

Same Sex Marriages Legalize or Not?

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Background

- Time Magazine says Gay Marriage has had a relatively short history in the United States, dating only back to 2004 when Marcia Hams and Susan Shepherd cut the their wedding cake in Massachusetts. Hams and Shepherd being the first official same-sex couple in the country, the wedding was May 17, 2004. By being the first they hoped many more people of same-sex couples would follow.
- Today the United States has made it up to the state to allow same-sex marriages, some states passing laws for it to be legal and others to keep it ban, some to made it legal and then voted to switch back to not allowing same- sex Marriages.
- Same sex marriage had its first national case in Hawaii in 1993, this pushed Congress to create the Defense of Marriage Act in September of 1996. This act, also known as (DOMA) has two parts, one defining marriage as one man and one women and the other reason for non same-sex marriages was for federal law purposes.

Arguments Against

1. Marriage is a union between one man and one woman.
2. States do not need to recognize same sex marriage.

3. Therefore same sex marriage should not be legalized.

Arguments Against

1. The definition of a "spouse" refers only to a person of the opposite sex who is a husband or a wife.
2. Same sex marriage does not fit into the definition of "spouse."

3. Therefore same sex marriage is unconstitutional and should not be legalized.

Discussion

- Are there any problems with these premises?
 1. The definition of a “spouse” refers only to a person of the opposite sex who is a husband or a wife.
 2. Same sex marriage does not fit into the definition of “spouse.”

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 4. Marriage is a union between one man and one woman.
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Civil Unions and Domestic Partnerships

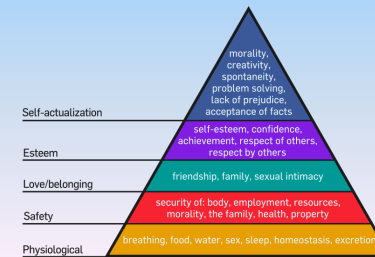
- Brown v. Board of Education
- “Separate but equal” is inherently unequal

Arguments For

1. Civil unions and domestic partnerships are a form of a “separate but equal” system
 2. In the Brown v. Board of Education, in 1954, the Supreme Court ruled that “separate but equal” was inherently unequal
 3. Civil unions and domestic partnerships are unequal
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4. Therefore homosexuals should be allowed to marry instead of civil unions and domestic partnerships

Maslow’s Hierarchy of Needs

- Humans have basic needs
 - Starting at the most basic (food) to needing to feel safe and esteem needs.
 - Love and a sense of belonging.



Arguments For

1. All humans have basic needs
2. One of those needs is to have a meaningful sexual relationship
3. A meaningful sexual relationship leads to marriage
4. Homosexuals are humans

5. Therefore homosexuals should be allowed to be married

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Discussion

- Should same-sex marriage be legalized?

Sources

- American Behavioral Scientist; Jul/Aug 92, Vol. 35 Issue 6, p756
- Brown et al. v. Board of Education of Topeka et al.; 2009, p1, 10p
- GAO Reports; 1/23/2004, p1, 18p
- The United States of America Constitution, Article IV, Section 1
- www.domawatch.org