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AP Government Debate: Walker

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**Same Sex Marriage Legalization: Affirmative**

Traditionally in this country, marriage has been defined as a religious and legal commitment between a man and woman, as well as the ultimate expression of love. Homosexual relationships are increasingly gaining acceptance in this country; however, these couples have not been permitted to marry. Some states have considered a new form of commitment called a "civil union", which essentially is marriage without using the word "marriage". Many politicians have said they are against gay marriage but think it should be left up to the states to decide. However, the "full faith and credit" clause of the Constitution says that if one state makes a law, other states must recognize it. Therefore, if one state allows a gay marriage and that couple moves to another state, the other state must recognize that marriage. This means one state can make same-sex marriage legal in the entire country. Many politicians are calling for amendments to their state constitution or the U.S. Constitution. Many areas of the country such as San Francisco have performed marriage ceremonies in defiance of the law. Lost in all the legal battles and political maneuvering is the basic question "Should we allow gay couples to legally marry?"

The main reason for denying marriage to gay couples is that all major religions consider homosexuality a sin; however, Gay marriage is protected by the Constitution's commitments to liberty and equality. The US Supreme Court declared in 1974’s Cleveland Board of Education v. LaFleur that the "freedom of personal choice in matters of marriage and family life is one of the liberties protected by the Due Process Clause.” Marriage by the state is a secular activity; the government cannot start making laws just because a religion says they should. What's next, should we make taking the Lord's name in vain a criminal activity because Christians consider it a breaking of a commandment? (“Associated Press”)

A marriage is a relationship between two people. How does it hurt society or people not involved in the marriage? It is a personal commitment that really is no one else's business. Society shouldn't be dictating what two people can or can't do when no one else is hurt in the process. If the church or certain groups disapprove, that's their right, but it isn't their right to stop it. (Bidsrup)

The number one reason that heterosexuals marry is not to establish legal status, allow joint filing of taxes, or protect each other in medical decision-making. They marry because it is the ultimate expression of a person's love for another. Marriage is a commitment that says "I love you so much that I want to live the rest of my life with you. I want to share the ups and downs, forsake all others, and be together until death do us part." Even so gay marriages can bring financial gain to state and local governments. Revenue from gay marriage comes from marriage licenses, higher income taxes, and decreases in costs for state benefit programs. The Comptroller for New York City found that legalizing gay marriage would bring [$142 million to the City’s economy and $184 million to the State’s economy](http://gaymarriage.procon.org/sourcefiles/love-counts-gay-marriage-new-york-benefits.pdf) over three years. Should it matter that the couple doesn't fit into what society is used to? Some people talk about living wills and other legal contracts that can give homosexuals essentially the same rights as a married couple. If that is the case, why don't all heterosexual couples use these legal maneuvers instead of marriage? Just maybe there's something more to it. ("Civil Liberties")

Some sources claim that same sex marriage having more psychological health effects it can be proved marriage provides both physical and psychological health benefits and recent research suggests that refusing to allow same-sex couples to marry has resulted in harmful psychological effects. The American Psychological Association, American Psychiatric Association, and others wrote in a Sep. 2007 amicus brief, "...allowing same-sex couples to marry would give them [access to the social support](http://gaymarriage.procon.org/sourcefiles/APAgaymarriagebrief2008.pdf) that already facilitates and strengthens heterosexual marriages, with all of the psychological and physical health benefits associated with that support.” (“Pro Con”)

America was founded on the concept that the majority should rule, but the rights of minorities should be protected. It is the main reason we have a Bill of Rights as well as anti-slavery and equal protection amendments. Denying marriage to a homosexual couple is no different than denying marriage to Hispanic or black couples. (Messerli)

Love is a delicate thing and I strongly believe that when you are born you are giving a soul mate in which you are to spend your life with. If people are in love you can't deny the heart. I think it is in no body's place to tell someone else they can't love another person, and if someone were to tell me I couldn't love the person I love, I would be a wreck. Love is a natural thing and if you have feelings for another person, no matter what sex organ they poses, who are you to tell them they can't love who they love. It should not be a discussable topic because it is quite clear that you cannot deny your feelings and having someone tell you it is against the law to marry the person you are in love with is beyond belief. So should all US states legally recognize same-sex marriages? Yes, I believe so.

**Citations**

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