

Legalizing gay marriage argumentative essay examples

[Sociology](#), [Social Issues](#)



Since the American declaration of independence, the country is founded on the roots of justice and freedom. The 14th Amendment of the US Constitution clarified the rights of the citizens, under the Bill of Rights. These rights give the citizens the freedom of choice. Furthermore, the constitution provides that the federal law cannot deprive the citizens of a given state the rights provided for in the State's laws. In the light of these provisions, the issue of gay marriage has become hotly debated in line with the law. Pro-gays' argue that prohibiting the marriages equals of the homosexuals, since it hinders them from exercising their freedom of choice. Besides, it denies the homosexual partners some of their rights and benefits entitled to married partners such as access to spouse's disability insurance, life and medical cover, spousal benefits of annuity and retirement plans among others (Moore, 3). On the other hand, anti-gays put it that it is not natural and defies the initial purpose of marriage, since same sex partners cannot sire children. This view is countered by the activists for gay rights who argue that if the purpose of marriage was procreation, then impotent and barren people would not be allowed to marry. Again, post-menopausal women would have no reason at all to get into or stay in their marriages. However, if taking such a stand would violate the rights of the sterile people and women beyond menopause, then prohibiting gay marriage is equally a violation of the rights of gay people (Moore, 6). In other words, marriage is for comfort, sexual satisfaction, interpersonal commitments and other legal rights associated with spouse-hood. If an individual gets all this in gay marriage, then why deny him or her?

In quick response to this, churches and other groups have rallied in different states to call for the illegalization of gay marriages. In Maryland, a bill to legalize gay marriages was narrowly defeated in 2011 (Tolson, 3).

Immediately, the parties pushing for the bill went back to the drawing board and intend to bring the bill back in 2012, with Governor Martin O'Malley vowing to take a more active role in sponsoring the bill. In retaliation, the Maryland Marriage Alliance, under the captainship of Pastor Derek McCoy protests the move arguing that the traditional marriage between man and woman is the only definition of marriage. As such, the group seeks to rally a group of interreligious leaders and community members to pressure their legislators to vote against the bill.

Though such stand-offs are common in some states, other states have settled the issue by passing legislations in support of the gay marriages. Gormley (1) observes this wave of change b states whereby they adopt the gay marriages. In his report, he illustrate how New York became the sixth large state to legalize gay marriages, following long days of contentious deliberations. The success of the bill was further assured by the last minute reversal of two of the Republican senators. Though there are court challenges, the legal gay marriages were to take off in New York by late July 2011. This was after governor Cuomo signed the bill into law. News of the signing of the bill was received with much joy and enthusiasm by gay sympathizers. It also rejuvenated the national gay rights movement that had gone under for nearly two years.

The signing of the bill in New York came in the wake of the US states continuing in legalizing the gay marriages. Vestal (1) observes that up to and until 2004, same sex couples could not wed anywhere in the US. However, as of 2009, the U. S states of Massachusetts, Iowa, Connecticut, Maine, Vermont and New Hampshire had already legalized the gay marriages. Apart from these six, there are other 29 states that have upheld the voter approved restrictions that disallow same-sex marriages in their state constitutions so as to prevent the state judges from overturning these bans.

Other states may not be fully immersed into same sex legality, but they do have provisions that are sympathetic to the homosexuals. Notable among these are states such as West Coast California, Washington and Oregon. These allow same-sex couples to the benefits provided for by the domestic partnership laws, just as al other state couples (Vestal, 5).

Generally, the fight for the legalization of gay marriages in the US as a country has been long over-due. In 1996, President Bill Clinton signed the Defense of Marriage Act (DOMA) which allowed states to decide whether or not to allow same sex marriages. For Federal purposes, the Act defined marriage as a union between man and woman, and these could enjoy benefits such as tax breaks and social security benefits. The Bush administration tried twice to amend the constitution so as to abolish gay marriages but with no success. The Obama administration has taken a near neutral position on this matter, with no move made at the Federal law in regard to marriage laws. As of now, the country is just backing on the States'

autonomy in dealing with the issue, as the debate over gay marriages continues.

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