

Forbes

Gay Marriage Statism = Obamacare Statism (Part II)

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Thanks to those of you who flattered me with email and Facebook responses to my recent posts ([response to Jonah Goldberg](#) and [original post](#)) on Marriage Statism vs. Health Care Statism.

Three comments I'd like to call out and respond to. And then one new piece of information.

Comments:

1) This sentence from **Arian Pirayesh** is golden and succinctly presents the endpoint I've been trying to get at:

“Either they get out of the marriage game entirely and leave marriages strictly in the religious sphere, or they extend those rights to all American citizens.”

I'd definitely prefer the state gets out of the marriage business entirely – and not discriminate in favor of those choosing marriage versus us single folk. But since the likelihood of this is just above 0%, this state-constructed distinction (marriage) should be available equally (equality under the law), regardless of genetic makeup (genetically gay or heterosexual).

2) This one is a bit longer. It's from “**L.B.**” of Washington, DC (written in short hand, so please don't discount his argument because he didn't punctuate everything):

Stephen, the statism argument simply doesn't apply here. The government is in no way telling us how to arrange our personal lives, who we choose to be in relationships with, whom we love, etc. Everyone is free to arrange their personal lives as they see fit. Our society has deemed, like many others, that marriage serves an important purpose for the

well-being of our society- 1) It protects children, by having them grow up with both their parents, not just their mothers, protected and supported by both parents. Since kids will be fighting our wars and making our economy run in a decade or two, it is in our interest that they grow up with their parents, which on the whole is best for children. 2) It protects women, by making sure they are not left to bring up the children and support them while the father runs off somewhere. 3) Less importantly, it civilizes men, who within a family, put their effort into making money to support and to protect their families, instead of doing a whole slew of other things men tend to get involved in. Since these things are very helpful to a productive, safe society, we incentivize men marrying women, and staying together. Society simply has no stake in whether men who are romantically involved with other men stay together for life, since these relationships do not produce children. But it also does not have the right to prevent men from choosing to pursue these relationships. Bigotry, statism, are just not at all relevant here.

I disagree with pretty much everything L.B. says here, but let's focus on his critique of my "gay-marriage-ban-as-statism-similar-to-Obamacare" argument.

L.B. lays out three reasons why the state has an interest in promoting heterosexual marriage. Please ignore whether these three things are "state interests," and ignore the fact that none of these "state interests" are in any way vitiated by including more people under the marriage definition.

L.B.'s model allows us to almost perfectly substitute "Obamacare" for "traditional marriage preservation." Now read his argument as: "Obamacare advances state interests (i.e. universal health care, fewer emergency room public bailouts, 'more rational' health choices, and whatever other arguments Obamacare supporters put forward), therefore the government should be allowed to intrude – individual mandate – to advance a state interest."

This isn't complicated. As with "marriage protection," you can debate the public policy of it – whether the mechanisms of Obamacare really will accomplish its goals – but you can't debate that Obamacare/"marriage protection" are both intruding on (one negatively – "you can't do this" and one positively – "you must do this") on private decisions (decisions that don't affect third parties), through the use of state power.

3) **A.H.** (Washington, DC) offers a comment that, in my view, further exposes the hypocrisy of the social statist conservatives.

I think the better way of understanding it is this: government support for marriage is statism, and the culture war over whether to extend it to gays or not is a perfect example of how statism leads to social conflict because people fight over whose vision the state is going to support.

The social statist conservatives love the state when it wields its power to prohibit gay marriage. But state power is a double edged sword – what happens to these social statist conservatives when the state uses its power to say "Creationism can NOT be part of the

public school science class curriculum because it has no basis in fact or science”? They get in an angry frenzy! “How dare you use state power to tell us what we can and can’t do in our the parts of our lives that don’t affect others?”

4) One new piece of information that might suggest gay marriage is politically damaging for the Republican Party.

Again, I don’t suggest that the Republican Party should simply do whatever is politically popular, but since politicians are largely “single minded seekers of reelection” (Mayhew), here’s another bit of information that might give some Republicans pause when they look to oppose gay marriage: [Top GOP Pollster to GOP: Reverse On Gay Issues](#), Andrew Sullivan’s The Dish, h/t Ilya Shapiro and Luke Meier.