

# Extending rights within humanity

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Charlene Gomes believes that the time has come to legalize same-sex marriage and expand legally recognized marriages to include same-sex couples, because “ legal recognition is vital to protecting the emotional and economic well-being of these families” (1). According to Gomes, the numbers of same-sex couples as well as same-sex couples that are raising children are rising every year, and these couples deserve the same recognition that is given to heterosexual couples in choosing to make their relationships legal. Civil unions, which have been a viable option in the past, still remain an alternative, but do not confer the same benefits, either legal or emotional, on same-sex couples that enter into one; therefore, same-sex marriage must be made legal on the same level as recognized heterosexual marriage to provide these benefits.

There are many arguments that support the position of legalizing same-sex marriage, but the strongest is the benefits that would come to children of same-sex relationships upon either the death of a parent or partner, or the dissolution of the union. Gomes is very clear in explaining that even stepparents have more rights than a non-biological parent in a same-sex relationship; stepparents can petition for visitation and custody, and even adoption (3). However, non-biological parents in a same sex relationship have none of these rights, and without a legally recognized marriage in place to support them, the children will suffer unnecessarily at the whim of any family members and/or legal services brought in to assist them. It is a sad testament to the child that has already suffered and grieved, that they may become the object of a feud between estranged family members or legal services, as well as being denied any survivor benefits that would have come from being the child in a legally recognized heterosexual marriage.

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One argument against same-sex marriage is that marriage has traditionally symbolized a relationship in which procreation, meaning children, will occur. Margaret Somerville, in her article *The Case Against “ Same-Sex Marriage”*, agrees with this objection, stating that “ society needs marriage to establish cultural meaning, symbolism and moral values around the inherently procreative relationship between a man and a woman, and thereby protect that relationship and the children who result from it” (10). Gomes, even though she cites this objection to same-sex marriage, attempts to counter it by stating that marriage and the rights of each partner have evolved and changed over time; consequently, changing the definition of marriage to include same-sex couples would be, in effect, just one more step in change and evolution. However, what Gomes fails to address is that same-sex couples cannot procreate naturally, and thus may not share the same values towards the process, as opposite-sex couples would. Even if heterosexual couples choose not to reproduce and procreate naturally within their union, the possibility still exists for such an event, which Somerville states must be upheld as a sacred and necessary part of any future to society. Society, in turn, places great value on the reproductive process, as well as how it occurs. Due to this, marriage as seen from this point of view must be restricted to opposite-sex couples, so that the natural reproductive process that occurs in opposite-sex couples can continue for the benefit of continuing society, something that cannot happen if marriage encompasses same-sex relationships.