Marriage Is Between One Man And One Woman!

In Pennsylvania, the other States of the Union and the United States of America, the Holy Bible, both Old and New Testaments, has always been the primary basis of our laws. The Framers of the State and federal Constitutions, and other founding documents, understood, thought, spoke and wrote in the language of English common law. Christianity is, and always has been, part of Pennsylvania's common law. [Updegraph v. The Commonwealth, 11 Serg. & R. 393 (Sup. Ct. Penn. (1824)]. Marriage has always been lawfully defined in America as **the union of one man and one woman; a solemn civil and religious contract**. Marriage is a fundamental God-given right, which is secured, guaranteed and protected by State Constitutions. There is no lawful delegated authority in the Constitution for the United States of America for the federal government to be involved with the issue of marriage. Just consider the following:

1. The unanimous Declaration of the thirteen united States of America ("The Declaration of Independence") of 1776 states, in part:

> "***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.* ***That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed****. …*"

2. Article I, Section 1, "**Inherent Rights of Mankind**" of the DECLARATION OF RIGHTS in the Pennsylvania Constitution states:

> "***All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.***"

3. Article I, Section 25, "**Reservation of Powers in People**" of the DECLARATION OF RIGHTS in the Pennsylvania Constitution states:

> "***To guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate.***"

4. The word "**liberty**" is defined in Black's Law Dictionary (sixth edition) in part, as the following:

> "The "*liberty" guaranteed and protected by constitutional provisions denotes not only freedom from unauthorized physical restraint,* ***but embraces also the freedom of an individual to*** *use and enjoy his faculties in all lawful ways, acquire useful knowledge,* ***marry****, establish a home, and* ***bring up children****, worship God according to the dictates of his own conscience, live and work where he chooses, engage in any of the common and lawful occupations of life, enter into all contracts which may be proper and essential to carrying out successfully the foregoing purposes, and* ***generally to enjoy these privileges long recognized at common law to be orderly pursuit of happiness by free people***."

5. The lawful authority to marry and to be married is God, not the state. God instituted (created) marriage at the beginning of human history and ordained that man shall leave his father and mother and cleave to his wife. The two (one man and one woman) shall become one in love and mutual submission. It is God's will that marriage be a holy state, monogamous, and for life.

(Holy Bible, KJV: Genesis 1:27-28, 2:24; Matthew 19:3-9; and Mark 10:2-12)

6. When the Constitution of Pennsylvania and the Constitution for the United States of America were written, marriage was clearly understood to be between one man and one woman. Noah Webster, LL.D., also confirmed this understanding about marriage in his 1828 A.D. American Dictionary of the English Language (published by S. Converse in New York). Webster defined the word "**Marriage**" in 1828 as, in part:

> "***The act of uniting a man and woman for life; wedlock; the legal union of a man and woman for life. Marriage is a contract both civil and religious, by which the parties engage to live together in mutual affection and fidelity, till death shall separate them. Marriage was instituted by God himself for the purpose of preventing the promiscuous intercourse of the sexes, for promoting domestic felicity, and for securing the maintenance and education of children.***"

For many years the State has required a "license" to get married. However, this is not lawfully required.

The definition for the word "license" from Black's Law Dictionary (sixth edition) states, in part:

> "***The permission by competent authority to do an act which, without such permission, would be illegal, a trespass, a tort, or otherwise not allowable.***"

So, when one applies for a "license", he or she admits that they want to do something that is unlawful. Of course the government is eager to give a "license" to do something that is a "right" because a natural person does not need government's permission to exercise a God-given and/or constitutionally protected right. A "license" converts a "right" into a "privilege" with the State being the superior party. A license is not a contract, but merely a privilege granted by the licensor (the State) to the licensee.

(Note that there is no definition given for "**marriage license**" in Noah Webster's 1828 Dictionary.)

In its June 26, 2013 decisions concerning "Proposition 8" and "DOMA", the Supreme Court of the United State again got it wrong, twice. California's "Proposition 8" Amendment to the State Constitution, which banned "gay marriages", was passed by the people and became part of the California Constitution in November 2008. Its validity was challenged in the State Courts, and in 2009 the California Supreme Court ruled the Amendment to be constitutional. Using the so-called 14th Amendment, a second challenge was filed in the United States District Court. Governor Brown's administration did not defend the "Prop. 8" Amendment and ultimately the U.S. Supreme Court, in a 5-4 decision, ruled that the people had no standing to defend their 2008 State Constitution Amendment that confirmed marriage to only be between one man and one woman. (Remember, the so-called 14th Amendment was neither lawfully approved nor ratified.)

In its second 5-4 decision, the U. S. Supreme Court (by again using the so-called 14th Amendment) declared that Section 3 of the 1996 "Defense Of Marriage Act" (DOMA) is unconstitutional. Section 3 of the **DOMA limits the definition of marriage as between a man and a woman for the purposes of federal benefits.** By striking down Section 3, the U.S. Supreme Court cleared the way to more than 1,100 federal benefits, rights and burdens linked to the marriage **status** in States that recognize "same-sex marriages". The federal courts have no lawful jurisdiction in either of these two matters/cases.

(Note that the Court referred to marriage as a "**status**", not a solemn contract. This was changed first in California in 1960 and in Pennsylvania in 1980 so the attorneys and judges could implement "No Fault Divorce". There is no such thing as a "no fault" contract. So they allegedly just changed the definition.)

Marriage is clearly a holy state created by God, confirmed by a sacred contract made between one man and one woman before God, and confirmed before human witnesses.

God is the Creator of and Supreme Authority over marriages.

Marriage is, and always will lawfully be, between One Man and One Woman!