

Against the Abolition of Marriage

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Is the existence of marriage just or unjust? This is the main question within the recent debate about marriage in liberal political philosophy. Some argue that the liberal state has good reasons to retain the institution of marriage in some altered form. Call this the Reformist position. Others advocate the abolition of state-recognized marriage. Call this the Abolitionist position. Insofar as both Reformists and Abolitionists invoke liberal principles of liberty, equality, and state neutrality, however, the current debate about marriage is deeply puzzling; for how can marriage (or marriage-like status) be good and bad at the same time? What exactly should liberal egalitarians say about marriage?

In this paper I begin to answer this puzzle by examining the arguments against state-recognized marriage. I divide the arguments into three groups: (i) the argument from oppression, (ii) the argument from assimilation, and (iii) the argument from stigmatization. Although I agree that these three arguments raise legitimate worries for liberals, I argue that the conclusion that state-recognized marriage should be abolished is premature. It is important to note that the arguments I put forth are not positive arguments for marriage (or marriage-like status); they are, rather, negative arguments against the alternative.