Main Thesis
Marriage is a natural kind of relationships.

- Natural kinds of relationships
- Social constitution: the main alternative
- Argument 1: cross-cultural identification
- Argument 2: discovering new rights and responsibilities
- Argument 3: cross-cultural critique
- Argument 4: fulfillment of a natural desire
- Argument 5: for conservatives
- Argument 6: for liberals
- Family resemblance
Some characteristics of natural kinds

- Natural kinds are genuinely explanatory.
  - Non-normative: Rover has 4 legs because Rover is a dog. (E.g., biology and physics.)
  - Normative: Rover should have 4 legs because Rover is a dog. (E.g., biology but not physics.)

- Natural kinds enable inductive inference.
  - Rover and Fido are dogs. Rover has 4 legs. That’s evidence that Fido does, too.

- Natural kinds capture genuine similarity... not constituted by how we contingently think about the items under consideration. (Stipulative?)

- Definition?
Natural kinds of relationships

- A natural kind is a type. It has instances (or tokens).
- Instances can be:
  - Substance-like: vertebrate, dog, water, globular cluster, black hole, electron, carbon atom, tectonic plate.
  - Event- or process-like: earthquake, tornado, combustion, mitosis, coition, sentinel behavior(?).
- The process-like can include processes that have a significant dispositional component, e.g., sentinel behavior in meerkats.
- Relationships are token processes between individuals with significant dispositional components.
- Some relationship types are socially constituted: congressman–constituent.
- Some are probably natural kinds: parent–child.
Marriage as a kind of relationship is both normatively and non-normatively explanatory.

Inductive reasoning about marriage is appropriate.

There are genuine similarities between marriages, especially if we focus normatively and cull outliers (green card marriage? child marriage?).

Danger that by ruling out too many cases, we make similarity thesis unfalsifiable.

But narrowing the field is important in science. When we study dogs, we rule out foxes.

So, plausibly, marriage is a natural kind unless it is socially constructed.

So, is it socially constructed?
Cross-cultural identification

- Typically, countries recognize marriages undertaken in other countries. (Exception: same-sex or non-binary)
- The rights and responsibilities held to be attached to marriage differ from culture to culture.
- Suppose marriage is socially constructed.
- Then it is defined by the rights and responsibilities assigned to it and the rights and responsibilities assigned to it are normally the ones held to be attached to it.
- So if $A$ and $B$ are cultures that hold different rights and responsibilities to be attached to marriage, then on the construction view $\text{marriage}_A \neq \text{marriage}_B$.
- Hence either we should not recognize $\text{marriage}_A$ where $A \neq \text{USA}$, or we should warn married$_A$ people at the border that entry constitutes a wedding$_\text{USA}$. Implausible!
People in good marriages continue to discover new rights and responsibilities. They are not merely learning something about what rights and responsibilities society has instituted. No secret treaties here.

That’s the kind of thing we expect with natural kinds. E.g., we learn water is H₂O.

**Objection:** Maybe they are learning the logical consequences of the rights and responsibilities (e.g., “love each other”) that society has instituted?

**Response 1:** The subject of reflection seems to be the couple’s joint life together, not social expectations.

**Response 2:** The natural-kind theory provides a unified explanation of multiple phenomena.
Cross-cultural critique

- Jim is from Elbonia, a very patriarchal society, and ignores his wife Alicia’s emotional needs, as prescribed by his society.
- Jim is being a bad husband.
- On construction view, Jim can reply: “I am a husband_{Elbonia}, and a good one.”
- At best, we can criticize marriage_{Elbonia} and say that it’s a relationship no one should have entered into, and we can criticize Jim (and Alicia, if she acted freely) for entering into this relationship.
- It is hard for constructivists to give a special reason why Jim should care about Alicia’s emotional needs.
Natural desire

- People tend to want to marry those they love romantically.
- Plausibly, apart from reasonable moral and practical restrictions, they should be able to.
- A society that failed to meet this desire would be failing its people. (Important part of a potential case for same-sex marriage.)
- This is best explained by the desire for marriage being a natural one. In general, no obligation for society to meet non-natural desires.
- But it is plausible that if the desire for marriage is natural, then marriage is natural.
Opposing same-sex marriages and equivalents

- Should not limit access on grounds of gender (or sex) to constructed institutions without very strong reasons when equivalents aren’t available.

- **Test cases:** Sports competitions, bathrooms, etc.

- So, if marriage is constructed, then marriage or an equivalent should be available to persons of the same gender.

- Thus conservatives who deny the consequent should deny the antecedent.

- Conservative answer to call for equality:
  - In marriage the state recognizes the presence of a natural kind of relationship, and in fact that relationship cannot occur in the same-sex case.
  - The state shouldn’t recognize what isn’t there.
Favoring same-sex marriage, I

- Suppose marriage is constructed.
- Suppose we are in a locality that doesn’t allow same-sex marriage and we want it to.
- By assumption, marriage is defined by a normative complex that requires opposition of sexes.
- So same-sex marriage is impossible, when we understand “marriage” as current local marriage\(_1\).
- Could we replace marriage\(_1\) with marriage\(_2\)?
- This doesn’t extend marriage\(_1\). It obsoletes marriage\(_1\) and either grandfathers those under marriage\(_1\) to stay married\(_1\) or it divorces\(_1\) all those in marriage\(_1\).
- Neither option is acceptable: the former makes it impossible for young people to have the same relationship as their parents; the latter seems really problematic.
If marriage is a natural kind, revisionists can just say that we were wrong about its objective boundaries.

Given this, it would be easy to argue that laws should be changed to get this right.

The last pair of arguments does have one escape for the constructivist: views on which we shouldn’t have same-sex marriage but should have an equivalent that is extended to same-sex cases.

This is not satisfactory to anyone with a principled view on the subject—it’s more a matter of practical political compromise.
Instead of making marriage indexical to a particular social package of rights and responsibilities, constructivists can say that marriage is any relationship with a marriage-like package of rights and responsibilities.

Marriage-likeness is defined by vague Wittgensteinian family resemblance.

Variation in expectation of love, gender opposition, binarity, etc.

Simultaneous variation in all respects might not maintain family resemblance.

Pragmatic and egalitarian considerations might make for state recognition of some variations but not others.

Escapes Identification and Revisionism arguments.

But the Discovery, Critique, Natural Desire and Conservatism arguments remain.
Final remarks

- We can make mistakes when extending the boundaries of what we think falls under a natural kind.
- We can make mistakes when failing to extend the boundaries of what we think falls under a natural kind.
- Seeing marriage as a natural kind impels us to serious investigation of what exactly constitutes this kind and criticize social conventions that fail to do justice to the objective norms of marriage.
- That marriage is a natural kind should be agreed-on across ideological divides.