

Numbering More

I love to argue controversial issues—and even argue with myself. On occasion I’ve found both of me wrong. I strongly dislike having my position misrepresented, though. Allen Mendenhall (“Atomic Anniversary,” *News*, August), in arguing against the use of the bombs at Hiroshima and Nagasaki, mentions my piece on the subject (*Sins of Omission*, July 2009) and says, “McGrath concluded that the bombs ultimately saved thousands of American and Japanese lives.” For the record, I concluded, “Most of our military leaders thought that our casualties would reach the hundreds of thousands. Secretary of War Henry Stimson told Truman that our casualties could approach one million.” I hope that Mendenhall was merely careless in using “thousands” rather than “hundreds of thousands” and “one million.” I also said in an exchange with readers (*Polemics & Exchanges*, Au-

gust 2009) that the bombs, as an alternative to an invasion of the Japanese home islands, saved “hundreds of thousands, if not millions, of Japanese.” With the record corrected, let the debate begin!

—Roger D. McGrath

Mr. Mendenhall Replies:

As a virtually unknown writer, I’m honored that someone of Dr. McGrath’s celebrity would consider me a worthy opponent. McGrath characterizes my piece as “arguing against the use of atomic bombs at Hiroshima and Nagasaki.” My argument is more subtle than that. I summarize the position both of those who disapprove of the bombings and of those who support the bombings, using McGrath as representative of the latter position. Then I allow that McGrath’s position could be correct, but qualify that such a position

would, if true, speak poorly of human beings in general. I’m not arguing that the bombings were moral because the consequences were good, or immoral because the consequences were bad—but rather lamenting human depravity. My overarching purpose was to show how U.S. politicians have used World War II narratives to legitimize military intervention abroad and to justify the continued occupation of places like Okinawa, whose small, local communities lack the political clout necessary to turn away their occupiers. As for the atomic bombings, I might argue that they were necessary, but because I reject consequentialism, I cannot say that they were moral. Arguing that something is necessary is not the same as arguing that something is right. I stand corrected that “thousands” should have read “hundreds of thousands” or “one million.” However, from a moral standpoint, the numbers aren’t as significant as the deed.



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Those Irrational Californians

by William J. Watkins, Jr.

CALIFORNIA has long been called the land of fruit and nuts. Now a decision by a federal judge stands in the way of anyone who might wish to challenge that description.

In *Perry v. Schwarzenegger*, Judge Vaughn R. Walker held that the 6.8 million Californians who voted in favor of Proposition 8, which amended the state constitution to define marriage as a union between a man and a woman, lacked a “rational basis” for their decision. Consequently, Judge Walker struck down Proposition 8 as violating the Due Process and Equal Protection Clauses of the 14th Amendment to the U.S. Constitution.

Although thousands of years of human history suggest that children are best reared in a home with a mother and father serving as role models, Judge Walker averred that modern times teach that “gender” roles are anachronistic. “Children do not need to be raised by a male parent and a female parent to be well-adjusted, and having both a male and a female parent does not increase the likelihood that a child will be well-adjusted.” In fact, Judge Walker concluded that having parents of different sexes is “immaterial” and “irrelevant.”

Those 6.8 million irrational Californians were simply acting out of “fear” and an “animus towards gays and lesbians.” The belief that heterosexual unions should be preferred in society is based on unfounded “stereotypes.” Proponents of traditional marriage live in denial of modernity.

Who is to blame for fanning the flames of fear and hatred? Christ’s Church, of course. “Religious beliefs that gay and lesbian relationships are sinful or inferior to heterosexual relationships harm gays and lesbians.” To support this judicial finding, Judge Walker cited selected “social science”

studies linking orthodox Christian beliefs to “gay bashing.” Perhaps sensing a Christian conspiracy, Judge Walker noted that “84 percent of people who attend church weekly voted in favor of Proposition 8.”

The nerve of them.

The judge’s description of the people as “irrational” is harsh. The dictionary defines *rational* as “having or exercising reason, sound judgment, or good sense.” Moreover, the U.S. Supreme Court, when reviewing legislation for rationality, presumes a reasonable basis absent proof of arbitrariness. This is a very deferential standard when properly applied.

Clearly, a law taking sex into account when defining marriage does not lack a rational basis and deprives no one of federal constitutional protections. Californians could rationally deduce that a family structure with married opposite-sex parents is the best social environment in which to bear children. Californians could further conclude that the rearing of children by same-sex couples—who are prohibited by nature from being the biolog-

ical parents of any child—cannot furnish children with a parental authority figure of each sex. While not everyone agrees with such policies, they are at a minimum rational. And that is all that is required to pass constitutional muster.

The *Perry* decision is but the latest example of the left using the judiciary to gain ground in a culture war that could not otherwise be won through the political process. Because a majority of the people—even in California—believe that marriage is a covenant between one man and one woman, progressives resort to the courts to intervene. Liberal judges then twist constitutional language such as “due process” to write the preferences of the minority into law. No matter how deferential the standard of review is, ingenious jurists always reach the desired result.

If a federal judge can void thousands of years of human history and separate sex from marriage when exercising rational-basis review, one must wonder what limitations, if any, apply to modern judicial authority. ♦

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