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More Times' Foolishness

Michael Sean Winters | Aug. 16, 2010 Distinctly Catholic

I missed, until last night, a post at the New York Times?s ?Opinionator [1]? by Linda Greenhouse in which she notes the way cultural and social changes that are ?in plain sight? are often missed until a judge is forced to confront them in deciding a case.

She starts by comparing the initial coverage in the Times of the District Court ruling in Roe v. Wade, which merited only a 251-word AP story on the inside pages, with the almost excessive coverage of the California gay marriage decision last week.

It is a very interesting piece, but there is one aspect to her analysis that seems almost comic. She writes, ?Evidence at the trial, he said, showed ?the movement of marriage away from a gendered institution and toward an institution free from state-mandated gender roles.? As a result, the judge continued, ?gender is not relevant to the state in determining spouses? obligations to each other and to their dependents,? and ?gender no longer forms an essential part of marriage; marriage under law is a union of equals.?? Now, I am perfectly willing to acknowledge that gender roles have changed, and for the better, in modern marriage, and that too many conservatives consider gender as a category in coarse and hoary ways. But in holding that ?gender is not relevant to the state in determining spouses? obligations?to their dependents,? I am wondering if the judge invited any of the men in his courtroom to nurse a new born? Alas, the concern to notice what is in "plain sight" cuts both ways.

Source URL (retrieved on *03/09/2014 - 14:54*): http://ncronline.org/blogs/distinctly-catholic/more-times-foolishness

Links:
[1] http://opinionator.blogs.nytimes.com/2010/08/12/hiding-in-plain-sight/?ref=opinion