

I Now Pronounce You Husband... and Husband

by Greta Dieck

According to the Williams Institute of UCLA, “nine million (about 3.8%) of Americans identify themselves as gay, lesbian, bisexual or transgender.” And of this 3.8%, about 1.7% openly identify as homosexual. Furthermore, there are approximately 598,791 gay or lesbian couples in the United States as of January 1st, 2014. Due to the large amount of gay couples in America, it would be logical to conclude that these people are granted the same marriage rights and protections as heterosexual couples. However, this assumption would be incorrect. Even in the United States, the “land of the free,” where the government is supposed to be based on “the life, liberty, and the pursuit of happiness,” of its civilians, only seventeen out of the fifty states allow homosexual couples to be legally wed. Gay marriage needs to be nationally legalized. Denying homosexual couples lawful marriage recognition, protection, and benefits violates the First Amendment and is a form of minority discrimination.

Laws prohibiting gay marriage infringe on the First Amendment of the United States Constitution. This amendment, “prohibits the making of any law respecting an establishment of religion, impeding the free exercise of religion, abridging the freedom of speech...”. The Defense of Marriage Act, or DOMA, restricts the legalization of same-sex couple marriage, and therefore violates this amendment. The DOMA was created, primarily, due to tradition and religion. The logic behind this law is disguised as defense of heterosexual marriage rights, but was created primarily on the religious belief that gay marriage is an abomination, violating the Constitutional ruling that all laws must be secular. Even the Supreme Court has ruled against section three of the DOMA, which refuses gay partners over 1,100 protections and benefits of heterosexual couples are given. The DOMA and other laws like it must be abolished immediately.

Denying homosexual partners marriage is a form of minority discrimination. In America, a straight, or heterosexual, person can be married four or five times, while two men cannot be legally wed even once. Because straight people vastly outnumber gay people, those who desire to be married to a person of the same gender are not afforded the same rights and protections as a ‘regular’ married couple. For example, in 2009, Edith Schlain Windsor had to pay over \$363,000 to receive the estate of her late wife, Thea Spyer. As Edith’s attorneys argue, “If ‘Thea’, were instead ‘Theo’, her estate would have passed to Edie tax-free.” This violated all American’s rights to the “equal protection of the law that is guaranteed by the Fifth Amendment of the United States Constitution.” This sort of discrimination is comparable even to the abuse African Americans had to face after the Civil War. They also, could not be married and granted other rights unless issued special permission from the government. However, while in modern times the treatment toward African Americans is considered outrageous, many people think that it is acceptable to treat homosexual Americans the same way.

Conservatives would be quick to jump out of their seats and defend these views. They would protest that legalizing gay marriage would undermine the marriage bond between a man and a woman. According to the SPF Student Action website, “Same sex ‘marriage’ destroys the integrity of true marriage by turning traditional marriage into a species within in the marriage...Marriage and family are sacred institutions that foster the common good of society.” This argument is based on the logic that if nationwide gay marriage is legalized, straight people will not be able to enjoy a pure, healthy marriage, and homosexual partners will spread like a disease, destroying the common happiness and welfare of ‘regular’ marriages. This reasoning can be objectively considered illogical and even paranoid. Would allowing people of a different sexual orientation than you be afforded the same privilege you have been given since your birth demolish that right? Will allowing the gay neighbors down the street tie the knot result in your own marriage falling to pieces? Contrary to the anti-gay belief, the seventeen states that have legalized gay marriage actually have lower divorce rates. So don’t worry, SPF Students in Action, your sacred institution of marriage is safe in the intertwined hands of the gays and lesbians in your community.

Prohibiting homosexual couples the basic human right of marriage goes against the United States Constitution and is a form of minority discrimination. For too long, too many homosexual people have been

victimized by the old-fashioned boundaries of the law. We need change. Allowing gays to marry won't make up for the hurt they have had to endure, but it is a huge step in the right direction.

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