

PROP 8 Sample

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AP Composition

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Passage of Proposition 8: A Culture War?

The political zeitgeist of the 21st century in the United States reflects liberal, progressive

thinking. The Democratic Party took control of both houses of Congress after a long Republican

rule; Barack Obama, the first African-American President, stepped into office, and California

passed new pro-abortion laws. However, in the midst of this liberalism, the Golden State

approved Proposition 8, a conservative measure banning same-sex marriage. While 52 percent of

the California electorate voted in favor of the new legislation, the media takes an anti-Prop 8

stand, attacking religious proponents, essentially from the Church of Latter Day Saints (the

Mormon Church) and the Catholic Church. Newspapers and magazines assess the speech

constitucionality of the new amendment and enhance the movement for homosexual marriage by

comparing it to the ~~African American~~ Civil Rights Movement of the 1960's. Ultimately, the

media reveals the passing of Proposition 8 as a failure of democracy - in which the majority

usurps basic right from a minority- and embraces the idea that the approval of homosexual

marriage would require a social revolution Americans are not yet ready to undergo. The

mainstream media achieves such depictions through the effective use of rhetorical strategies like

irony, syntax, analogy, appeal to authority and optimistic tone.

The media puts down the religious defense of Proposition 8 by bringing up situational

irony from the controversial history of the two key advocating churches- the Church of Latter

Day Saints and the Catholic Church- and pointing out their hypocrisy in participating in the "Yes on 8

campaign."

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Campaign." The coalition of the two Christian sects defined marriage in California as the union

between one man and one woman. Ironically, as the media illustrates, the Mormon Church

founded by Joseph Smith was traditionally a polygamous sect. Its leader, who had thirty-three

wives, embodied this practice as did "much of the male Mormon elite, [who] kept up the mass

marrying until the nineteenth-thirties- decades after the church had officially disavowed polygamy,

the price of Utah's admission to the Union, in 1896" (Hertzberg 27). The Church of Latter Day

Saints who is today championing the legal protection of monogamous marriages once bypassed

the law to conduct polygamous marriages. By reminding the reader of this historical

incident, the media belittles the Mormon Church, transforming its campaign efforts into

hypocritical support. Likewise, the media discredits the Catholic Church's attempt to make

Proposition 8 an issue on parental rights and children's education, by interjecting prior scandals of

the religious head who led this effort, "the Catholic archbishop of San Francisco, who once

excused the molestation of children at the hands of a pedophile priest as mere "horseplay"

(Dickinson 46). The archbishop, who once defended pedophilia, now claims to protect children

from indecent influence at his convenience. The situational irony portrayed by the media serves

to illustrate the inconsistency of both churches and demean their arguments, simultaneously, it

shifts the issue from Proposition 8 to the churches' personal, controversial histories. By putting

the proponents of the bill on the defensive, the mainstream media is undoubtedly taking an anti-

Prop 8 position.

Furthermore, the media uses rhetorical questions as a form of syntax to invalidate the

(triumph from the religious defense. The Mormon Church and Catholic Church made up the main

proponents of Proposition 8 as they provided for the most financial as well as congressional

support. Hence, the media targets them as the cause of the passage of the controversial

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legislation when it asks, "Should a religious group have the right to engineer a scheme that takes away some people's right? Does a church have the right to use democratic process to write its pet theological notions into law?" (Boston 36) These two questions highlight the concept of separation between church and state, a critical principle upon which America was founded. The New World was initially populated by people who did not fit in European religious society and in order not to reproduce the European system they were trying to evade, American colonists maintained church and state separate early on. Therefore, questioning the legitimacy of such a surge of religious influence in political affairs makes a strong case to the American people. Boston insinuates that the church exploited the democratic system to implement its "pet theological notions" is likely to stir a fervent disapproval from his audience (36). Similarly, presenting it in a rhetorical question format merely alludes to this argument, allowing the author to remain politically neutral. By leaving the questions pending for the reader to consolidate an opinion, the columnist indirectly instigates the viewpoint that Proposition 8 is un-American.

The media also uses the same rhetorical question format to assess the constitutionality of the amendment. It has been debated whether Proposition 8 qualifies as an amendment or a revision, in which case two-thirds of the state legislature must ratify it before it goes to voters. ^{Wendy} Lin, a Los Angeles Times columnist, asks, "Does Proposition 8 qualify as a revision?" (A19), and further his discussion by giving the constitutional definition of a revision (as to open reader's interpretation). By asking this question, without providing a direct answer, the author suggests that the term revision is subjective and will become a court decision, giving hope that the passing of the ban on homosexual marriage is not final. In addition, some opponents advocate that Proposition 8 ^{is not a} Bill of Rights, by taking away the basic liberty of marriage from a certain group of people. ^{the Humanist feeds off that doctrine when asking, "Why have a Bill of}

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Rights if powerful religious groups can mobilize their members, pour money into a state, and strip people of certain freedoms?" (Boston 36). The author questions the purpose of our Bill of Rights, the document responsible for the ratification of the constitution, the first and only guarantee for the basic civil liberties of the people. (Doing so allows Boston to dramatize the situation and imply that the passage of Prop 8 undermines the very principle upon which our nation was created. The media invokes the patriotism in the American people to influence them to oppose the conservative bill.

Moreover, the media make an appeal to authority to assess the constitutionality of the new law. By citing people in respected position, the media earns credibility in its evaluation of Proposition 8. For instance, the influential San Francisco City Attorney, Dennis Herrera, has taken an anti-Prop 8 stand and the media makes sure to mention, and cite him as to rally more voters against the legislation. Herrera's commentary on the potential consequences of the passage of the ban on same-sex marriage was published in *Orange County Register*. "If allowed to stand, Prop 8 so devastates the principle of equal protection that it endangers the fundamental rights of any potential electoral minority- even for protected classes based on race, religion, national origin and gender" (Joseph 2). Herrera's expertise in the subject matter makes him a trustworthy source to evaluate the significance of the new law, and readers are more inclined to be influenced by his perspective. Herrera's statement touches upon the concept of equality, the central idea of our Declaration of Independence, (that an idea cherished by Americans. Because the colonies went to war against the mother country Great Britain to promote the idea that "all men are created equal" and the United States, later, was engaged in a bloody Civil War to reinforce that belief, it is emblematic that equality is a rallying cry for whose behalf Americans are willing to wage war. Thus the media's citing of Herrera is not only a direct appeal to his personal

but does
female rights to those
was in his quote? It's an
interesting idea, but not supported by the quote

authority and influence, it is also an effective appeal to the authority of our ^{country's founding} declaration of ^{independence} ~~independence~~.

In addition, the mainstream media gives its support to the movement for homosexual marriage by making direct comparisons with the African American Civil Rights Movement. While 70 percent of African Americans voted in favor of Proposition 8, the media is putting the black and homosexual community on the same level as to rally African American support against the conservative measure. *The Los Angeles Times*, for instance, parallels the passing of Proposition 8 to the 1967 Supreme Court case *Loving vs. Virginia* which ended laws against interracial marriage. The newspaper mentions a biblical argument used against the interracial couple similar to that used to defend Proposition 8 when the author writes, "the state judge who ruled against the Lovings had reasoned that a marriage as nontraditional as that between a white man and black woman was ungodly" ("After Prop 8" A28). Likewise, proponents of the ban on gay marriage made their case based on the idea that God, or the "glorious revisionist version of the divine [with] a sour and demeaning mindset that believes in restriction" (Moford 7) as would describe anti-Prop 8 literary magazine *The Gay and Lesbian Review Worldwide*, had meant marriage to be a strictly heterosexual union. By comparing the arguments of two civil right issues, *The Los Angeles Times* points out that the same argument that had asked to suspend the basic marriage rights for blacks four decades ago was now preventing another minority- the homosexual community- from attaining those same rights. The author incites African Americans to switch sides on the issue of same-sex marriage and support a cause with which they can empathize- a quest for civil rights. This analogy between the quest for rights of blacks and homosexuals portrayed in the mainstream media goes hand in hand with beliefs of gay rights activists, according to the independent journal, *Commonwealth*, "the gay movement sees

itself as the heir of the civil rights movement that began with Martin Luther King's battle for racial equality, moved on to equal rights for women and other minorities (including the disabled) and is now working to achieve equal rights for homosexuals" (Steinfelds 10). By mirroring the progressivism advocated by the ^{opponent} ~~the opposition~~ of the bill, the media consolidates its anti-Prop 8 position.

Ultimately, the media exposes the passage of Proposition 8 as a failure of democracy through strong, antagonistic diction. Direct democracy involves the people voting for legislation and laws passing based on majority ruling; however, the media conveys that this process is flawed when it comes to securing rights for minorities. Donald Gorton who writes for *The Gay and Lesbian Review Worldwide* expresses his contempt toward this idea he dubs as, "the great design flaw in American democracy, the tyranny of the majority that Alexis de Tocqueville described in the early nineteenth century" (4). "Tyranny refers to dictatorial exercise of power, the exact practice democracy intends to prevent by dividing power amongst the people rather than by ^{one} ~~one~~ individual. By using this terminology to describe democracy's flaw, Gorton compares the abuse it can bring to that of despotism and derides democracy as a form of government which suspends rights of minorities by legal means as with Proposition 8. The weekly magazine, *Maclean's*, also reflects on the passage of the conservative legislation as an usurpation of rights from the minority by the majority when it describes election results in which, "conservatives were able to circumvent legislatures and to advance their agenda by using the machinery of directing democracy" (Savage 28). The author uses verbs like "circumvent" and "using" to illustrate what she perceives as an abuse of democracy defeating the purpose of a self-ruling form of government. The term "circumvent" suggests that conservatives went around the system to push through "their" own interests not that of the country. Likewise, "using" insinuates that

although Maclean's may perceive it as immoral, the passage of the new bill did not involve the breaking of any laws, and therefore took away civil rights legally. For that reason the media portrays the ratification of Proposition 8 as a failure of democracy to protect the rights of an

undetermined minority.

Conversely, the mainstream media embraces the idea that the legal approval of gay

marriage by a majority vote would require a social revolution Americans are not yet ready to

undergo. It does while maintaining an optimistic tone that this culture war would be won in the

near future. For instance, in her *Los Angeles Times* publication, Liu conclude her assessment of

the passage of Proposition 8 with hopeful statements reading, "the more familiar we become

with gay spouses and their children- as our friends, neighbors, and co-workers- the more gay

marriage will become an unremarkable thread of our social fabric" (A19). The author's view

illustrates her optimistic outlook on progressive, cultural change through slow infiltration of

homosexuality in our society, slowly opening the minds of Americans to a new perspective

regarding gay marriage. *The New Yorker* magazine portrays similar optimism when it wraps up

its article stating although anti-Prop 8 activists fell short this time, "the time is coming"

(Hertzberg 27). He is implying that it had not been the right time as California voters did not

regard gay marriage with an accepting outlook, he predicts the tide will change in favor of the

progressive legislation. The media expects the social norms in California to change in order to

become accepting of same-sex marriage and allow this minority civil rights to be protected

under the law.

While the media tends to portray homosexuality as the "other", an entity of its own, not

compliant to the standards of heterosexual society, nor yet accepted by the majority, literature

has had a much more open-minded outlook on same-sex love very early on. For instance, the

microtransformation
OK after reading the article
the author is more negative while the article is more positive in tone.
REVISE

(Liu) but you haven't read the article
I agree, but you haven't read the article

literary criticism magazine, *The Gay and Lesbian Review Worldwide*, analyzes the portrayal of same-sex love and desire in Greco-Roman mythology stating that, "much of the sex that occurred between men was of the casual sort, and more durable romantic relationships were not necessarily predicated on a mentoring task awaiting the older partner" (Verstraete 13). The author suggests that the homosexual relationships described in ancient mythology were not intended to be lasting relationships but rather immediate relief of one's libido. The use of the term "casual" implies that such same-sex love affairs were considered perfectly acceptable in this older form of literature, bypassing the idea that homosexuality goes against traditional sex between a man and a woman. Likewise, literature published in the Victorian era romanticized homosexuality, referring to gays as "Uranians," a term of Greek etymology meaning inhabitants of heaven. It is a positive way of suggesting that homosexuals are from another world. According to *The New York Times Review*, "Victorian society seemed almost to idealize homosexuals, viewing them as possessors of special knowledge, and of the peculiar power of the outsider" (Goodheart 11). Just like in the modern-day media, Victorian literature sets apart homosexuals from the rest of society. However, instead of insisting that their queerness will be accepted with time, Goodheart explains that this 19th century literature embraced their difference, even holding them supernatural powers when he uses the terms "possessor of special knowledge" and "peculiar power of the outsider." Victorian literature glamorizes homosexual's singular perspective on love. Indeed as literary criticism points out, classical texts evolve a casual and even fascinated outlook on homosexuality contrasting with the way the media excuses the lack of sympathy for the gay civil rights movement as part of the spirit of the time.

In the face of the current hostility of the majority of the California voters toward homosexual marriage, the mainstream media's liberal perspective is, indeed, ahead of its time. It