

# Marriage and The State

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Marriage Rights are a contentious issue about which persons of all walks of life may passionately debate. Liberals and conservatives, in particular, have been known to argue this issue based upon their respective ideological perspectives. Unfortunately for us, both liberals and conservatives have turned out to be wrong about marriage.

On the one hand, the conservative, seeing homosexuality as a threat to his traditional way of life, will argue with fervour that marriage is a religious institution existing between a man and a woman, and that it is therefore necessary that big government ban alternative marriage structures, thereby protecting its sanctity.

The liberal, on the other hand, recognizing that all men and women possess equal natural Rights and should thus possess equal civil Rights (they deviate from this position in a number of ways, but I digress), will argue that big government should codify gay marriage into the currently-existing legal institution of “marriage,” thereby bestowing to homosexual couples the same privileges being currently granted by the State to heterosexual couples.

Is there any hope for reconciliation between these divergent stances?

The solution can be found, and it is found in the LIBERTARIAN call for the Separation of Marriage and State.

The conservative who calls for the government ban on alternative marriages is, in effect, saying that marriage is *not* a religious institution. Paradoxically, they have taken to opposing their *own* freedom of religion. A constitutional amendment banning gay marriage makes as little sense as would an amendment declaring that, despite the claim of Catholics, the Eucharist is “not the actual body of Christ.” Some religious institutions, such as the United Church of Christ, have been known to support gay marriage; if marriage is a religious institution as claimed—and I would agree it is—it stands to reason that each church be free to ordain whatever marriages it sees fit,

including homosexual or polygamist marriages. This would afford for us true marriage equality.

The liberal who calls for more government involvement in marriage calls, in effect, for more discrimination. When the State grants certain privileges to married couples which it does not grant to the unmarried, it inherently discriminates against those who object to marriage *per se*. Some view marriage as a patriarchal institution. Others find the institution burdensome. Still others are simply unable to find a suitable significant other. Whatever the reason, they choose not to marry, and thus find themselves discriminated against by big government.

The government also discriminates in its choice of which alternative marriage structures to consider valid and which to consider invalid. We recall not too long ago that government discriminated against interracial couples. Ultimately, the only way to prevent discrimination on the part of government with regards to marriage Rights is simply to separate marriage from state, thus affording for us true marriage equality.

The LIBERTARIAN generally believes, as did Jefferson and other anti-federalists, that that government is best which governs least. If we apply this principle today, we shall see its many benefits for our lives. No where this is truer than with regards to marriage.