

## **Shifting Sensibilities:**

### **Attitudes toward Same-sex Marriage, Past, Present and Future**

America is a large, diverse country with some three-hundred twenty million people. With that many people living in the country, one could argue it would be increasingly difficult to find something that nearly everyone, despite nationality, race, ethnicity, religion, and location, engages in. However, nearly 90% of these men and women will eventually marry (Zinn et al, 2011). With that large a percentage of the population engaging in marriage; policies, rules, regulations, and benefits all are important. The policies put forth by local, state, and federal government play a large role in determining when, how, and why some people marry. There are a distinct sets of benefits tied to marriage: primarily tax cuts and social benefits. Today, (and for the past several years) there has been a movement to change those policies. Most marriage policies today are intended for only a select type of people – heterosexual. However, an estimated 3.5% (approximately 9 million) of adults identify as lesbian, gay, or bisexual. That is however, different from the 19 million (8.2%) that report any lifetime same-sex sexual behavior and the 25.6 million Americans (11%) that admit at least some same-sex sexual attraction (Gates, 2011).

With anywhere between 3-10% of people having at least some attraction to the opposite sex, that makes up a large enough demographic to cause issues with today's policies regarding marriage. Well, what are some of the policies? There is an innumerable amount of policies regarding marriage, some are just on the state and local level, and others hold sway over all of America. Some of the primary areas that are affected when one gets married are hospital visitation laws, housing, parenting, employment, hate crime, and anti-bullying/nondiscrimination laws, to name a few. When a couple gets married, they automatically become next of kin. This

means if a person of a gay couple, who have been together for 15 years, ends up in the hospital and it becomes “family only”, their partner, (assuming they are not legally married), would be unable to go in and visit them, even if they are in their last few hours of life. Concerning housing, there are only 17 states, and D.C, that “prohibit housing discrimination based on sexual orientation and gender identity.” – With an additional 4 states that only prohibit housing discrimination based on sexual orientation (Human Rights Campaign, 2013). That means in all the other states, a couple can be prevented from buying, renting, or leasing a house, possibly because they are homosexual or non-heterosexual.

In the case that a non-heterosexual couple wishes to adopt a child, 21 states, and D.C., allow joint adoption by same-sex couples. Unfortunately, “same-sex couples are prohibited from adopting in Mississippi and Utah. State courts in Michigan [which does not allow same sex marriage,] have ruled that unmarried individuals may not jointly petition to adopt” (Human Rights Campaign, 2013). As many people are aware, being a minority often entails discrimination and even hate crimes. Often times there are laws in place to prevent, or at least protect such crimes; however, they are not all-inclusive. All but five states have laws regarding hate crimes, but, unfortunately, there is variation in the classes listed as protected. Thirty states have in place laws that address hate or bias crimes based on sexual orientation and/or gender identity (15 apply to sexual orientation only). There remain 14 states that, while having laws regarding hate and bias crimes, fail to include or address sexual orientation or gender identity in them (West Virginia is one such state) (Human Rights Campaign, 2013).

As one can see, there are many holes and open areas in regards to marriage and treatment of non-heterosexual couples (legally married or not). While 4 states have laws restricting marriage to one man and one woman, West Virginia is one, the majority of states (29), actually

went as far as to have constitutional amendments restricting such marriages, most occurring in 2004 and 2006 (Human Rights Campaign, 2013). This makes fuzzy the line of whether a couple is viewed as legally married if, already married, they decide to reside in a state where it is against the law. Due to most of the decisions being at a state level, the federal government has yet to say one way or another regarding things such as filing taxes jointly for such couples.

The strength and weaknesses of such policies are usually one sided. They tend to cater to a select group of people's views, namely conservatives who favor the "traditional" nuclear family model that a family should be comprised of a man and a woman, and their biological children. The rules these people set in place: the policies of local, state, and national governments determine what rights, rules, and benefits family receive. In result, they promote certain kinds of families and either ignore or actively discriminate against others. (Zinn et al, 2011). Policies preventing certain people from sharing the same privileges as another group, simply because they are different is the very definition of discrimination. Statements such as Robert Knight saying, "When you destroy marriage by radically redefining it, you destroy civilization" and James Dobson writing, "For more than forty years, the homosexual activist movement has sought to implement a master plan that has had as its centerpiece, the utter destruction of the family. Barring a miracle, the family as it has been known for more than five millennia will crumble, presaging the fall of Western civilization" (Zinn et al, 2011). Statements such as those are based entirely on fallacies: illogical or wrong premises to arrive at their desired conclusion. Homosexual activist do not wish for the "destruction of the family," on the contrary they wish to make their own families and have them viewed as equal - not less than, heterosexual families. Furthermore, the notion that family, for the last 5,000 years, has only been a man and a woman is far from truth. Homosexuality has been around for, likely, the entire duration of human existence.

Homosexuality has been a part of culture for millennia, it is mentioned in the Bible (which some conservatives use to propagate and justify their beliefs), along with one of the earliest known writings, “The Epic of Gilgamesh” (based on 2600 B.C. Sumerian and Uruk, with the writings dating back to around 2000 B.C.), there are hints of bi-sexuality (Gerig, 2005).

What does all of this say about the future? If history shows us anything, it is that it always repeats itself. Despite the negative views regarding homosexuality with marriage, eventually it will again be viewed as acceptable. It will likely take many years, but policies will change and same-sex marriage will become legal – or marriage will be separated from religion in regards to law. Either way, an unbiased look at history will show anyone that heterosexuality, homosexuality, and bi-sexuality have all been around for a long, long time; they are not going anywhere. Allowing policies to change and allowing homosexual couples to marry will have ramifications. There will be changes regarding tax, due to single and non-married homosexual couples having to pay significantly less taxes. Changes will reduce by a fair margin the amount of tax revenue the government and states receive (Zinn et al, 2011). There will undoubtedly be significant out speak for that when gay marriage is legalized. There are numerous issues that will likely arise, but Western Civilization will eventually get through those growing pains.

Legalization of gay marriage is inevitable – the process has already started. The important thing to note about law and policies is that, while they may look as if they control what the people view as right and wrong, it can often times be the reverse; what is viewed by the majority of the population as right becomes legal, what is viewed as wrong, illegal. We simply have to wait for people to stop viewing it as a bad thing. This is not opinion; rather it is a logical, reasonable look at society and people’s influence on their surroundings. If one disagrees and thinks that gay marriage is wrong, there is a simple solution: do not get married to a member of the same sex.

## Works Cited

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