

Please find my submission herewith in support of and against any change in the existing laws related to marriage.

It is my view that the state inherited marriage from traditions that predate the founding of the state. These traditions are pre-political in the way culture precedes secular society and its polity, and in many ways transcends them both. Since traditional marriage already has reasons of its own, the state should not supply new and different reasons for an institution it only inherited and did not itself create. Indeed, to supply radically new reasons for something old essentially transforms it by radically redefining it. As such, marriage so radically redefined loses any essential continuity with what previously has gone by the name "marriage."

The most the state can honestly do in such appropriation of an institution that predates its founding - and in many ways transcends its operation - is to refine and reformulate in its governance of this institution the original reasons why this institution has deserved and still deserves social recognition and support.

Legislators who want to radically change the nature of marriage as that word is presently understood, should implement the abolition of this institution altogether, or they should subsume what used to be known as "domestic relations" under some other existing institution, such as private contracts. But, if they do that, they should be honest enough to stop calling what would not have been recognized in law as "marriage."

Marriage did not become the name of the domestic union of a woman with a man because someone said, "Let there be marriage!" Instead, "marriage" became the name used to designate this already existing social relationship when it had to be distinguished from other social relationships that might look like it in some ways, yet are different from it in more essential ways.

By calling attention to the traditional origins and character of marriage, I am not arguing from, or even for, the authority of tradition. Instead, I am asserting that the Western tradition of marriage, being a union between a woman and a man, has good reasons for being limited to heterosexual couples, thus excluding all other relationships, such as homosexuality, polygamy, polyandry, or "polyamorous" arrangements.

Traditional marriage, therefore, possesses a rational validity, both for what it includes and what it has to exclude. And so the traditional restriction of marriage to two persons of different sex is not arbitrarily discriminatory, thus making it essentially different from prejudiced, irrational kinds of social discrimination such as racial segregation.

Signed

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