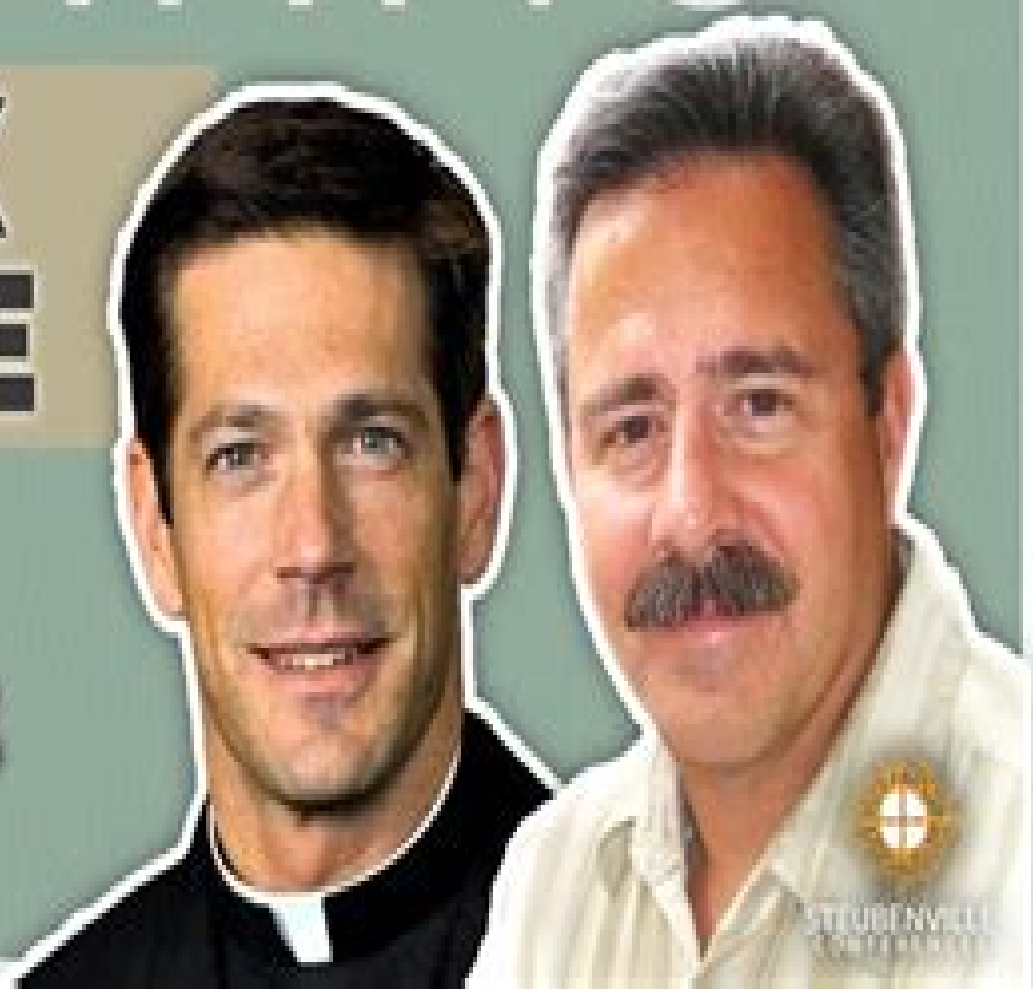


DEBATING

SAME-SEX MARRIAGE

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FR. MIKE SCHMITZ



Debating Same Sex Marriage Debating Same Sex Marriage

Joseph Mello



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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 The Courts, the Ballot Box, and Gay Rights Joseph Mello, 2016-08-12 If the same sex marriage debate tells us one thing it s that rights do not exist in a vacuum What works for one side at the ballot box often fails in the courtroom Conservative opponents of same sex marriage used appeals to religious liberty and parental rights to win ballot measure campaigns but could not duplicate this success in court Looking at the same sex marriage debate at the ballot box and in the courts this timely book offers unique insights into one of the most fluid social and legal issues of our day and into the role of institutional context in how rights are used Why Joseph Mello asks did conservative opponents of same sex marriage enjoy such an advantage when debating this issue in the popular arena of a ballot measure campaign And why were they less successful at mobilizing the language of rights in the courts His analysis shows us that rights don t just entitle us to resources they also shape the way we see ourselves and are perceived by others Thus by using the language of rights to frame their cause conservative opponents of same sex marriage were able to construe themselves as victims of oppression their religious and moral beliefs under threat The same language however proved less useful or even counterproductive in courtrooms Mello concludes because the court s norms and constraints force arguments to undergo more searching scrutiny and rights based arguments against same sex marriage contain discriminatory stereotypes that cannot be supported with evidence In its analysis of the same sex marriage issue The Courts the Ballot Box and Gay Rights provides insights that illuminate some of the most salient rights based issues of our time including affirmative action abortion immigration and drug policy The book offers a new way of understanding how such issues are decided and how important context can be in determining the outcome **Debating Same-Sex Marriage** John Corvino, Maggie Gallagher, 2012-06-01 Taking a point counterpoint approach John Corvino a philosopher and a prominent gay advocate and Maggie Gallagher a nationally syndicated columnist and co founder of the National Organization for Marriage consider key questions about the institution itself What is marriage for Is marriage meant to be a gendered institution Why is the state in the business of sanctioning marriage Where do the needs of children fit in Will legalization of same sex marriage lead to legalization of polygamy Corvino argues that society should support same sex

marriage because of its interest in supporting stable households for all its members gay and straight alike Gallagher argues that government recognition of same sex unions as marriages will disconnect marriage from its key public mission furthering responsible procreation while stigmatizing traditional views of sex marriage and family as bigotry Both agree that the issue deserves thoughtful rigorous engagement

The Courts, the Ballot Box, and Gay Rights Joseph Mello, 2016-08-12 If the same sex marriage debate tells us one thing it is that rights do not exist in a vacuum What works for one side at the ballot box often fails in the courtroom Conservative opponents of same sex marriage used appeals to religious liberty and parental rights to win ballot measure campaigns but could not duplicate this success in court Looking at the same sex marriage debate at the ballot box and in the courts this timely book offers unique insights into one of the most fluid social and legal issues of our day and into the role of institutional context in how rights are used Why Joseph Mello asks did conservative opponents of same sex marriage enjoy such an advantage when debating this issue in the popular arena of a ballot measure campaign And why were they less successful at mobilizing the language of rights in the courts His analysis shows us that rights don't just entitle us to resources they also shape the way we see ourselves and are perceived by others Thus by using the language of rights to frame their cause conservative opponents of same sex marriage were able to construe themselves as victims of oppression their religious and moral beliefs under threat The same language however proved less useful or even counterproductive in courtrooms Mello concludes because the court's norms and constraints force arguments to undergo more searching scrutiny and rights based arguments against same sex marriage contain discriminatory stereotypes that cannot be supported with evidence In its analysis of the same sex marriage issue *The Courts the Ballot Box and Gay Rights* provides insights that illuminate some of the most salient rights based issues of our time including affirmative action abortion immigration and drug policy The book offers a new way of understanding how such issues are decided and how important context can be in determining the outcome

Same-Sex Marriage Jeanne Nagle, 2010-01-15 An exploration of same sex marriage that provides an overview of the history of marriage discusses types of unions and their benefits presents arguments on both sides of the debate and examines related legal issues

The Marrying Kind? Mary Bernstein, Verta Taylor, 2013-05-16 As the fight for same sex marriage rages across the United States and lesbian and gay couples rush to marriage license counters the goal of marriage is still fiercely questioned within the LGBT movement Rarely has an objective so central to a social movement's political agenda been so controversial within the movement itself While antigay forces work to restrict marriage to one man and one woman lesbian and gay activists are passionately arguing about the desirability viability and social consequences of same sex marriage *The Marrying Kind* is the first book to draw on empirical research to examine these debates and how they are affecting marriage equality campaigns The essays in this volume analyze the rhetoric strategies and makeup of the LGBT social movement organizations pushing for same sex marriage and address the dire predictions of some LGBT commentators that same sex marriage will spell the end of queer identity and community Case

studies from California Connecticut Massachusetts New Jersey Oklahoma Vermont and Canada illuminate the complicated politics of same sex marriage making clear that the current disagreements among LGBT activists over whether marriage is conforming or transformative are far too simplistic Instead the impact of the marriage equality movement is complex and often contradictory neither fully assimilationist nor fully oppositional Contributors Ellen Ann Andersen U of Vermont Mary C Burke U of Vermont Adam Isaiah Green U of Toronto Melanie Heath McMaster U Ontario Kathleen E Hull U of Minnesota Katrina Kimport U of California San Francisco Jeffrey Kosbie Katie Oliviero U of Colorado Boulder Kristine A Olsen Timothy A Ortyl Arlene Stein Rutgers U Amy L Stone Trinity U Nella Van Dyke U of California Merced *Same-Sex Marriage* Erin L. McCoy, Jon Sterngass, 2019-07-15 In 2015 same sex marriage was declared legal in all fifty states by the Supreme Court Today more than two dozen nations around the world have legalized same sex marriage However the debate about whether such marriages should be allowed still rages on both in the United States and around the globe In some countries homosexuality is illegal and those convicted of homosexual acts can even face the death penalty Some argue that same sex marriage erodes the institution of marriage or oppose it on religious grounds while others view the ability to marry as a fundamental right This book delves into all sides of the debate with the aid of full color photographs sidebars and a glossary designed to improve young adults understanding of this complex topic **Same-sex Marriage** Robert M. Baird, Stuart E. Rosenbaum, 2004 The issue of same sex marriage has attracted the attention of the nation and has become one of the most heated social controversies This completely revised and updated second edition of Same Sex Marriage presents a balanced selection of the latest the most diverse and the most clearly argued positions advocated by academics politicians journalists attorneys judges and activists 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

The Limits to Union Jonathan Goldberg-Hiller, 2009-12-22 Revised and updated to include the most current information on same sex marriage The Limits to Union documents a legal struggle at its moment of greatest historical importance The Limits to Union is a superb book about the complexities of recent political struggles over same sex marriage Goldberg Hiller offers a sophisticated account of egalitarian rights advocacy and the reaction it has generated from established majorities animated by a new common sense of exclusionary sovereign authority The author's analysis is multidimensional and nuanced but the core argument is bold important and well supported I recommend it very highly to everyone interested in understanding the character possibilities and constraints of civil rights amid our contemporary culture wars Michael McCann author of Rights at Work Pay Equity Reform and the Politics of Legal Mobilization In this excellent book Goldberg Hiller uses Hawaii's experience to examine the interaction between courts and the political system Relying on briefs legislative statements and interviews with activists from both sides of the question he views this familiar debate through the unfamiliar prism of gay marriage which allows him to gauge the viability and the pliability of the American civil rights ideal and how gay and lesbian issues fit or don't fit within that ideal William Heinzen New York Law Journal Goldberg Hiller presents the history of the same sex marriage question since it first sparked debate in Hawaii He follows the shifting debate through court cases state propositions and state and federal legislatures considering questions about the constitutionality of the Defense of Marriage Act and the concept of equal protection under the law for gays and lesbians This detailed treatment of the legal issues surrounding same sex marriages is highly recommended R L Abbott University of Evansville A valuable contribution to the field situating the gay marriage debate in broader contexts of theory law and practice Same sex marriage is an important issue that finds itself caught in the friction points of much larger debates over the nature of rights the limits of sovereignty and the proper role of courts and law in a democratic society The Limits to Union should therefore be of interest even to those who do not think of themselves as interested in gay and lesbian rights issues Evan Gerstmann Loyola Marymount University Law and Politics Book Review

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