals to be. With these latter, whose genuine suffering from the scorn of those lacking in understanding or compassion is not to be denied, a different kind of negotiation must in any case be pursued: that which is based, not on demands and counter-demands, but on charity, honesty, and hope.<sup>45</sup>

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<sup>44</sup> “If the citizens, if the families on entering into association and fellowship, were to experience hindrance in a commonwealth instead of help, and were to find their rights attacked instead of being upheld, society would rightly be an object of detestation rather than of desire” (Leo XIII, *Rerum Novarum* §13).

<sup>45</sup> See, e.g., the Catholic Medical Association’s effort to that end in *Homosexuality and Hope* (<http://www.catholiceducation.org/articles/homosexuality/ho0039.html>).