

# Unconstitutional and Unconscionable: No Man Has Right to Sanction Gay Marriage

Ted Baehr, world-renowned speaker and scholar, says the Supreme Court's ruling Wednesday that effectively legalized **same-sex marriage** is unconstitutional.

"Neither the court, the state, the president, the Congress, nor even the voters have the right to legalize same-sex marriage," Baehr says. "It violates the **First Amendment** of the United States Constitution, which states that Congress can't deny anyone the freedom to worship.

"Marriage and family are religious institutions ordained by God," he adds. "And the civil government owes its existence the consent of the governed, not the other way around, in the tradition of the Magna Carta.

"Furthermore, since Samuel Rutherford wrote *Lex, Rex*, which clarified the rule of law posited by the Magna Carta, all of these forms of government have been under God's law in the United Kingdom and the United States of America. When king or ruler is above the law, he often acts in imperious and dictatorial ways, for the very nature of power is to corrupt the powerful, unless it is restrained by God's law. Constitutionally, therefore, the courts can't tell any Jew, any Christian or any church or synagogue who can and cannot be married."

Baehr notes that the idea to abolish marriage and the family comes from *The Communist Manifesto* by Karl Marx and Frederick Engels, which produced such mass-murdering tyrants as Lenin, Stalin, Mao Tse Tung and Castro.

Thus, the Declaration of Independence made it clear that King George III acted illegally when he oppressed the American colonies, because he was under the law of God. Countries that allowed men to rule above the law have produced tyrants, such as Stalin, Hitler and Mao Tse Tung. Current examples include Mugabwe, Castro and the military junta in Burma, among many others. Baehr condemns the idea spread by "misguided, mendacious" proponents of same-sex marriage that the traditional definition of marriage and family in the Bible is outdated or oppressive.

"A bad heterosexual marriage or a bad family doesn't give us the right to abolish marriage and family or to change their definitions," Baehr says.

"The Supreme Court's decision today is absolutely criminal," he explains. "Our local, state and federal governments, along with the courts, have created most of the alleged problems we see in many marriages and families today because they have accepted a radical Marxist, communist definition of taxation, culture, and government.

"It must be emphasized that marriage between one man and one woman is a God-ordained, God-defined, biblical act. For 1,800 years in Western countries, marriage was a unique institution, initiated by God when He created the male and female, presided over by Jesus Christ when He blessed the act of marriage and stated that a man and a woman would leave their parents and join together to become one flesh, and sustained by the Holy Spirit, who not only holds the marriage together but also produces the offspring that God creates.

"The norm in almost all other religions is not monogamy, although many have borrowed the form of a Christian wedding. Moreover, the state's involvement in Christian marriage is relatively recent."

In 1837, the Rev. Henry Morris complained the state had

usurped the authority of God in marriage. Norris railed against the passage of a law on marriage by providing a detailed look at the institution of marriage. He painstakingly exegeted the Scriptures in establishing his point that marriage is most importantly a religious institution and therefore should not be relegated to a strictly civil character:

"They took from the Clergy 'the solemnizing of Matrimony, and put it into the hands of Justices of the Peace.' In the former instance of this desecration being ordained, the power to legislate had been seized by those who would be restrained in nothing that they imagined to do; and, in a day specified in their ordinance, 'no other marriage whatsoever within the Commonwealth,' but such as should be contracted ... before a Justice of the Peace, 'should be held or accounted a marriage according to the law of England.'

"But the national principle is not yet sufficiently prostrated to make us again ripe for so arbitrary and irreligious an imposition, and therefore, by the law just come in force, you are left to form your own judgments, whether marriage is a mere civil contract, or a Divine institution 'whether it shall be celebrated with or without any offices of religion' whether the Church, the Conventicle, or the Register-office, shall be the place of celebration and whether the Clergyman of the Parish, the Dissenting Teacher, or the superintendent Registrar, shall officiate on the occasion."

The Rev. Norris added that the biblical position is that only God ordains marriage. So, in the light of history and God's Word written, the judges in Massachusetts, California or any other state or federal court have nothing to say about Christian marriage and have no authority to define, ordain or desecrate it.

The Rev. Norris continued in his sermon, "By the state of matrimony the spiritual marriage that is betwixt Christ and

His Church is signified and represented. ... But that 'the fruitful vine' ... is not procurable by a civil contract, it cometh only of the Lord."

"His reasoning is impeccable," Baehr says of Norris, "but many have forgotten that marriage belongs to the church. In fact, a few are very uncomfortable with that concept because of the abuse of power by some ecclesiastical authorities. Two wrongs don't make a right, however. And they certainly don't make a civil right to same-sex marriage.

"With regard to the abuse of power, it must be noted that civil government is good, although there can be bad presidents, governors, judges and other authorities. Family government is good, although there can be bad fathers and mothers. Ecclesiastical government is good, though there can be bad clergymen. The rules and the laws of the exception do not make the rule. In other words, a bad father does not give us the license to call for the abolishment of fatherhood, etc. What it does do is to give us the opportunity for checks and balances, which until recently were most perfectly expressed in our constitutional government.

"The church has to reclaim marriage as its unique institution. Whatever anyone wants to do outside of the church may be their business, but it is not sanctioned by God's law. The state has the right to regulate only what the Constitution allows it to regulate, because there is no liberty for license. But the state does not have the right to tell the biblical, believing, Trinitarian, Christian church that any couple outside of the faith is married.

"We need to stand for God's law in the face of the power-grab by those in civil authority who know no restraints.

"The increasingly socialized federal government does not have the right nor the authority to violate God's law; they have also violated their own Constitution and the will of the

governed. When they do that, they are just like King George. They have abdicated their moral and legal authority and are subject to indictment, trial and just punishment.

“Now all those who freely exercise their inalienable right to religious faith must stop acting like useful idiots and fellow travelers by going along to get along and instead stand for your God-given rights by proclaiming loud and clear that these government servants have crossed the line into illegal activity that has no authority and makes them criminals.

“Often the people of faith and values do not stand up because they have been slowly boiled in the brine of socialism and so give the states powers they have no authority to use. Often the state or federal government creates the problem by violating our individual right to property, estates, income, etc., through the Marxist device of illicit taxation and then argues from the problem the state created that the state needs to govern marriage to alleviate the tax burdens the state created so that the state can encourage marriage. Such circular and dishonest reasoning has almost deceived the very electorate.

“Now the people of ... values must throw off the stupor of Marxist doublespeak and return to the basic principles that made them free to live at peace in the American republic that recognizes ‘life, liberty and the pursuit of happiness.’

“People of biblical faith and values need to re-establish real Constitutional law throughout the land.”