

What's Really Frightening About Gay-Marriage Laws

Few were surprised when a panel of the 4th Circuit U.S. Court of Appeals upheld a lower court's decision striking down Virginia's voter-approved prohibition against same-sex marriage. After all, the court's decision continues a trend that courts across America have been following: overturning voter-backed legislation upholding natural law in favor of recognizing the "right" of homosexual couples to marry.

While some view the trend as the unavoidable march of "progress," noted author, apologist and culture expert Alex McFarland points out that our nation's Constitution is based on a recognition of natural law, and the rejection of that law will inevitably lead to the loss of our Constitution.

"What's particularly worrisome about the pathway to the legalization of same-sex marriage is that the only way to travel down this path is to abolish the belief in natural law," McFarland said. "As any student of our nation's history understands, our entire system of government is based on the understanding that natural law exists and that it governs our liberties.

"Our own Declaration of Independence directly cites natural law as the basis for declaring independence from Great Britain: 'When in the Course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them.' The rejection of natural law leads neither to liberty nor equality, but rather to anarchy. And this will lead to the end of the U.S. Constitution and the end of our democratic republic."

McFarland further argued that only within the framework of a Judeo-Christian culture that recognizes natural law do individuals have the freedom to be gay.

“A society that recognizes natural law, as our Judeo-Christian society has long done, is a society that also maximizes liberty for individuals, he continued. “Within this framework, if someone wishes to practice homosexuality, go ahead. But don’t tear down the framework that gives you the freedom to be gay. Those who embrace homosexuality should be actively advocating for a Judeo-Christian culture that recognizes natural law. Because the two options, if they don’t, are the iron fist of statism or the iron fist of sharia. And both of these options mean not only the death of freedom but, literally, the death of any individuals who disagree with the state.”

Virginia Attorney General Mark Herring made it clear early on that he would not defend the state’s law supporting natural marriage. And Attorney General Roy Cooper of North Carolina, which also falls under the jurisdiction of the 4th Circuit Court, said last week that he would not defend his state’s voter-approved ban on same-sex marriage, saying, “It is time to stop making arguments we will lose.”

Herring’s and Cooper’s acts follow other recent patterns, including that of Pennsylvania Attorney General Kathleen Kane who last year announced she would not defend her state’s Defense of Marriage Act and U.S. Attorney General Eric Holder, who in 2011 announced that the Department of Justice would no longer defend the federal Defense of Marriage Act.

In fact, earlier this year, Holder advised state attorneys general that they are not required to defend any state prohibitions against same-sex marriage, despite the fact that attorneys general are, by definition, the primary law-enforcement officers of their respective governments.

“Every attorney general who has refused to uphold existing laws protecting marriage should be cited for breaking the law,” McFarland added, “because they are legislating based on current events and local circumstances rather than on the rule of law.

“This is what’s so frightening about the events now unfolding: Elected officials are essentially changing the laws of their states that have been legitimately passed through due process. This is neither liberty nor democracy but rule by fiat. And while homosexual individuals are now rejoicing because the fiats are in their favor, if we as a nation continue to reject the rule of law, natural law, and our Constitution, then there will come a day when the fiats will be in no one’s favor. Unfortunately when that day comes, we’ll have no Constitution to stand on to defend our liberties, as we’ve allowed it to be trampled beyond the point of recovery.”