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ABSTRACT

[...] because it is easier to criticize a received view than to construct a complete alternative, revisionist arguments have had an appealing simplicity. Only this can account for its essential features, which make less sense in other relationships. Because marriage uniquely meets essential needs in such a structured way, it should be regulated for the common good, which can be understood apart from specifically religious arguments. [...] the needs of those who cannot prudently or do not marry (even due to naturally occurring factors), and whose relationships are thus justifiably regarded as different in kind, can be met in other ways.

70. See, e.g., David Boaz, Privatize Marriage: A Simple Soution to the Gay-Marriage Debate, SLATE (Apr. 25, 1997), <http://slate.com/id/2440/>.