

Same sex marriage “a matter of justice”

[Family](#), [Marriage](#)



Same Sex Marriage " A Matter of Justice" Amy Joyner PHI 103: Informal Logic Professor Russell Fail March 18, 2013 The American dream, one of freedom and equality, is treasured in the heart of every citizen of the United States. With this dream in mind, most of society will say they support equal rights for homosexuals. When asked if they support same sex marriage, their support of gay equality comes to a screeching stop. In the most recently debated public votes, the majority of Americans voted for the Constitutional Amendment, which puts a ban on same sex marriage. However, all of these American voters do believe in providing equal rights to the gay community, rights that include: no toleration of discrimination in jobs by creating equal opportunity employers, rights protecting gays from hate crimes, rights allowing same access to housing, rights allowing advancement in government, and so on. Yet the concept of same sex marriage is still not considered a right the American people should extend to homosexuals. A huge misunderstanding underlying this debate is the assumption that homosexuals have a " choice" to whom they can feel attracted to. Same as heterosexuals cannot" choose" who they are attracted to, neither can homosexuals. Opposition movements, such as the family led by Dr. James Dobson, claim to " promote the truth that homosexuality is preventable and treat-able" (Dobson 74). Dobson goes further in claiming, " living as a homosexual is not as happy-go-lucky as frequently portrayed in the entertainment media" (Dobson 72). How can a member of the straight community be the one with an " expert opinion" that homosexuality can be changed or even whether a homosexual can be happy or not? No one would ever" choose" to live a life faced with prejudice and discrimination. The same

assumption of choice leads to the idea that homosexuality is purely about sex, often called a "sexual perversion". Homosexuality is much more about love and affection than it is about sex. Whether it is a heterosexual or homosexual relationship sex in any committed relationship, is an expression of love. Being gay represents who that person is and forms his/her identity; being gay is that significant to the person who is. Most heterosexuals are unable to understand this. Instead, they use their lives as a basis for what "normal" should mean. In addition, same-sex couples may want to get married for many reasons but, there are several valid points as to why they should be allowed. It is not just based on wanting to be able to wed but, why they actually should get the opportunity to. People may feel that if same sex marriage is legalized it will cost more money for taxpayers. By allowing same sex marriage to be legal it can save money and would require them to assume legal responsibility. Studies have shown that same sex marriage can affect taxpayers positively. With this being the case, why shouldn't it be allowed if it can actually save money? Some states have already changed their ways and agreed to accept same sex marriage. Although, a few states here in the United States have started to change other countries to extended rights to same-sex couples. Many states are already adjusting their laws, so why is it that all states cannot just allow same-sex marriage. Legalizing gay marriage should be accepted in every state and country, not just a few. Traditions have already begun to be altered amongst some countries and states, now it is time for the rest to follow and do the same. Another reason same-sex couples should be allowed the right to marry is so they can have a chance to be happy like any other couple. If an individual is unable to wed

the person they want, then they will not be satisfied. All people " should be free to marry the person they love" and not have to change that.

Homosexuals same as heterosexuals cannot change their sexuality. People think marriage can only consist of a man and a woman. If a person " changes" their sexuality just to fit the idea of marriage they will not be truly happy. Saying vows shows commitment to each other. It never states what gender the two people sharing vows have to be. Legalizing same sex marriage will not affect anybody; it will only allow homosexuals to have the right to marry like heterosexual couples. Perhaps the most significant and repeated case opposing gay marriage is the idea that it is " immoral," yet the " immoral" label is based solely on religious beliefs (personal interview). The First Amendment states, " Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof" (" Amendments"). While the amendment clearly protects the right of religious freedom, it also confirms that the Bible has no relevance in American law. Religion is not supposed to be the basis for our country's laws. Nevertheless, the majority of citizens against same marriage are trying to impose their religious beliefs onto others and formulate those beliefs into laws. One can completely agree with the argument against same sex marriage because of one's religious beliefs. One should also agree that under the First Amendment no one has the right to impose rules, beliefs, or opinions, on anyone else simply because they identify a moral dilemma with the Bible. Not everyone is religiously inclined to the same morals. The argument for supporters of gay marriage is neither a demand of a change in the opponent's religious beliefs nor a demand for the acceptance into that

religion. The gay community is simply fighting to be free from religion in determining the laws of the country. The majority of opponents believe marriage is between one woman and one man. The opponent's viewpoint is that a marriage should be between members of the opposite sex; otherwise, the marriage would be untraditional. The opponent also believes that same sex marriage would threaten the institution of marriage. This argument has no factual evidence to support the claim. How does allowing a person to marry threaten marriage? Why is the straight society only given the right to marry? Who defines marriage? In recent times, many courts say there is no evidence for why gays should not be allowed to marry. These courts realize the American principle of human rights. One such case, *Lawrence vs. Texas*, determined "all sodomy laws in the United States are unconstitutional and unenforceable when applied to non-commercial consenting adults in private." In other words, sodomy laws, laws prohibiting consenting members of the same-sex to privately engage in oral or anal sex, were deemed unjust and were no longer able to be enforced. The reasoning behind such laws and beliefs seems more like direct prejudice rather than an overwhelming reason worthy of denying people their civil rights. Many countries throughout the world have extended equal rights of marriage to same-sex couples. The first country to do so was Denmark in 1989. Later in 2000, Denmark also allowed legal adoptions for these married gay couples. Other countries were able to observe how legalizing gay marriage only made the institution of marriage stronger, both for heterosexuals and homosexuals. In 1993 Norway formed Registered Domestic Partnerships, and in 1996, Iceland formed Registered Cohabitations. Both of these legislations extended gay marriage and

adoption rights to gay couples. In recent years, Germany in 2000, the Netherlands in 2001, and Belgium and Canada in 2002, have all agreed that "discrimination of marriage laws based on sexual orientation" is not only unjust but also "unconstitutional" ("Gay Marriage"). It has been proven in these countries that the opposing fears of legalizing same sex marriages based on the idea of causing an increase in divorce rates and STDs, along with the loss of monogamous relationships, have no merit. In all of the countries with legalized gay marriage, studies have shown no increase in STDs and a dramatic decrease in divorce rates. Despite evidence to the contrary, these fears exist and thrive in the United States, and are the reason why, as of June 2003, the only rights extended to gays are federal death benefits to same-sex couples. Vermont is the only state where same sex marriage is legal. However, these marriages are not recognized in any other part of the United States. The United States is usually the country others look to as an example of how to govern a democracy, yet the US is still fearful of passing any legislation in support of same sex marriage. Other opposing arguments state that same sex couples cannot provide the proper environment to raise a child. If a same sex couple is able to provide a home filled with love, stability and commitment, then where is harm done? The child, as well as the love for the child, must be a priority in every family, no matter the gender of the parents. Interwoven in the argument of providing an appropriate upbringing for the child is that marriage is for reproduction. Is it safe to say by the rule of the critics that if a couple cannot produce offspring than they should not be married? This is hardly the case since the option of adoption is available for straight couples. Why is adoption not a

right often extended to gay couples? Better yet, why is the right to adopt not even a possibility offered to gays? Wouldn't this help to decline the number of children left in state homes without families to call their own? In summary, much of what the straight community knows and believes to be true about gays is based on stereotypes. There are those who assume gays are promiscuous, unable to form lasting relationships. Equally important, even though these unstable and sex-based relationships do exist in both the gay and the straight communities, they are usually among the very young and represent a small percentage. Same sex marriage is defined as a legal union between members of the same sex. Ten percent of Americans, the estimated size of the gay community, are denied the right to marry. The citizens representing this minority want what every heterosexual has, the right to legally wed their life partner, as a means of solidifying their loving and committed relationship. Most critics use one or all of these arguments to rightfully deny gays the right to marry. However, maybe one can see the weakness in all arguments against gay marriage. As a country we need to move away from illogical reasoning, whether based on ignorance or prejudice. We need to allow every individual the civil right to wed his or her life partner. Our society must live up to the American dream. The Pledge of Allegiance demands "liberty and justice for all" and so should every citizen in our country. References: "Amendments to the Constitution." The United States House of Representatives. 2004. 16 Nov. 2004. . Ashmore, Richard D. Jussim, Lee (1997). Self and Identity: Fundamental Issues. Retrieved from: <https://content.ashford.edu/books/AUPHI103>. 11. 2 Dobson, Dr. James. Marriage Under Fire: Why We Must Win This Battle. Oregon: Multomah, 2004.

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