

On Same Sex Marriage II

4. SSM is needed so that homosexual couples can receive things like hospital visitation rights, or inheritance rights.

These sorts of things can already be obtained through Power of Attorney or legal designation of a partner as a trustee. They can sign a joint lease or own a house jointly. What compelling state interest is there then, to promote what these couples already have?

5. The link between marriage and procreation still exists, but is so weak that it can no longer be considered a basis for the laws of the state. And the divorce rates and broken homes are proof that the old notion of marriage no longer works.

There is some truth to this argument. The happiness of the parties contracting marriage has shoved aside the procreative aspect of marriage, but with disastrous consequences. When married persons care more about themselves than the children, then the social pathologies which follow (such as a great decline in birthrates) are a catastrophe for the state, which cannot build prisons fast enough to deal with the consequences. SSM has not caused these pathologies (as its proponents are fond of pointing out), but the granting of marital benefits to those who are necessarily sterile can only widen the separation between marriage and procreation.

6. The 14th amendment to the Constitution is: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

This brings us to what might be the most serious problem that SSM presents for society, which is the enshrining into law the notion that sexual love, regardless of fecundity, is the sole criterion for marriage. Because if this is the case, then upon what basis could the state deny marital recognition to a group of men or a group of a man and several women, or a sterile brother and sister who claim to love one another? Activists claim they only want all couples treated equally. But why is sexual desire between two people more worthy of state sanction than between three or five people?

This argument is the one (as far as I can tell) looked upon with the most condescension by the proponents of SSM. But it has not been answered. If the state redefines marriage this time, then there is no guarantee that it will not redefine it again. If the “homosexual lifestyle” is included in marriage, then why not include say, the “swinger’s lifestyle?”

7. Since there are already homosexual couples living together and who have adopted children, isn’t it better that they be legally married for the sake of the children?

No one knows. Again, there are no studies presented on this. I saw one study about the response of police to domestic violence calls on same sex households, and the study claimed that the violence in these households was triple the rate for heterosexual households. The police were criticized for not responding enough to these, but they pointed out

that when they did respond, they were accused of being “homophobic,” and singling out these houses. I don’t know if that study is reliable. But it would be to our (society’s) benefit to find out.

Stanly Kurtz of the Ethics and Public Policy Center has written extensively on this, and claims that in the countries which have adopted SSM as a norm, we see a decline in the number of marriages (I’m not going to say “heterosexual marriages”), a delay in people getting married, higher rates of divorce, and an increase of children born out of wedlock. For example, the Netherlands has the lowest rate of marriage in the EU. And the fact remains that the greatest single predictor for poverty in this country is single parent households.

In conclusion, I think it is fair to ask that the proponents of SSM prove their case, and that would include showing what the compelling state interest is in this, and to provide studies which examine things like the stability of such households and their impact on society as a whole.

But if you do try to discuss this reasonably with someone, don’t be surprised if you are condemned as a bigot, or a hater, or intolerant, or a homophobe, etc. Homosexual activists take these sorts of arguments very personally.