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## EDITORIAL

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02/29/04

# It's no business of government

The issue of whether to sanctify gay marriage is one for religious groups — not government — to determine. Whether the government should allow two people of the same sex to marry should not even be debated: The government specifically forbids discrimination on the basis of sexual orientation in all other of life's aspects. Marriage should be no different.

Marriage is traditionally and historically a religious rite. Thus, the debate belongs to the churches, not the courts, certainly not Congress and, least of all, the president.

Many marriages are performed, but not sanctified, by government officials. Those government officials so empowered should grant the same rights to all persons in their jurisdiction. Surely, no local justice would dare refuse to perform a ceremony because of the race of the couple, or the national origin, or the disabilities afflicting them. Then why would the government condone discriminating on the basis of sexual orientation?

By what argument is the government's interest served by interfering with the marriage of two people who love one another? Clearly, some religions would have a deep interest in this question. But the government proudly declares itself blind to sexual orientation. It cannot protect the interests of gays in the area of employment but then disenfranchise them in matrimony.

Purely as a matter of pragmatic application of legal authority, no responsible government should even *want* to interfere with gay marriages. It serves no useful purpose for a secular, inclusionary government to be so intrusive in this most precious area of individuals' lives.

Government would want to regulate benefits and property involving married persons. But momentum seems to be growing for equality for all in these matters. Thus, that aspect of the controversy will cease to be a driving factor.

We understand very well the reflexive antipathy many people feel toward gay marriage. It is a relatively new national debate and thoroughly at odds with the traditional sense of family under which this nation has existed for more than two centuries.

But not many generations ago, so was inter-racial marriage. Not until 1967 did the Supreme Court declare state bans on inter-racial marriage unconstitutional. That, too, evoked the most vile condemnation in many circles. Now, reaction to the practice ranges from celebration, at best, to tolerance, at worst. The court wisely determined the government had no business trying to regulate that very private side of life.

It has no more business regulating who can and can't get married on the basis of bedroom preferences than racial constitution.

For a time — and not for very long, we would guess — the prospect of gay marriages will be distasteful for many people. Nevertheless, its eventual broad acceptance is inevitable. The government will see its role in determining legality, not morality.

Whether all of America ever gives same-sex marriage full, unflinching endorsement remains to be seen. That scarcely matters. What does matter is that the government not insist on interfering. Life, liberty and the pursuit of happiness are the birthright to every American in equal measure.

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