



# Legal and Social Arguments in the Same-Sex Marriage Debate

Topic: Law | Words: 590 | Pages: 3

## Amending the Constitution

The Constitution is the legal document that contains the rules and regulations that govern the conducts of individuals within a given society (Harrison et al, 2010). However, due to the dynamism of the society and culture, it is essential for the law to be flexible in order to reflect these changes. It is thus as a result of this that the Constitution has to be amended to meet the changing needs and desires of the people whom it governs.

In USA, Article V of the Constitution governs the process of amending the Constitution (National Archives, 2012). The Congress can propose amendments to the Constitution by a two-thirds majority vote from the House of Representatives and the Senate. On the other hand, amendments can also be proposed by constitutional convection. For this motion to be passed, it requires a two-thirds majority vote of the state legislatures (National Archives, 2012).

The proposed amendment has to be ratified by 75% of the states before being considered as the law. At this point, it is essential to note that presidential approval is not required to approve a constitutional amendment since the President of the United States does not play any role in the amendment process.

## Advantages and Disadvantages of Amending the Constitution

# Same Sex Marriage Debate Essay

**CQ Researcher**



## Same Sex Marriage Debate Essay:

*Debating Same-Sex Marriage* John Corvino, Maggie Gallagher, 2012-06 Polls and election results show Americans sharply divided on same sex marriage and the controversy is unlikely to subside anytime soon *Debating Same Sex Marriage* provides an indispensable roadmap to the ongoing debate Taking a point counterpoint approach John Corvino a philosopher and prominent gay advocate and Maggie Gallagher a nationally syndicated columnist and co founder of the National Organization for Marriage explore fundamental questions What is marriage for Is sexual difference essential to it Why does the government sanction it What are the implications of same sex marriage for children s welfare for religious freedom and for our understanding of marriage itself While the authors disagree on many points they share the following conviction Because marriage is a vital public institution this issue deserves a comprehensive rigorous thoughtful debate **Moral Argument, Religion, and Same-sex Marriage** Gordon Albert Babst, Emily R. Gill, Jason Pierceson, 2009-01-01 The diverse expert contributors to this volume from the fields of politics and law use moral argumentation with respect to same sex marriage gay rights in general and California s Prop 8 The arguments are advanced in terms of the nation s foundational political and legal principles extending ethical argumentation to important contemporary public policy areas such as marriage the separation of church and state and the rearing of children Several chapters also contest the perceived if not actual establishment in the law and public policy of heterosexist and religious bias that continues to work against full and meaningful inclusion of sexual minorities This bias is ironically and improperly couched in the language of American political and religious values and it misunderstands the nation s core principles or willfully miscasts them as inapplicable to many Americans and their families Nonetheless this bias is pervasive in the nation s political discourse working to deny an important right and the recognition of equality to many citizens The main contribution of *Moral Argument Religion and Same Sex Marriage* is in its direct engagement with the political and legal arguments of the gay community s critics on their own moral and ethical terms Along the way important concepts in public discourse such as governmental neutrality the right to marry and religious freedom are presented and cast in the light of liberal democratic theory Marriage and Same-Sex Unions Lynn D. Wardle, Mark Strasser, William C. Duncan, David Orgon Coolidge, 2003-04-30 This book exemplifies the high quality of thoughtful discussion and debate that is possible on the issue of same sex marriage Authors are paired to address and respond to a particular topic one in favor of state recognition of same sex relationships and one in favor of limiting state recognition to those relationships that have been traditionally recognized as marriages Proposals to legalize same sex marriage evoke strong response from those on both sides of the debate Much has been written about the legal policy issues over the legal recognition of same sex unions in the United States yet there has been little dialogue and exchange between participants in the debate This book attempts to open that dialogue and to exemplify the high quality of thoughtful discussion and debate that is possible Authors are paired to address and respond to a particular topic one in favor of state recognition of

same sex relationships and one in favor of limiting state recognition to those relationships that have been traditionally recognized as marriages This ideal introduction is designed to lead the reader through the relevant issues progressing from the general to the particular Debates are contextualized offering comparative historical and family policy perspectives asking fundamental questions such as what is the purpose of a family and what interests if any that state has in promoting a particular type of family over others Issues of jurisprudence and political philosophy are examined addressing the public benefits of marriage and equal treatment before the law among other items The constitutionality of same sex marriage or domestic partnership policies is explored Finally this book covers the broad implications when states such as Vermont legally recognize same sex unions and the impact of international recognition of same sex marriage rights

**Social Problems** CQ Researcher,2009-09-04 Social Problems is a contemporary collection of articles covering core issues within the broad topic of social problems The book is intended to supplement core courses in the Sociology curriculum titled Social Problems Introductory Sociology Principles of Sociology among other similarly titled courses The book has a 4 part structure of topics generally covered in social problems courses and texts The Bases of Inequality Our Social Institutions Our Social and Physical Worlds and Individual Action and Social Change In total there are 16 articles

**New Essays on the Fish-Dworkin Debate** Thomas Bustamante,Margaret Martin,2023-08-24 This book considers the seminal debate in jurisprudence between Ronald Dworkin and Stanley Fish It looks at the exchange between Dworkin and Fish initiated in the 1980s and analyses the role the exchange has played in the development of contemporary theories of interpretation legal reasoning and the nature of law The book encompasses 4 key themes of the debate between these authors legal theory and its critical role interpretation and critical constraints pragmatism and interpretive communities and some general implications of the debate for issues like the nature of legal theory and the possibility of objectivity The collection brings together prominent legal theorists and one of the protagonists of the debate Professor Stanley Fish who concludes the collection with an interview in which he discusses the main topics discussed in the collection

**The Oxford Handbook of Shakespeare and Embodiment** Valerie Traub,2016-09-08 The Oxford Handbook of Shakespeare and Embodiment brings together 40 of the most important scholars and intellectuals writing on the subject today Extending the purview of feminist criticism it offers an intersectional paradigm for considering representations of gender in the context of race ethnicity sexuality disability and religion In addition to sophisticated textual analysis drawing on the methods of historicism psychoanalysis queer theory and posthumanism a team of international experts discuss Shakespeare s life contemporary editing practices and performance of his plays on stage on screen and in the classroom This theoretically sophisticated yet elegantly written Handbook includes an editor s Introduction that provides a comprehensive overview of current debates

The Challenge of Same-Sex Marriage Mark Strasser,1999-09-30 In November 1998 the Hawaii and Alaska electorates voted to amend their state constitutions so that same sex marriages would not have to be recognized Rather than end the

controversy surrounding same sex marriages the passage of these amendments will only spur more litigation because the referenda themselves implicate constitutional guarantees and because amending a state constitution cannot lessen federal constitutional protections Since same sex marriages promote many of the same individual and state interests that opposite sex marriages do states will be unable to justify their same sex marriage bans if those rationales are closely examined When challenged the recent constitutional amendments in Hawaii and Alaska may well be held unconstitutional by the state supreme courts on federal constitutional grounds although ultimately the United States Supreme Court will likely be asked to resolve the relevant issues Suppose that state same sex marriage bans are held not to violate federal constitutional guarantees but that one state nonetheless recognizes such unions The other states will be permitted to refuse to recognize marriages celebrated in that state only if certain conditions have been met Contrary view notwithstanding the law of nature exception will not apply in this case Further even the Defense of Marriage Act will likely not afford states the right to refuse to recognize any and all same sex marriages validly celebrated in sister states

**Bisexuality and Same-Sex Marriage** M. Paz Galupo, 2014-06-03 In our society the argument for or against same sex marriage becomes even more heated when the debate turns to bisexual women and men Bisexuality and Same Sex Marriage thoughtfully explores this debate from a wide range of interdisciplinary perspectives presenting respected scholars from fields as diverse as American Studies Communication Criminology Human and Organizational Systems Law and Social Policy LGBT Studies Organizational Behavior Psychology Sociology Women's Studies and Queer Studies This clear viewed volume is organized into three perspectives theoretical research and personal that frame the debate from a macro to micro level of analysis This book goes beyond the intense acrimony and divisiveness to rationally examine the issue from various viewpoints and through the latest research This informative text presents and analyzes in depth the current findings and the diverse LGBT and straight perspectives on the issue This insightful resource discusses in detail personal views the latest theories and is extensively referenced Bisexuality and Same Sex Marriage is an essential volume for LGBT studies professionals psychologists counselors educators students and interested general public This book was published as a special issue of the Journal of Bisexuality

Reader's Guide to Lesbian and Gay Studies Timothy Murphy, 2013-10-18 The Reader's Guide to Lesbian and Gay Studies surveys the field in some 470 entries on individuals Adrienne Rich arts and cultural studies Dance ethics religion and philosophical issues Monastic Traditions historical figures periods and ideas Germany between the World Wars language literature and communication British Drama law and politics Child Custody medicine and biological sciences Health and Illness and psychology social sciences and education Kinsey Report

**Same-Sex Marriage and Social Media** Rhonda Gibson, 2018-01-12 According to polls from the early noughties to now public support for same sex marriage has increased dramatically Same Sex Marriage and Social Media asks how such a rate of attitude change came about and more specifically what role social media played Digital platforms like Facebook Twitter and YouTube have proved to be useful outlets for

political expression and Rhonda Gibson explores how this came to benefit the marriage equality movement Drawing on a wealth of movement related discourse the book looks at how marriage equality was framed by news companies online and in print the digital strategies deployed by LGBT rights organizations and their opponents to gain support the corporate response to the same sex marriage debate the effect of perceived public opinion and the concept of social identity on how the debate evolved online This book seeks to demonstrate how the unique ability of social networks to share personal stories on a mass scale connect like minded individuals regardless of geography and leverage the bandwagon effect of viral content contributed to a seismic shift in visibility and public opinion around the issue of marriage equality Students and researchers will find this a timely and accessible introduction to the impact of online networks on LGBTQ rights [Liturgical Resources 2](#), 2019-11-17 Marriage Rites for the Whole Liturgical Resources 2 includes the marriage rites newly authorized for trial use and essays of pastoral liturgical and theological significance to the topic This resource incorporates The Witnessing and Blessing of a Marriage The Celebration and Blessing of a Marriage 2 The Blessing of a Civil Marriage 2 and An Order for Marriage 2 as authorized for trial use by the 79th General Convention **Nussbaum and Law** Robin West, 2017-07-05 The essays collected in this volume reflect the profound impact of Martha Nussbaum's philosophical writings on law and legal scholarship The capabilities approach that she has largely authored has influenced the approach scholars take to the law of disabilities both in the United States and in Canada as well as to international human rights and to domestic private law's protections of vulnerable populations Her analyses of the relationship between our emotions and our thought and action has triggered a re assessment of the legal regulation and recognition of emotion in a range of fields most particularly in the field of criminal law and her writing on the nature of dignity has informed an understanding of the emerging civil rights of gay and lesbian citizens worldwide Our appreciation of the role of narrative in legal thought and discourse and the contributions of literature to law and legal culture have also been broadened and deepened by her contributions Taken together and including the introduction by the editor the essays collected in this volume demonstrate the far reaching impact of Nussbaum's philosophical oeuvre [Kant and the Scottish Enlightenment](#) Elizabeth Robinson, Chris W. Surprenant, 2017-06-26 This book examines the influence of Hume Reid Smith Hutcheson and other Scottish Enlightenment thinkers on Kant's philosophy It begins with the influence of these thinkers on Kant then moves to an examination of the relationship between truth freedom and responsibility and its connection to Kant's metaphysics and aesthetics **Identities and Place** Katherine Crawford-Lackey, Megan E. Springate, 2019-11-01 With a focus on historic sites this volume explores the recent history of non heteronormative Americans from the early twentieth century onward and the places associated with these communities Authors explore how queer identities are connected with specific places places where people gather socialize protest mourn and celebrate The focus is deeper look at how sexually variant and gender non conforming Americans constructed identity created communities and fought to have rights recognized by the government Each chapter is accompanied by prompts and

activities that invite readers to think critically and immerse themselves in the subject matter while working collaboratively with others

**Gender, Sexuality and Law** Chris Ashford, Alexander Maine, 2024-10-03 This textbook combines pioneering feminist and queer judgments and statutes with critical and intersectional theories to provide a comprehensive overview of the field of gender sexuality and law A diverse range of socio legal experts set out the theoretical and legal foundations of the topic before examining the ongoing struggle for rights and contemporary dissenting voices

Contemporary Moral Issues Lawrence M. Hinman, 2016-07-01 Contemporary Moral Issues is an anthology that provides a selection of readings on contemporary social issues revolving around three general themes Matters of Life and Death Matters of Equality and Diversity and Expanding the Circle which includes duties beyond borders living together with animals and environmental ethics The text contains a number of distinctive high profile readings and powerful narratives including Jonathan Foer s Eating Animals Eva Feder Kittay s On the Ethics of Selective Abortion for Disability and Susan M Wolf s Confronting Assisted Suicide and Euthanasia My Father s Death Each set of readings is accompanied by an extensive introduction a bibliographical essay pre reading questions and discussion questions

Lesbian, Gay, Bisexual, and Transgender Americans at Risk Chuck Stewart, 2018-02-16 Three volumes organized by the three phases of life youth middle age and old age explore the LGBTQ experience delving deeply into research on a multitude of hot topics including risks experienced by this sometimes targeted population In June of 2015 the United State Supreme Court issued an opinion that directly impacted the lives of many LGBT Americans in Obergefell v Hodges the court required all states to issue marriage licenses to same sex couples and to recognize same sex marriages performed in other jurisdictions While many activists consider this a major achievement LGBT individuals still face a number of pressing issues In Lesbian Gay Bisexual and Transgender Americans at Risk editor Chuck Stewart and a carefully selected group of contributors unravel these far reaching concerns The book is a cutting edge resource for academics activists scholars students and lay people who are interested in examining LGBT social and political movements as well as the public policy progress and setbacks of recent years Three volumes of essays by experts in a variety of fields delve deeply into primary sources to tackle important topics such as transgender adolescents alcohol and drug abuse and the massacre at Pulse gay nightclub along with dozens of others Organized by life stages this comprehensive work sheds light on concerns and controversies affecting youth adults and seniors connected to the LGBT community

**Assessing Barack Obama's Africa Policy** Abdul Karim Bangura, 2014-12-16 This book contains critical analyses of President Barack Obama s foreign policy instruments toward Africa and suggests how to continue strengthen and modify these policy instruments The examination begins with the theme of policy continuity and change followed by those on military intervention competition and perceived threats crisis management politics economic development and social policy Each chapter starts with an introduction of the policy instrument provides an analysis of the instrument and concludes with suggestions This book presents the objectives for vibrant and lasting relations between Africa and the United States and the

concrete measures to achieve them      **The SAGE Encyclopedia of LGBTQ Studies** Abbie E. Goldberg, 2016-05-10 This far reaching and contemporary new Encyclopedia examines and explores the lives and experiences of Lesbian Gay Bisexual Transgender and Queer LGBTQ individuals focusing on the contexts and forces that shape their lives The work focuses on LGBTQ issues and identity primarily through the lenses of psychology human development and sociology emphasizing queer feminist and ecological perspectives on the topic and addresses questions such as What are the key theories used to understand variations in sexual orientation and gender identity How do Gay Straight Alliances GSA affect LGBTQ youth How do LGBTQ people experience the transition to parenthood How does sexual orientation intersect with other key social locations such as race to shape experience and identity What are the effects of marriage equality on sexual minority individuals and couples Top researchers and clinicians contribute to the 400 signed entries from fields such as Psychology Human Development Gender Queer Studies Sexuality Studies Social Work Sociology The SAGE Encyclopedia of LGBTQ Studies is an essential resource for researchers interested in an interdisciplinary perspective on LGBTQ lives and issues

**Feminist Legal Theory (Vol. 2)** Frances Olsen, 1995-10 A collection of previously published articles



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