

# Findings

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## Why Not Same-Sex “Marriage”? *Responses to 10 Arguments for Same-Sex “Marriage”*

By Daniel R. Heimbach, Ph.D.



The passage of Proposition 8, which amended California’s Constitution to define “marriage” as the union between a man and a woman, was a huge victory for those who work to defend marriage as the union of a man and a woman. It also energized proponents of same sex “marriage,” prompting an increased public presence and flurry of media coverage.

Proponents of same sex “marriage” often use arguments designed to silence defenders of traditional marriage through emotion and *ad hominem* arguments. Because these arguments appeal to emotions and call into question the character of their opponents, they seem compelling on the surface. When it comes to argumentation and debate, however, it is important not to be swayed by these rhetorical devices, but to analyze the arguments logically.

This article presents 10 of the most common arguments for same sex “marriage” and responds to them logically, demonstrating why these arguments do not present a sound defense of same sex “marriage.”

Proponents of same-sex “marriage” argue that it should be allowed because:

### **1. Marriage is said to be primarily about love and commitment.**

#### **The Argument:**

Same-sex marriage should be allowed because marriage is about love, and homosexuals love each other as much

as heterosexuals. Marriage is how society affirms a decision lovers make to care for each other through good times and bad.

Same-sex partners love each other as deeply and sincerely as heterosexual partners. Love defines marriage because marriages run on love, and allowing same-sex lovers to marry is more consistent with what marriage is for than restricting marriage to heterosexuals.

Furthermore, if marriage is about love, then being able to have children is not essential to marriage. The only

procreation, and toward parents setting aside individual satisfaction to cooperate in raising children.

Denying the procreational form of marriage is like denying cars are designed to drive. Cars can be cars without being driven, but denying cars are designed for driving changes a “car” into something else. In the same way marriages can exist without children, but severing procreation from the marital structure turns marriage into something else. The argument above confuses the “form” (i.e., those aspects of marriage that are necessary to make marriage, marriage) of marriage as a social institution with an “accident” (i.e., an aspect of marriage that can change without changing what marriage is) in how some couples perform. In this argument, the “form” of marriage is inherently procreational, and procreation can only naturally occur with a man and a woman. Infertility in this context does not change the nature of what marriage is, since (1) the couple are paired in a way that was designed to lead to children (i.e., a man and a woman), and (2) their infertility does not change what marriage is for other married couples.

In other words, this argument uses accidental similarity (infertility) to justify formal equality (that same-sex and opposite-sex couples are no different), and wrongly rejects a formal difference (procreational and non-procreational forms are not the same) as just an accident (i.e., it would make no formal difference).

Proponents of same-sex marriage are thus actually trying to change marriage into non-marriage by denying a fundamental and unchanging aspect of the

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reason that could ever justify denying marriage to homosexuals is their inability to procreate. But not being able to have children has never kept infertile heterosexuals from getting married.

#### **The Response:**

This argument confuses a valued (but not a necessary) motive for mate selection with what qualifies marriage to be recognized as a social institution. Love should characterize how married partners treat each other, but love is not what structures marriage and is not what warrants public interest in affirming marriage. The public interest in marriage relates to how it moves toward bridging the male-female divide, toward favoring

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nature of marriage. While they may still call this union “marriage,” it is in fact something else entirely.

## **2. Traditional marriages are in bad shape and therefore shouldn’t be the model.**

### **The Argument:**

Same-sex marriage should be allowed to save marriage from the mess created by heterosexuals. Heterosexuals have done so poorly at marriage, who are they to speak now? The heterosexual approach has ruined marriage and we must take a different approach to fix the problem.

It is time that everyone recognize heterosexuals have no special expertise on marriage. If they did, marriage would not be in such crisis now. Allowing same-sex marriage will save the marital institution for everyone by giving homosexuals a chance to show everyone else how great marriages based on sexual attraction and mutual affection can be.

### **The Response:**

It is true that nearly half of all new heterosexual marriages are now ending in divorce. But that also means that about half do not, and that the rate of success is much higher if one counts older as well as younger marriages. While this situation is bad, it does not mean heterosexuals have no idea how marriages succeed. It only shows that the younger generation is accepting destructive values and ideas that earlier generations did not.

It is a sad irony that proponents of this argument are adding fuel to the fire they would fix. They would have us accept *more* of the very idea causing the marriage crisis in the first place. That is, they would change the main reason for socially approved marriage from limiting personal desires in favor of procreation, to the socially destructive idea of valuing marriage by how it gratifies individual feelings and desires. The influence of the later idea is why marriage is in such trouble today, and same-sex marriage will make it worse, not better. Under homosexual terms, marriage will be no stronger than feelings of private satisfaction, and will cease to be an authoritative, pro-child institution encouraged to endure no matter how feelings fluctuate. When this happens, society will suffer

because the families that form its basis lose their stability—an effect that will have repercussions for future generations.

## **3. Children raised by homosexual parents can thrive as well as children in a home with a father and a mother.**

### **The Argument:**

Same-sex marriage should be allowed because children need married parents, not necessarily fathers and mothers. It is better for children to be raised by parents who are married than are unmarried, and it makes no difference whether parents are heterosexual or homosexual.

Furthermore, homosexuals raise children just as well as heterosexuals. The American Psychological Association (APA) has declared that the wellbeing of children is “unrelated to parental and sexual orientation” and that research “provides no justification for discriminating against same-sex couples in marriage or in parenting.” All that matters is that children have loving and responsible parents, not whether their parents are straight or gay.<sup>1</sup>

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## **The North Carolina General Assembly has become a graveyard for pro-life initiatives during the last decade.**

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### **The Response:**

This argument proposes to keep the connection linking marriage to parenting but asserts the underlying idea that it is more important for adults raising children to be married than for children to have both a father and mother. Children will be adversely affected if the social structure of marriage is altered to make having both a father and mother something arbitrary, abnormal or even unnecessary for raising well adjusted children.

In reality, children raised by homosexuals do not do as well, but rather do worse, than children raised by heterosexual father-mother pairs. The declaration by the APA in 2004 was political, not scientific, and knowingly contradicted all reliable evidence.

On evaluating 49 empirical studies on same-sex parenting, Drs. Robert Lerner and Althea Nagai found no basis for supposing children raised by homosexuals do as well as others. Compared to others, children raised by homosexuals are at much greater risk of gender dissatisfaction, gender confusion, suicide, long-term depression, mood disorders, bipolar disorders, sexual promiscuity, out-of-wedlock pregnancy, and sexually transmitted diseases. Research shows they are also more likely than others (especially others raised by both a father and mother), to become criminals, to abuse drugs, to have poor grades, to be expelled, and to struggle with finding and keeping jobs. Sadly, they are also far more likely to die of maltreatment, or to be sexually abused by a member of their families, than children in households with two biological parents.<sup>2</sup>

## **4. Homosexuality, like race, is a natural part of who we are and should be embraced.**

### **The Argument:**

Marriage should not conflict with human nature, yet for homosexuals restricting marriage to opposite-sex partners is both unnatural (contrary to nature) and seriously inhuman (contrary to their basic humanity). It not only denies their natural sexuality, but prevents them from ever reaching the ultimate level of human connectivity. Marriage will never conform with human nature until every human being is able to marry a partner to whom he or she is most naturally attracted on any given day, whether heterosexual or homosexual.

Laws only serve to promote and protect the narrow self-interests of one group over others, and what laws exist just reflect which group is winning the struggle for power. Limiting marriage to heterosexuals by law is an arbitrary social construct arranged only to advance the power of heterosexuals over homosexuals. Same-sex marriage will remove this arbitrary power advantage by making sexual orientation irrelevant to what counts for marriage throughout society.

### **The Response:**

Marriage should indeed conform with, and not oppose, human nature.

Human nature is the set of features that makes something uniquely human, as opposed to an animal. It is something the entire human race shares the same way, not something that changes by individual preferences, feelings, or desires. There is no such thing as a homosexual version of human nature that functions differently based on different sort of sexual preference or practice. Commonly shared human nature in relation to sex is not a matter of preference, feeling, or desire, but rather is set by the way human bodies function to procreate. It is set by the way human bodies naturally “fit” to procreate regardless of what partners choose, enjoy or intend.

The legal argument makes a false charge, from which it gets a false problem requiring a false solution, which if pursued will cause very serious real problems in real life. The false charge, one stemming from deconstructionism, which claims that marriage has no fixed structure because there is no good reason for structuring any institution any way at all. But that claim is false and terribly dangerous. There is in fact a legitimate public reason for favoring and protecting the procreational structure of marriage—getting fathers and mothers to cooperate in raising children. Legitimate public interest in supporting the procreational structure of marriage has nothing to do with favoring the private interests of one group over others, but has everything to do with preserving the common goods of social survival and stability.

## **5. Marrying whomever I want is a basic human right.**

### **The Argument:**

Same-sex marriage should be allowed because marriage is a basic human right. Allowing homosexuals to marry like everyone else does not create a “special right” for homosexuals. Rather it only removes a barrier excluding gays from a basic right already available to everyone else. All human beings have a fundamental right to select and marry a partner they find sexually attractive, and to form families in whatever ways suit the relationships they choose.

But homosexuals in America do not have that right, even though marriage is how society distributes practical benefits

(in areas of taxation, Social Security, hospital visitation, and inheritance) to couples in committed relationships. Withholding these benefits from some because they are not married, while at the same time preventing them from getting married, is neither consistent nor fair.

### **The Response:**

Practical benefits given by law favoring marriage and family relationships have never been for affirming just any committed relationship at all. Many seriously committed relationships exist between friends, neighbors, classmates, or teammates that are not treated in the same category when it comes to benefits favoring marriage and family, and many sexual relationships also exist that do not

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## **Defenders of tradition marriage must be ready to have an answer to such arguments designed to redefine marriage.**

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qualify in the same category as marriage either. Prostitutes have no preferential right to inherit the property of customers, nor are they entitled for customers to list them as dependents on a tax form.

Marriage is not just any sort of committed relationship at all, and does not involve just any sort of sexual attraction at all. There is no such thing as a universal right to marry just any partner one happens to choose, or even to marry based on satisfying any attraction one happens to have. The right to marry is intrinsically linked to society’s interest in procreation, and even though some couples never have children, their right to marry depends on the structure of an institution that aims at limiting procreational sex to couples committed to staying together long enough to raise children, and not merely at affirming whatever attractions anyone has regardless of that structure.

## **6. Diversity in marriage would benefit society.**

### **The Argument:**

Marriage is uniquely good for the stability and security of family life, and encouraging couples to marry recog-

nizes and supports the value of forming families. Denying marriage to same-sex couples does not keep homosexuals from starting families, but it does hinder recognizing and supporting the value of their families. Allowing same-sex marriage will promote family values for all by encouraging the good of marriage for all families, not just those fitting a single model.

Same-sex marriage strengthens the integrity and endurance of family life in America. Marriage is the unifying ritual by relatives and friends affirm the addition of new branches to a family tree. It is the main mechanism for adding new families to old, and for ensuring that new families endure. Denying marriage to same-sex couples keeps homosexuals from adding new families to old and from helping to ensure their families endure.

### **The Response:**

Successful, well-adjusted children are most likely to come from families consisting of a father and mother, and marriage is the best way of getting fathers and mothers to cooperate in raising children. Since children are the future leaders of society, society is best served if children have as many advantages as possible. Studies show that children raised by same-sex parents fare worse than children raised by a father and mother.<sup>3</sup> Same-sex marriage diminishes the value of children to the family structure by stressing that while marriage must satisfy adult feelings, its structure need not align with what children need.

Same-sex marriage is bad for family integrity, and especially for children, because removing the procreative form from marriage erases incentives encouraging parents (or potential parents) to accept restrictions best for raising children. Treating marriage as if nothing is more important than individual adult sexual satisfaction threatens the family stability and endurance so critical to raising well-adjusted children.

Since same-sex marriage began in Scandinavia, family formation, stability, and endurance have all gotten much worse. Not only have few same-sex couples actually married since it became legal, but the change has weakened marriage and family commitments throughout society. Already high rates of family dissolution and non-married

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parenting have shot up, and the rate has dropped at which anyone is getting married at all.<sup>4</sup>

## **7. Same-Sex “Marriage” doesn’t hurt anyone.**

### **The Argument:**

Same-sex marriage should be allowed because science has determined that homosexual attraction is as psychologically normal for homosexuals as heterosexual attraction is for heterosexuals. The American Psychological Association states, “The reality is that homosexual is not an illness.”<sup>5</sup>

There is nothing mentally unnatural, abnormal, deviant, or unhealthy about homosexual attraction as compared to heterosexual attraction. And with no psychological basis for treating same-sex sexual attraction as unnatural or abnormal for homosexuals, there is nothing abnormal or deviant about allowing same-sex marriage for homosexuals.

### **The Response:**

The APA actually changed its position on homosexuality by caving to political pressure without any valid scientific basis.<sup>6</sup> It is not scientifically true that homosexual behavior can be classified as being biologically “natural” in the same way as heterosexual behavior for two reasons.

The first reason is because there is no scientifically valid basis for thinking desire to stimulate sexual passion between members of the same sex is caused by naturally occurring biological factors. Researchers have speculated but have never found any scientifically valid cause, and there is a great body of genuinely valid scientific evidence linking homosexual attraction to abuse or acquired taste.<sup>7</sup>

The second reason is because homosexual sex is physiologically unnatural for everyone. That is, our bodies are not shaped to have sex the way homosexuals have sex. Homosexual behavior is biologically destructive to human health, and biologically destructive behavior is biologically “unnatural” by functional definition, since it is natural for biological organisms to favor those actions that prolong or maintain life. It is also the case that valid scientific research does not support the idea that sexual orientation

is an unchangeable or immutable condition. Rather it shows that therapeutic approaches taken to reorient feelings of homosexual attraction toward heterosexual attraction have achieved significant results, and nearly all individuals who self-identify as “homosexual” end up reorienting as heterosexual by the time they reach old age.<sup>8</sup>

## **8. Marriage is a religious and social matter; the government shouldn’t be involved.**

### **The Argument:**

Marriage is nothing more than a social arrangement made up to suit ancient needs, and what they were has no relevance now. Each generation chooses to accept or modify marriage to suit themselves. We should avoid what did not work in the past and focus on what makes sense now.

Furthermore, the religious meaning of family life does not come from or rely on government. However, religion and government do both affect social respect for family life, and this is enhanced when

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## **No government can afford to pretend there is no social loss in changing the public structure of marriage in ways that deny the essential importance of heterosexual union, or in changing the public structure of family in ways that are necessarily childless.**

they work together and not against each other. The failure of government to recognize same-sex marriages blessed by religion threatens social respect for the role of religion in supporting families depending on those marriages.

### **The Response:**

Of course civil government should respect the religious meaning of family life, but that does not mean government must necessarily recognize or support any action by any religion however it affects families. Civil government has a proper interest in family life that overlaps the

interest of religion, but the government’s proper interest is limited to supporting the public value of families for affecting social strength and does not extend to meeting the religious, psychological or emotional needs of individuals.

There is no legitimate public interest in adding civil recognition to religious practices that are irrelevant or contrary to the good of strengthening social order. No government can afford to pretend there is no social loss in changing the public structure of marriage in ways that deny the essential importance of heterosexual union, or in changing the public structure of family in ways that are necessarily childless. The public value of having and raising well-adjusted citizens is served when marriage normally results in forming a family in which children are raised by fathers and mothers, and in which other arrangements are treated as contingent, exceptional, and less complete. Maintaining the childbearing structure of civil marriage does not interfere with religious freedom to practice marriage in other ways so long as they do not threaten the common good.

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## **9. We shouldn’t “write discrimination” into the Constitution.**

### **The Argument:**

Marriage laws should treat human sexuality in a neutral manner and should not prefer one sort over others. Sexual attraction leading individuals to unite is a private matter others cannot assess, and marriage simply gives public recognition and support for the couples making relational commitments. But since attractions can be homosexual as well as heterosexual, and since no one other than individuals themselves can know the strength and quality of what draws partners together, justice requires that civil law take a neutral stand and permit couples to marry however they feel drawn to unite.

Until homosexuals are allowed to marry, weddings are heterosexual rituals of the most repressive and repugnant kind. They say that discriminating by sexual orientation is sanctioned by law, that homosexuals are people who deserve to be ridiculed, made fun of, despised, and perhaps even bullied or killed. But

allowing same-sex marriage will transform weddings from symbols of heterosexual oppression to symbols of approval and equality.

#### **The Response:**

This argument depends on thinking society already denies having any public interest in marriage except as a way of respecting whatever draws people into sexual relationships. And if that is the case, it follows that (1) only those concerned can assess the presence of their attractions, and (2) society can only affirm whatever attractions people have with no just basis for treating any differently in relation to the interests of society as a whole.

But it is unreasonable to think there is no public interest in maintaining the procreational structure of marriage, and to believe there is any public interest in how marriage is structured except to affirm whatever attractions people have. If so, pedophiles would be married to children, necrophiles to dead bodies, pornophiles to pictures, and exhibitionists to strangers. And marriage law would have no way of treating any of these differently. But society does, and should, make distinctions that exclude all sorts of sexual attractions from qualifying for marriage, and it does this not by evaluating how anyone feels but only by evaluating how relationships fit public interest in supporting an institution structured to keep men and women together long enough to raise children.

## **10. It has been officially recognized in several states and nations; our country should follow suit.**

#### **The Argument:**

Some states have already taken steps to legalize same-sex marriage, and they are not alone. Other nations have also officially recognized same-sex marriage.

Our government should get in step with other nations and should stand behind those states that have already legalized same-sex marriage. If Americans do not go along with the international trend, we will lose the respect of nations more progressive than ourselves. Instead of being respected for moral

leadership, the United States will be criticized for backward thinking and lagging advances compared to the stands for social justice being taken by others around the world.

#### **The Response:**

Following the examples of other nations assumes the national majority is always right or those that first follow what is newly popular are always right. Neither of these assumptions is a trustworthy guide for deciding what is morally right for what the United States should do. The majority is not always right, just because it is the majority; and the prevalently popular is not always right, just because it is the prevalently popular. Right is right no matter if everyone is against it, and wrong is wrong no matter if everyone wants it.

While tradition alone does not guarantee what is right, neither does what is newly popular whether at the individual or international level. What is morally right or wrong for law and society comes from a standard of righteousness transcending the social order. Same-sex marriage is morally wrong and socially dangerous, and understanding that has nothing to do with how popular or unpopular it becomes with other nations.

## **Conclusion**

There are certainly more arguments in favor of same-sex marriage, but these have appeared most often in the public square. The prevalence of these arguments suggests that same-sex marriage proponents believe them to be compelling. In truth, however, each of these arguments fails to hold water. Defenders of traditional marriage must be ready to have an answer to such arguments designed to redefine marriage.

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## **Endnotes**

1. Press Release. "APA Supports Legalization of Same-Sex Civil Marriages and Opposes Discrimination against

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2. Robert Lerner, and Althea Nagia, *No Basis: What the studies Don't tell us about same-sex parenting*. Marriage Law Project, Washington D.C. 1/01.
3. Ibid. Mary Parke, "Are Married Parents Really Better for Children: What Research Says About the Effects of Family Structure on Child Well-Being." Center for Law and Public Policy, Policy Brief #3, May 2003, pgs. 1 & 6.
4. See David Popenoe, *Disturbing the Nest: Family Change and Decline in Modern Societies* (Edison, N.J.: Transaction, 1988); Duncan W. G. Timms, "Teenage mothers and the adult mental health of their sons: Evidence from a Stockholm cohort," *Journal of Adolescence* 19/6 (December 1996): 545-56; Stanley Kurtz, "The End of Marriage in Scandanavia: The 'Conservative Case' for Same-Sex Marriage Collapses," *The Weekly Standard* 9/20 (February 2, 2004). <<http://www.weekly-standard.com/Content/Public/Articles/000/000/003/660zypwj.asp>>. Accessed March 5, 2009.
5. APA Health Center. "Sexual Orientation and Homosexuality." <<http://www.apahelpcenter.org/articles/article.php?id=31>>. Accessed March 4, 2009.
6. Note that Dr. Robert Spitzer, who originally argued that homosexuality was not a clinical disorder and was chair of the taskforce for the *Diagnosics and Statistical Manual of Mental Disorders-III*, expressed his doubts that once a person is a homosexual, that he or she could never change. Spitzer said that, while he is sympathetic with the homosexual cause, he thinks that the inability of homosexuals to change their sexual orientation is "just not true." <<http://www.youtube.com/watch?v=nvYOpTdvIM>>. Accessed March 4, 2009.

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7. Douglas Abbott, "Myths and Misconceptions About Behavioral Genetics and Homosexuality, *Family North Carolina*, Sept/Oct 2007. See also: Collins, Francis S. (2006). *The language of god, a scientist presents evidence for belief*. New York: Free Press. Also: Baker, C. (2004). *Behavioral genetics: An introduction to how genes and environments interact through development to shape differences in mood, personality, and intelligence*. New York: The American Association for the Advancement of Science and the Hastings Center, pg. 17-18.
  8. American College of Pediatricians. "Empowering Parents of Gender Discordant and Same-Sex Attracted Children" (April 2008). <<http://www.acpeds.org/index.cgi?BISKIT=6792&&CONTEXT=art&cat=10005&art=167%3Cbr%3E>>. Accessed March 5, 2009; Warren Throckmorton, "Attempts to Modify Sexual Orientation: A Review of Outcome Literature and Ethical Issues." *Journal of Mental Health*. Vol. 20, October 1998 (pp. 283-304). <<http://www.narth.com/docs/attemptstomodify.html>>. Accessed March 5, 2009.

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