

Monday, December 1, 2003

## EDITORIAL

# Study, study but have no fear; vacation time is near

Editor's note: In honor of the stresses of the final two weeks of the term, we honor Theodor Geisel (aka Dr. Seuss), and hereby denounce the grotesque cinematographic bastardization of "The Cat in the Hat."

Winter break, two weeks away  
 But will we make it? We cannot say

We've already done nine weeks of fall  
 But if we work more, we'll hit the wall

Endless lectures fill our heads  
 Dreams of tests haunt us in beds,  
 "Professor!" we cry, "Please desist!  
 We get your meaning, we've got your gist!"

Studying for hours filled with dread,  
 All through the week of dead.

Are you sure you've got the nerve?  
 Are you sure you can meet the curve?  
 Just one week more of class,  
 Are you sure you'll even pass?

We'll find a friend, we'll find a buddy,  
 For hours on end, we'll have to study,

Study Swedish and art and writing  
 Against the clock, we'll all be fighting,  
 Study math and psych and Greek,  
 Faces in books for the entire week.

Hours of work before we're done,  
 A quiz! A midterm! But there's no fun!

Only 10 more school days till we arrive,  
 But we just don't know whether we'll survive.

Our brains will soon rot to rust  
 Prepping for tests that are most unjust

Studying for hours every night,  
 Slaving away in Library Knight,

Then comes a week with many a test,  
 We'll do our best, but get no rest

Sometime next week you'll awake,  
 And thereupon begin a well-deserved break.

Almost a month to sleep and play,  
 But not for long you can stay,  
 At parents' house where food is made,  
 Hot and steamy from the oven,  
 Nothing like a mother's lovin'!

For these small pleasures you do trade,  
 Your education bought and paid.

## EDITORIAL POLICY

This editorial represents the opinion of the Emerald editorial board. Responses can be sent to letters @dailyemerald.com. Letters to the editor and guest commentaries are encouraged. Letters are limited to 250 words and guest commentaries to 550 words. Authors are limited to one submission per calendar month. Submission must include phone number and address for verification. The Emerald reserves the right to edit for space, grammar and style.



Steve Baggs Illustration

# U.S. needs to deregulate marriage

The culture wars raged on last week as the Massachusetts Supreme Court ruled that state marriage laws may not be construed to exclude homosexuals. The ruling legalized homosexual marriage in Massachusetts.

## GUEST COMMENTARY

This newfound civil right vindicated liberal pundits, who saw current marriage laws as intolerant. Meanwhile, conservative commentators complained that courts should not arbitrarily redefine marriage and overturn a law supported by the people. Once again, both sides just don't get it: What business is it of the government to regulate marriage in the first place?

Both liberals and conservatives argue that since marriage is of such fundamental import, the state has a compelling interest in defining and controlling it. They often allege, correctly, that marriage is one of humanity's oldest and most important institutions. But they make an invalid deduction that since marriage is so vital and deep-rooted, the government should have power over it. After all, there are many issues of vital importance to society that the government has no right to regulate. The question, then, does not revolve around whether marriage is important. Rather, who should define this institution: The government or individuals?

In the end, whatever the merits of marriage are as a social good, it does not need the government's interference to survive. It never did. Whereas the modern state dates back only a few hundred years, marriage has long existed independent of government. Marriage was regulated by custom in the West for

thousands of years until 1754, when Britain's Marriage Act took effect. Just as it has in the past, today most marriages still derive their personal significance from religious or cultural sanctions, not from the approval of a low-level government functionary.

Some observers argue that legal sanction adds much to the relationship. Indeed, a marriage license offers innumerable public and private benefits. As it stands, every state government has the power to define marriage, and by extension, their derived benefits, such as tax write-offs or home ownership benefits. Conservatives, who are traditionally skeptical of programs such as affirmative action, should take note of marriage laws that selectively endow entitlements to one segment of the population over another.

The fundamental problem with marriage licenses isn't the benefits, but rather the nature of the license itself. Marriage licenses are contracts. The state government, not the couple involved, defines the legal terms of the contract. If a couple wants to be married and receive legal protection and recognition, they have no choice but to abide by the terms of the state. This makes marriage, in essence, a state-sanctioned monopoly.

Deregulating marriage means ending government monopoly, state by state. It signifies that couples have full legal authority to draw out their marriage contracts. Courts could then enforce those contracts just like any other legally binding document.

If the government were removed from marriage, the benefits would be numerous. First, since the state no longer holds the monopoly on marriage, each couple could tailor important issues in the mar-

riage contract to their own needs (e.g. prenuptial arrangements, no-fault divorce). A couple could define their marriage contract according to purely religious definitions, or they could use a standard template to avoid the hassle.

Second, companies that recognize homosexual marriage contracts would gain a comparative advantage in the marketplace. For example, if a health provider or an insurance company decided to recognize only heterosexual marriage contracts with visiting rights, the gay-friendly business would gain a competitive foothold in society. In short, the only thing that would regulate a particular union would be social norms, which is exactly the way it should be.

Third, removing the government from marriage would make marriage and divorce laws much simpler. Finally, privatization would solve the future problems of non-conventional forms of marriage, such as polygamy. The government would not endorse a particular form of marriage, but at the same time not prohibit it, and instead allow culture to regulate it.

Liberals are right in their belief that the government should not create discriminatory, preferential policies against homosexuals — conservatives are correct in that the government should not endorse a form of activity that the majority does not approve of. The solution, then, is to remove government from the equation altogether. The state needs to stop playing priest for every wedding. Individuals should be free to define the terms of their own relationship. It's time to privatize marriage now and end government interference in that which we hold dearest.

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## ONLINE POLL

Each week, the Emerald publishes the results of the previous week's poll and the coming week's poll question. Visit <http://www.dailyemerald.com> to vote.

**Last question:** What was on your Thanksgiving menu?

**Results:** 46 votes.

• Turkey: 47.8 percent or 22 votes

• Other stuff: 21.8 percent or 10 votes

• Faux turkey or Tofurkey: 10.9 percent or 5 votes

• I didn't celebrate Thanksgiving: 8.7 percent or 4 votes

• Restaurant or bar food: 4.3 percent or 2 votes

• Turducken: 4.3 percent or 2 votes

• Ham: 2.2 percent or 1 vote

**This week:** Do you think cheating is a serious problem?

**Choices:** Yes, I work hard for my grades and others should have to do the same; Yes, cheating shows a lack of integrity; No, it doesn't matter if students cheat; No, students should do whatever it takes to get a good grade.