

Deirdre Sweeney

Professor Matthew Gayetski

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The Legalization of Same-Sex Marriage

In this paper, I will explain what same-sex marriage is and why it is so controversial within the political realm. I will refute the major arguments against gay marriage. I will start with the argument that same-sex marriage is against religious constitutions. Then, I will continue to the argument that same-sex marriages are a poor environment to raise a kid. Next, I will refute the argument that traditionally marriage is between a man and a woman. Then I will refute the argument that tax dollars should not go towards something that is wrong. And lastly, I will explain the argument that legalizing same-sex marriage will be detrimental to the gay community.

The argument for gay rights and gay marriages is equal civil and social rights between homosexuals and heterosexuals. This is problematic because currently, at least in the majority of the states, a civil marriage must be between a man and a woman. This excludes heterosexual gays or lesbians. This has caused a lot of issues politically. The legalization of gay marriage is a state law. Massachusetts was the first state to officially legalize gay marriage on May 17th, 2004. Since then, 17 states have legalized gay marriage. 33 states still have gay marriage bans through their laws or constitutional amendments. (Christian Broadcasting Network)

There are many arguments against same-sex marriage. I will go through and contradict the more major ones. One of the biggest arguments against same-sex marriage is

that it goes against God and religion. However because the United States has separation of church and state, the civil marriage of a homosexual couple is considered a secular institution, not a religious one. Therefore it should not be limited by religious objections. The ability to get married in a church should not have any affect on the ability to get married in a state, and vice versa. (Vaughn Walker)

Another argument that people have against gay marriages is that gay marriage may lead to more children being raised in same-sex households, which are not an optimum environment because children need both a mother and a father. This argument can be minimized with the understanding that it also implies families with divorced parents, or families with single parents, should not exist because it is not an optimum environment for the kid. When same-sex marriage was legalized in Massachusetts, the divorce rate dropped 21% from 2003 to 2008. (Nate Silver) Also, same-sex families often times are a better environment for the children because they actively seek it out and can only have one if they are financially stable and live in a stable environment. (Nanette Gartrell) As opposed to families that have kids when they don't have enough money or they aren't in a stable relationship. This means that sometimes same-sex families are better off. Related to this argument, some people think that marriage should not be extended to same-sex couples because they cannot produce children together. This can also be rebutted very easily by recognizing that from this logic, couples that are infertile also should not be allowed to marry. This is absurd and definitely not true. Same-sex couples should not be discriminated against just because they can't have children together. There are many heterosexual couples that are unable to have children. Also, this just means that same-sex couples can adopt some of the many orphans and children that are put up for adoption. Homosexual

couples can give a loving home to a child who might not have one with a heterosexual couple or with a single parent. (Ezra Klein)

Another reason people typically give for not legalizing gay marriage is that the institution of marriage is traditionally between a man and a woman. Therefore, allowing gay couples to marry would weaken the institution of marriage and possibly cause a “snowball effect” accepting polygamy, incest, bestiality, and other nontraditional relationships. However, based on modern and ancient family arrangements and the amount of polygamy, incest, and the commonality of prostitution, the actual concept of a heterosexual marriage is not a historically accurate “traditional marriage”. (Ross Douthat)

Also, marriage is typically redefined as society evolves. For example, 50 years ago interracial marriages were still considered illegal. But as society’s attitude towards interracial couples became more inviting, the Supreme Court ruled it legal in 1967. This is a comparable to heterosexual rights. (Jeffrey M. Jones)

Some people think that gay marriage should not be legalized because people shouldn’t have their tax dollars supporting something they believe is wrong. If same-sex marriage were legalized, then they would get benefits such as tax exemptions for a spouse, social security from a deceased spouse, and health insurance coverage. In December 2009, the Congressional Budget office estimated that if gay marriage were legalized in all states, there would be about \$600 million in mandatory spending that the federal government would have to spend. (Amber G. Marcellino)

But one of the perks to legalizing gay marriage is that it brings financial gain to state and local governments. The Comptroller for New York City estimated that legalizing gay marriage would bring \$142 million to the cities revenue, and \$184 million to the state revenue. If this were to happen for every state, the

revenue made overall would be far greater than the cost from the federal government.

(William C. Thopson)

Another argument against legalizing same-sex marriage is that it will be detrimental to the homosexual community because heterosexuals will be more accepted in the mainstream community. (M.V. Lee Badgett) This, although a valid concern, should not be a reason against same-sex marriage. Some people believe that the gay community is a very vibrant and loyal culture and that legalizing gay marriage will, in return, cause this culture to diminish. Although this might be true, it is not a concern that should be against gay marriage. This community will always be there and using it as an excuse not to give human beings their rights is abominable. Although it might lessen in size, due to some homosexuals getting married and having families, that is not a reason to deny homosexuals the right marriage if they want. And if they were part of the community before they got married, they will most likely still identify with the community after marriage.

In conclusion, I explained that same-sex marriage should be legalized by contradicting all of the arguments against legalizing same-sex marriage. I list the major arguments against gay marriage and refute them all individually. Specifically, I refuted the argument that homosexual marriage is against religious beliefs by explaining that a civil marriage is a secular institution and therefore should be completely separate from religious institutions. I refuted the argument that same-sex marriage is a poor environment to raise a kid by mentioning that homosexual couples have a lower divorce rate and generally only raise kids if they are financially stable thus making them a better home environment than a lot of heterosexual couples. And although homosexuals can't naturally have kids, they often times adopt and raise children that would otherwise be orphans or

foster children that have terrible home lives. I argued that “traditional” marriage is actually not between a man and a woman because history has shown us polygamy, incest, and bestiality and that tradition is often redefined as society evolves. I explained that although legalizing same-sex marriage would mean increasing the federal budget, it would bring economy and revenue to the state and local governments that would overshadow the increase in the federal government budget. And lastly, I argued that although the gay community will most likely diminish slightly with the legalization of homosexual marriages, it is not a reason to withhold legalizing same-sex marriage.

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