



## April 13, 2009 The Future of Marriage [1]

One of the great coups of the movement for same-sex marriage has been to plant the premise that it represents the inevitable future. This sense has inhibited even some who know perfectly well that marriage is by nature the union of a man and a woman. They fear that throwing themselves into the cause of opposing it is futile — worse, that it will call down the judgment of history that they were bigots.

Contrary to common perception, however, the public is not becoming markedly more favorable toward same-sex marriage. Support for same-sex marriage rose during the 1990s but seems to have frozen in place (at least according to Gallup) since the high court of Massachusetts invented a right to same-sex marriage earlier this decade.

Our guess is that if the federal judiciary does not intervene to impose same-sex marriage on the entire country, we are not going to see it triumph from coast to coast. Rather, we will for some time have a patchwork of laws. The division will not be so much between socially liberal and conservative states as between those states where voters can amend their state constitutions easily and those where they cannot. Thus same-sex marriage is likely to stay the law of the land in Massachusetts, Iowa, and Vermont, and perhaps also in New Hampshire.

In two of those states, at least, democratic procedure is now being respected. Vermont has chosen to recognize same-sex marriages legislatively, and New Hampshire may do so. Other states, such as Connecticut, have legislated recognition of civil unions for same-sex couples. While free from the taint of lawlessness, these decisions seem to us unwise. Few social goods will come from recognizing same-sex couples as married. Some practical benefits may accrue to the couples, but most of them could easily be realized without changing marriage laws. Same-sex couples will also receive the symbolic affirmation of being treated by the state as equivalent to a traditional married couple — but this spurious equality is a cost of the new laws, not a benefit. One still sometimes hears people make the allegedly “conservative” case for same-sex marriage that it will reduce promiscuity and encourage commitment among homosexuals. This prospect seems improbable, and in any case these do not strike us as important governmental goals.

Both as a social institution and as a public policy, marriage exists to foster connections between heterosexual sex and the rearing of children within stable households. It is a non-coercive way to channel (heterosexual) desire into civilized patterns of living. State recognition of the marital relationship does not imply devaluation of any other type of relationship, whether friendship or brotherhood. State recognition of those other types of relationships is unnecessary. So too is the governmental recognition of same-sex sexual relationships, committed or otherwise, in a deep sense pointless.

No, we do not expect marriage rates to plummet and illegitimacy rates to skyrocket in these jurisdictions over the next decade. But to the extent same-sex marriage is normalized here, it will be harder for American culture and law to connect marriage and parenthood. That it has already gotten harder over the last few decades is no answer to this concern. In foisting same-sex marriage on Iowa, the state’s Supreme Court opined in a footnote that the idea that it is best for children to have mothers and fathers married to each other is merely based on “stereotype.”

If worse comes to worst, and the federal courts sweep aside the marriage laws that most Americans still want, then decades from now traditionalists should be ready to brandish that footnote and explain to generations yet

unborn: That is why we resisted.

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[1] National Review Online, “The Future of Marriage”, April 8, 2009.