

Why Is the Moral Question Missing in the Same-Sex Marriage Debate?

If we are mere animals then there are no moral laws other than what any group of people may choose. If we are created in the image of God then there are moral laws that transcend all of humanity. This has been called the “higher Law” argument.

Our founding fathers raised this issue in the Declaration of Independence when they wrote: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator, with certain unalienable rights that among these are life, liberty and the pursuit of happiness.” They saw it to be “self-evident” that the moral basis for law came from our Creator and therefore certain laws could be deemed immoral based on the premise of higher law.

The First Amendment to the Bill of Rights in our Constitution has six clauses:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

The first clause has been called the “Establishment Clause.” The second clause has been called the “Free Exercise Clause.” We often hear of the Establishment Clause, but the Free Exercise Clause has been, unfortunately, seldom mentioned – almost to the point of being forgotten.

Our nation was founded under the premise that the government would not establish a religion. When the founding fathers ratified the Bill of Rights they knew what they were doing. They lived in the shadow of the heritage of the pilgrims who came to this continent to escape the ill effects of government sponsored religion. There is a world of difference between the establishment of a religion and the establishment of morals based on higher law.

In the early 1950’s our nation officially adopted “In God we trust” as the national motto, added “under God” in the Pledge of Allegiance and established a National Day of Prayer. This all took place in a matter of three years. What was going on in the world back then?

Communist Russia was threatening the well-being of the western world. We had already seen what Stalin had done. He murdered millions of his own people. Khrushchev, his successor, promised to bury us. We knew the moral premise undergirding both Stalin's and Khrushchev's communism that could justify the murder of millions. The move in the early 1950's was an effort to reaffirm the Judeo-Christian ethic that is at the foundation of the United States of America. The Judeo-Christian ethic would insure that our nation would be guided by values that would transcend the politics and the power of any human government – our own included. Our leaders then, just like our founding fathers, knew what they were doing. They were not at all establishing a religion, but they were tethering the morals of our nation to higher law.

To state that moral law and civil law do not mix is a huge mistake which, history has proven again and again, ultimately leads to the destruction of life. Therefore, the best starting place for discussing same-sex marriage is indeed the moral law. It is this very moral law that is being ignored in the debate on same-sex marriage. If we are mere animals, then let's do what animals do and may the strongest survive. If we are endowed by our Creator with certain transcendent moral laws, it would be only inviting disaster to turn our backs to this reality. The attack on sexual morality will NOT stop at marriage. There will be no higher law to stop the next moral descent to the lowest common denominator. There must be something in this life that is much more than common. There must be some things sacred. The moral foundation of this nation is one of them.

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