



Written by [Becky Akers](#) on July 6, 2010

There Oughtn't To Be A Law

No matter how overwhelming the disaster or heinous the immorality, government is never the best or even a good answer. In the first place, it has almost always cooperated in causing whatever horror we expect it to cure. Second, government usually exacerbates rather than eliminates the trouble. Third, government is as hostile and opposed to morality as it is to freedom precisely because the former depends on the latter: if you refuse to sleep with your neighbor because her husband intercepted the email setting up your assignation and now holds you at gunpoint, you may be many things, but you're not moral since you no longer have any choice in the matter. Finally, when we focus on a political solution, we often miss the larger issue that's actually at stake. We punish ourselves while empowering the very rulers who harmed us.



For an example, let's look at homosexual "marriage." Yes, the very concept violates the word's definition, not to mention simple logic. Furthermore, sodomy is morally repugnant; [the Almighty](#) repeatedly [condemns it](#); it [hurts the society that promotes it as well as its practitioners](#) (who, by the way, can only practice homosexuality rather than be homosexual: no one has yet discovered an "H" chromosome, only "X" and "Y." Indeed, when we concede that someone is homosexual, we imply that he was born that way and cannot conduct himself otherwise. We also implicate ourselves as "homophobes" and exceedingly cruel, unreasonable people). Meanwhile, its enthusiasts with their insistence that we not only know such intimate facts about them as their sexual preferences but also approve are as offensive as the average politician. Still, are Constitutional amendments defining marriage and state laws against the "gay" parody an effective defense? Or does this cede the victory to sodomites by playing the game on the field they've chosen?

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Like other advocates of unpopular crusades, those who push legal marriage between partners of the same sex do so because they can't win by persuasion. They realize that most folks despise the perversion, that they're extremely uncomfortable around if not downright fearful of its devotees, and that they shun associating with them. To shortcut this resistance and force their wishes on the majority, sodomites clamor to legalize their couplings.

But they couldn't do so had the State not meddled with marriage in the first place.

The extent of that intrusion has varied according to time and place. For most of history, marriage was a strictly private affair between two families. Sometimes the nuptials celebrating it included religious



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leaders, whose involvement ranged from merely blessing the union to allowing or prohibiting it.

But with the Reformation, Protestants transferred authority over marriage from church to State. Alas, trusting government for protection from bugaboos - in this case, the Roman Catholic Church — always results not in greater freedom for us but in more power for rulers. It also pits citizens against each another when new laws crown some folks winners at others' expense.

Naturally, the State was no better at managing marriage than it is at anything else. Its oppressive laws against wives inspired feminism's backlash with its remedy of equally oppressive laws against husbands: just ask any man paying alimony to a vindictive wife and child-support for kids taught to despise him. It made divorce — the breaking of life's most sacred promise, something that had been socially taboo — legally easy and acceptable. Now it seeks to force our endorsement of homosexuality.

Had the Reformers simply stripped the Catholic Church of its legal power, had they allowed marriage to revert to its former status as a private contract between the bride and groom, sodomites could not now hold us hostage with their demands. Sure, they might live together and even call themselves "married," as heterosexuals do. And they might found "churches" with "clergy" to officiate at their "weddings." But the State could not force the rest of us to recognize their sham, let alone support it. Indeed, with one of the latest surveys from the Centers for Disease Control putting the number of [self-professed homosexuals at only 2 or 3 percent of the population](#), we could ignore their wickedness.

Were it not for Leviathan, we might even persuade adherents to forsake their sin: "civil rights" laws that strip us of the freedom to associate or not, as we see fit, that compel landlords to rent to the tenants bureaucrats prefer and businesses to accommodate the same, disarm society of one of its most potent weapons against immorality: the shunning of deviants. How many folks would indulge their lust if doing so turned them into pariahs? Finally, absent the goodies government grants married couples, from tax breaks to medical insurance that must cover spouses, sodomites would have far less incentive to distort the meaning of marriage to their advantage.

So government caused this crisis to begin with. Is it logical and effective to fight it with more government? Should we seek laws against homosexual "marriage"? Or, recognizing the State for the instigator and culprit that is it, should we look for solutions elsewhere? Perhaps a good place to start would be forbidding politicians to interfere with marriage at all rather than beseeching them to "protect" ours.

We can apply these same principles to all the problems advocates of limited government nonetheless seek to resolve through government. Is TV's sewage polluting your home? Don't cajole the FCC to regulate the airwaves more tightly; instead, ask why our rulers control the media in the first place (yep, government + media = propaganda) and why [they steal money from us to subsidize journalism](#), then agitate to dissolve this abhorrent partnership. Second-hand smoke nauseating you at your favorite eatery? Realize that [government heavily subsidizes tobacco](#) and so its pretenses at saving us from it are sickeningly cynical; seek to restore the rights of private property so that restaurateurs are free to lose your patronage by accommodating the vice or set up non-smoking rooms to regain it.

Beware of the reflex that laws should ban what you despise. That only fertilizes the very evil you hope to end. Indeed, there shouldn't even be a law against the idea that there oughta be a law.

Becky Akers, an expert on the American Revolution, writes frequently about issues related to security and privacy. Her articles and columns have been published by *Lewrockwell.com*, *The Freeman*, *Military History Magazine*, *American History Magazine*, the *Christian Science Monitor*, the *New York Post*, and



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