

# McCain Missing in Action

IF JOHN MCCAIN wins the presidency, his comeback—after the bankrupt debacle his campaign had become in the summer of 2007 with his backing of the amnesty bill—will be the stuff of legend.

And as nominee, he is entitled to conduct his own campaign and be cut slack by a party whose brand name is now Enron.

That said, McCain seems to have decided to win by love-bombing the Big Media and putting miles between himself and the base.

Consider his “Forgotten Places” tour. It began in Selma, Ala., where McCain went to Edmund Pettis Bridge to hail John Lewis and the marchers night-sticked and hosed down by the Alabama State Troopers on the Montgomery march for voting rights.

Now that was a seminal movement in the fight for civil rights. But this is not 1965. Today, John Lewis is a big dog in the “No-Whites-Need-Apply!” Black Caucus. The Rev. Jeremiah Wright is sermonizing White America. The Rev. Al Sharpton is trying to shut down the Big Apple. And the fight for equal rights is being led by Ward Connerly.

With no help from McCain, Connerly is trying to put on five state ballots a Civil Rights Initiative that declares white men are also equal and not to be denied their civil rights because of the color of their skin.

And where does McCain stand? From Selma, McCain went to the Gee’s Bend Quilters Collective, where black ladies make the famous blankets. The stop could not but call to mind the hundreds of thousands of textile and apparel jobs in the Carolinas and Georgia lost after NAFTA and Most Favored Nation status for China, both of which McCain enthusiastically supported.

McCain’s next stop was Inez, Ky., where LBJ declared war on poverty. But LBJ’s war was a politically motivated scheme to shift wealth and power to government, which led to a pathological dependency among America’s poor, his own abdication, and Ronald Reagan’s 1980 campaign against Big Government that ushered in the Conservative Decade.

McCain then went to New Orleans to backhand Bush for failing to act swiftly to rescue the victims of Katrina. But the real failure of New Orleans was of the corrupt and incompetent regime of Mayor Ray Nagin and the men of New Orleans, who left 30,000 women and children stranded in a sea of stagnant water. No doubt Bush hit the snooze button, but why the piling on?

Then McCain headed up to Youngstown, Ohio to tell the folks their jobs are never coming back and NAFTA was a sweet deal. But why, when America’s mini-mills and steel mills are among the most efficient on earth—in terms of man hours needed to produce a ton of steel—aren’t those jobs coming back?

Answer: it is due to the free-trade policies of Bush and McCain, which permit trade rivals to impose value-added taxes of 15 to 20 percent on steel imports from the United States while rebating those taxes on steel exports to the United States. We are getting it in the neck coming and going.

An America First trade and tax policy could have U.S. steel mills rising again, while those in Japan, China, Russia, and Brazil would be shutting down as uncompetitive in the U.S. market. But we no longer put America first.

The U.S. government burns its incense at the altar of the Global Economy. The losers are those guys in Youngstown that McCain was lecturing

on the beauty of NAFTA. And the winners are the CEOs who pull down seven-, eight-, and even nine-figure annual packages selling out their country for the corporation.

Does McCain think \$6 trillion in trade deficits since NAFTA, a dollar rotting away, and 3.5 million manufacturing jobs lost under Bush were all inevitable? Does he think we can do nothing to stop the deindustrialization of a country that used to produce 96 percent of all it consumed?

Why should those guys in Youngstown vote for McCain? So the feds can teach them how to shovel snow?

Even Hillary, whose husband negotiated NAFTA with Newt Gingrich and Bob Dole’s help, now gets it.

Then McCain took a time out to denounce the North Carolina GOP for ads tying the Reverend Wright to Obama and the pair to two Democratic congressional candidates. To their credit, the North Carolinians told McCain where to get off and are running the ads.

What does a McCain victory mean for conservatives? Probably a veto on tax hikes and perhaps a fifth justice like Antonin Scalia, Clarence Thomas, Samuel Alito, or John Roberts to turn two pair into a full house. Fifty years after Warren, it could be game, set, match for the Right.

But McCain may also mean more Middle East wars, more bellicosity, more manufacturing jobs lost, malingering in the culture wars, and more illegal aliens and amnesty.

In Pennsylvania, thousands of Republicans re-registered to vote Democratic, and 27 percent of the GOP votes went to Mike Huckabee or Ron Paul. McCain may just stretch this rubber band so far it snaps back in his face. ■

# Less Perfect Unions

The argument against same-sex marriage that hasn't been tried in the courts

By Margaret Liu McConnell

HERE'S AN ETIQUETTE question for the new age: You are introduced to a couple and their little girl. The men are clean cut, early middle-aged. Their child is well behaved and, by all appearances, well taken care of. Is it rude to ask the men how they came by their daughter?

Same-sex couples first challenged state marriage laws in the 1970s. Courts in California, Wisconsin, Kentucky, and Minnesota tersely ruled that they couldn't marry because same-sex marriage was a definitional impossibility.

A second wave of same-sex challenges to marriage laws began in Hawaii in the early 1990s. The state attempted the old defense that same-sex couples could not wed because of "their biologic inability ... to satisfy the definition of the status to which they aspire." The high court of Hawaii rejected the state's argument as an exercise in "tortured and conclusory sophistry."

What a leap from the courts' confident dismissal of such claims in the 1970s. The main reason for this sea change has been the presence of children in the lives of gays and lesbians. While same-sex advocates insist that marriage is not inextricably linked to procreation, every victory for same-sex couples in the courts that has accorded marriage or marriage-like rights statewide, has hinged on the fact that children were involved.

The essence of marriage in this country has always been that two people pledge publicly and to each other to bind their lives together, to take care of one another and any children their sexual union produces. Although same-sex

advocates demand the freedom to marry—the recognition of what they view as a constitutionally guaranteed liberty interest—the essential promise of marriage is a loss of freedom. A married person is no longer solely concerned with his own life but has to worry about another's—and, if the couple is blessed with children, with that many more lives.

The state supports and honors this promise. While marriage does not require procreation, the status the state accords the couple is linked to the promise that they will not abandon, give away, or leave their child to the public charge.

The right to marry, then, is not just the right to the rather recent multitude of financial and social benefits but the right to support and recognition from the state of one's promise to fulfill what is at once the most simple and obvious of duties and the most profound, time-consuming, and liberty-killing.

This essential promise of marriage still holds, except in Massachusetts—which brings us back to the opening etiquette question. Is it rude to ask the two men how they came by their child? If they are married, what precisely is the state of Massachusetts honoring and supporting by sanctioning their marriage? Their devotion to one another, yes, but no longer the ideal that one should stick around and take care of one's child. It's clear that at least one of the little girl's biological parents has either given her up or died. Even if the child was deliberately conceived via reproductive technology, a woman somewhere is willfully without her biological child—perhaps in

a spirit of helping the men but in a spirit nonetheless contradicting the ideal that no parent should relinquish his or her child. Perhaps the little girl is adopted. Agencies assisting adoptive parents advise them to do their utmost to make the biological parent formally relinquish all rights to his child. Marriage in Massachusetts, then, no longer upholds the ideal that society is served when parents keep their children but, in effect, encourages its contradiction.

If marriage no longer honors this ideal, our culture is left with no institution that does. That is what would be lost in expanding marriage to include same-sex couples.

Focusing on this loss may be the only viable legal argument left to defend traditional marriage, given changes in constitutional jurisprudence regarding the rights of homosexuals. Legal arguments insisting on the superiority of the traditional family have backfired from outset.

In 1991, three same-sex couples sued the state of Hawaii, claiming its marriage laws deprived them of a multiplicity of rights and benefits. Hawaii countered that marriage creates the best environment for children. At trial, however, even witnesses for the state agreed that single parents, adoptive parents, lesbian mothers, gay fathers, and same-sex couples can and do create stable families and make excellent parents. Finding Hawaii had failed to prove a compelling government interest, as required by Hawaii's Equal Rights Amendment when a law discriminates on the basis of sex, the court ruled that