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# Psychology and Family Law

## Don't Fall for Political Propaganda

By Mark Baer, Esq.



The terms we use to describe others significantly impacts how we relate to them. Consider the commonly used term, “lifestyle,” with regard to sexual orientation and gender identity, for example. According to the Collins English Dictionary, “Lifestyle is a set of

attitudes, habits, or possessions associated with a particular person or group.” As such, unless you believe that sexual orientation and gender identity are behavioral choices and can somehow be changed, the misuse of the term “lifestyle” is not just about “political correctness” or a matter of “semantics.”

Generally speaking, those who take issue with same-sex marriage, and support the right to discriminate against members of the LGBT community, do so based upon their belief that homosexuality is a “lifestyle choice.” However, homosexuality is no more a “lifestyle choice” than is heterosexuality.

For a bit of legal perspective, the Civil Rights Act of 1964 outlawed discrimination on the basis of race, color, religion, sex, or national origin. Furthermore, because sexual orientation and gender identity are not “lifestyle choices,” courts are increasingly finding discrimination on such basis to be in violation, according to the term “sex” under the Act.

I’d argue that the only protection against discrimination by that Act based upon “lifestyle choice” has to do with religion. People can and do choose and change their religion and religious beliefs all the time, and doing so is entirely within their discretion. Such choices are protected by the First Amendment to the Constitution, which provides that, “Congress shall make no law respecting of an establishment of religion, or prohibiting the free exercise thereof....”

In contrast to such “sincerely held religious beliefs,” however, sexual orientation and gender identity are not behavioral choices. It is incredibly offensive and disrespectful to tell a member of the LGBT community that they should not be entitled to any constitutional protections, particularly when your reasoning is based upon constitutionally protected “lifestyle choices” you’ve made yourself regarding both religious affiliation and beliefs.

By paying very close attention to the language people use, we can often assess how they arrived at their conclusions. For instance, when judges deny civil rights and constitutional protections to members of the LGBT community, their decisions typically refer to being LGBT as a “lifestyle choice.”

Since people are not entitled to civil rights and constitutional protections based upon *choices* they make—unless, of course, those choices involve religious affiliation and beliefs—the denial of civil rights makes complete sense to them.

I’d also caution against arguing that it’s okay to refer to being LGBT as a “lifestyle choice” because some members of the LGBT community do so. It’s important to understand their upbringing often impacts the language they use. A person can accept his or her sexual orientation, and be self-loathing at the same time. In fact, on April 10, 2015, psychotherapist Ian Stulberg, presenting on “Seeking Reflection: Gay & Lesbian Identity Formation and Clinical Issues” at the SGVPA’s monthly lunch meeting, made the point that “a person’s acceptance of their sexual orientation does not mean they don’t loathe it.”

Further, as social science researcher Brene Brown asserts, “The intensely painful feeling that we are unworthy of love and belonging leads to self-loathing.” To what extent might their upbringing and life experiences, both of which center around the actions and behaviors of others, have led to such an intensely painful feeling? Dr. Brown continues, “Separating self from behavior is the difference between shame and guilt. Shame is very correlated with addiction, depression, suicide, aggression, violence, bullying, and eating disorders. Guilt, on the other hand, is inversely correlated with those same outcomes.”

Contrary to the “sincerely held religious beliefs” of some, a person’s sexual orientation and gender identity is not a behavior or a choice, but part of the self. Therefore, when you claim it to be so, you are actually shaming people. Otherwise well-intentioned people and family members of LGBT folks should take note of this.

Perspective-taking is the core of empathy, which is the key to any good relationship. Therefore, unless you intend to exclude, marginalize, or insult members of the LGBT community, I’d advise against using terms such as *lifestyle* when referring to them. Furthermore, when you hear someone use terms such as “lifestyle” to describe them, I’d encourage you to take that as an opportunity to educate them—so that people don’t unintentionally fall for the political propaganda used to achieve legalized discrimination against a socially disadvantaged group. This is particularly important when families are involved, because the wounds we suffer at the hands of those most near and dear to us are the most painful of all.

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