

# Position paper about same sex marriage



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## Same sex matrimonies, discuss?

## Introduction

For a figure of grounds same sex matrimonies have been a subject of argument for the last 20 old ages or so. In Western society thoughts about the freedom of the person have led to the development of personal moral codifications. Gay rights militants have besides brought the issue to the head of argument in many states and the anti-discrimination Torahs that have been introduced in Europe and many parts of America have made favoritism on the footing of gender or sexual orientation illegal. [ 1 ]

In its many different signifiers matrimony has been a cardinal characteristic of societal administration in most parts of the universe. It is thought to be indispensable to raising kids and to perpetuating the norms and values of a given civilization ( Parsons, 1951 ) . In the West, matrimony is by and large understood as monogamous i. e. the brotherhood of one adult male with one adult female, in some civilizations, nevertheless, work forces are allowed to take a figure of married womans. Having more than one married woman is known as polygamy and in a survey of a big figure of societies Murdock ( 1949 ) found that polygamy was a cardinal characteristic in the bulk of them.

By and large talking matrimony in all societies is portion of the patriarchal construction and has served the involvements of work forces and marginalised and oppressed adult females ( Abbott and Wallace, 1997 ) . The regulations regulating matrimony have besides been used to except those outside the dominant civilization in order to repress them. In America

matrimony was out between Black people until after the Civil War and assorted matrimonies, or matrimony between a white and a black individual was illegal in many provinces until the sixties. This was besides the instance in South Africa under Apartheid. This paper will get down by looking briefly at the altering nature of matrimony and the household construction in order to discourse the construct of matrimony between two people of the same sex.

### Changing Family Structures

In the last 40 old ages the UK and other Western states have experienced alterations in matrimony, family, and household signifiers that would hold been unthinkable before the Second World War ( Giddens, 2001 ) . Many people are less likely to get married than was one time the instance and they do non be given to get married at such a immature age. The rise of the women's motion has ( some theoreticians argue ) led to a rise in the divorce rate and the figure of individual parent households. There has besides been a growing in the rate of adult females who have kids but have non married and in 1997 they made up 42 % of all solitary parent families ( Social Trends, 2000 ) . However, Crow and Hardey ( 1992 ) have argued that it is hard to be clear about this because of the many different grounds that people become solitary parents and because of the altering nature of household constructions either through the decease of a spouse, cohabitation or remarriage which leads to restructure households. Second matrimonies nevertheless tend to hold a higher divorce rate than first clip matrimonies. By 2000 Wilkinson and Mulgan ( 1995 ) predicted that 80 % of twosomes would hold lived together anterior to acquiring married, but those who live together may be far more likely to divide than married twosomes. The

altering nature of relationships and of the household construction tends to belie Murdock's ( 1949 ) claim that the atomic household is cosmopolitan although societal attitudes towards households headed by a lone female still see this as a aspect of disorganization in society instead than a feasible household unit. Gonzalez ( 1970 ) argues against this position saying that matrifocal households ( those headed by a lone female parent ) are frequently good organised groups and that the harmful effects attributed to such a household are non truly proven. It would look that any relationships that contradict the patriarchal norm are untypical and therefore should be resisted. This is peculiarly the instance with same sex relationships as these have non, historically, been to the full sanctioned by any society. [ 2 ]

Homosexuality is still viewed by many as a aberrant act and a menace to societal administration and the heterosexual norm. It hence becomes necessary to marginalize those people who do non conform to this norm ( Rutherford and Chapman, 1988 ) . The opposite sex of the two spouses in a matrimony is lawfully defined and hence this makes it hard to state that two people of the same sex could of all time be considered to be lawfully married. Those who argue for same sex matrimonies do non hold that this is unchangeable, matrimony has changed so much that it may merely be a instance of traveling that one measure further. While individual sex matrimonies may be the norm it does non intend that they are needfully the lone signifier that such a relationship can take. Redman ( 1996 ) has argued that the altering nature of sexual dealings has called into inquiry the position of heterosexualism as the norm and has demonstrated that there are other household signifiers that work every bit good or better than the

traditional atomic household. Since it has become illegal in many states to know apart on the footing of sexual orientation homosexuality has become more normalised, while this is still a manner off from same sex marriages the consequence has been that in some European states homosexuals who live together may register with the province and claim some of the rights antecedently reserved for those who are married. To some extent this has happened in the UK where since 1999 a homosexual twosome who live together may be defined as a household. However, until the jurisprudence is changed they do not hold, for illustration, the same pension and heritage rights as heterosexual married twosomes. ( Giddens, 2001 ) . From December 2005 same sex twosomes may register with the Government and although they will be entitled ( if they wish ) to a committedness ceremonial this would not hold the legal position of a matrimony. [ 3 ] Much of the opposition to same sex matrimony has besides been based on the fact that same sex twosomes cannot hold kids, although this is progressively going an excess statement as reproduction is no longer regarded by many as the primary ground for matrimony. The recent opinion in Britain to recognize same sex families as a household means that this may hold farther deductions for heritage rights and for parental position. Gay militants continue to reason for same sex matrimony because it gives them the same rights and position as everyone else, they can do life or decease determinations ( medically ) with respect to their spouses, whereas at present this is not the instance ( Giddens, 2001 ) . Sullivan ( 1995 ) has argued that there is an increasing acknowledgment that sexual orientation is conferred by nature instead than chosen and to move or pass against homosexuals and forbid same sex matrimony is to turn them into a

marginalised and laden minority. He contends that if this is non to go on so homophiles must be given the right to go lawfully married.

### Gay and Lesbian Households

Gay and sapphic families are sometimes called ‘ families of choice’ ( Giddens, 2001: 192 ) because such relationships are based on personal committedness instead than the countenance of the jurisprudence. In 1999 the rights of a male cheery twosome had their parental rights upheld by holding both their names on the birth certification of kids who had been born to a alternate female parent. Hartley-Brewer ( 1999 ) maintained that this meant the atomic household was altering and the accent was on the fact that a kid had loving fostering parents irrespective of their sexual orientation. Calhoun argues ( from a sapphic position ) for the rights of homosexual households, therefore she writes,

*...artificial insemination, contract gestation, and the similar undermine cultural apprehensions of the matrimonial twosome as a of course generative unit, present non-related others into the generative procedure, and do it possible for adult females and work forces to hold kids without a homosexual spouse ( Calhoun, 1997: 142-143 ) .*

Calhoun is of the sentiment that same sex families and relationships should be regarded as normal household relationships in the same manner that heterosexual households have been positions. She does non believe that same sex matrimones tend to back up the patriarchal familial construction because of the many signifiers that the household has taken in the modern-

day universe, same sex matrimones and households are merely one more fluctuation on a subject ( Calhoun, 1997 ) .

## Decision

Clearly, even in the context of immense cultural alterations and of the altering nature of matrimony and the household, same sex households and matrimony are still a affair of extremely contested argument. Calhoun ( 1997 ) argues that many see the altering nature of matrimony and the alterations in the generative procedure as a menace to the stableness of society instead than an enrichment of it. Both homosexual and sapphic households and the single female parents who live on province benefits have been scape-goated by authorities and society. In Britain, in the late eightiess it was illegal to learn the acceptableness of homosexual relationships as a legitimate signifier of household construction ( although this has now changed ) . Calhoun argues that this sort of scape-goating and opposition to same sex matrimones is an effort to mask the going from household norms by the bulk of heterosexual twosomes. Calhoun contends that the political orientation of the household has played a typical function in the marginalization of cheery people and in societal opposition to same sex families and matrimones.

1500 words

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