

From legal rights to EQUAL rights



ARGUMENTS FOR THE PRESERVATION OF "TRADITIONAL" MARRIAGE: THEN AND NOW

Arguments against Same-Sex Marriage
in 2000

Arguments against Interracial Marriage
from 1948 to 1967

<p>Same-sex marriage runs counter to God's plan:</p> <p>"If God had intended for same-sex couples to marry, he would have made Adam and Steve, not Adam and Eve."</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>Interracial marriage runs counter to God's plan:</p> <p>"Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend for the races to mix."</p> <p>(Source: Virginia trial judge upholding conviction of Mildred and Richard Loving for interracial marriage, quoted in <u>Loving v. Virginia</u>, 388 U.S. 1, 3 (1967))</p>
<p>Same-sex relationships are "unnatural" and "unhealthy."</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>"The amalgamation of the races is not only unnatural, but is always productive of deplorable results. The purity of the public morals, the moral and physical development of both races, and the highest advancement of civilization . . . all require that [the races] should be kept distinctly separate, and that connections and alliances so unnatural should be prohibited by positive law and subject to no evasion."</p> <p>(Source: Dissenting California Supreme Court Justice objecting to that Court's decision striking down a state law ban on interracial marriage in <u>Perez v. Lippold</u>, 198 P.2d 17, 41 (1948), (Shenk, J. dissenting))</p>
<p>Homosexuals are "perverted" and "abominable."</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>Persons wishing to enter into interracial marriages come from the "dregs of society."</p> <p>(Source: Advocates in favor of California's ban on interracial marriage, quoted in <u>Perez v. Lippold</u>, 198 P.2d at 25)</p>
<p>If we allow "gay marriage," then the next thing you know we'll have brothers and sisters wanting to marry each other, or demands for legalization of polygamous marriages.</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>"[If interracial couples have a right to marry], all our marriage acts forbidding intermarriage between persons within certain degrees of consanguinity are void."</p> <p>(Source: <u>Perez v. Lippold</u>, 198 P.2d at 40 (Shenk, J., dissenting, quoting from a prior court case))</p> <p>"The underlying factors that constitute justification for laws against miscegenation closely parallel those which sustain the validity of prohibitions against incest and incestuous marriages."</p> <p>(Source: <u>Perez v. Lippold</u>, 198 P.2d at 46 (Shenk, J., dissenting, quoting from a prior court case))</p> <p>"[T]he State's prohibition of interracial marriage . . . stands on the same footing as the prohibition of polygamous marriage, or incestuous marriage, or the prescription of minimum ages at which people may marry, and the prevention of the marriage of people who are mentally incompetent."</p> <p>(Source: Excerpted United States Supreme Court oral argument transcripts from <u>Loving v. Virginia</u>, from Peter Irons and Stephanie Guitton, eds., <u>May it Please the Court</u> (1993) at 282-283, quoting Virginia Assistant Attorney General R. D. McIlwaine, arguing for Virginia's ban on interracial marriage)</p>
<p>Gay people are free to marry just like anyone else, as long as they marry a member of the opposite sex.</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>"Each [party seeking to marry a member of a different race] has the right and the privilege of marrying within his or her own group."</p> <p>(Source: <u>Perez v. Lippold</u>, 198 P.2d at 46 (Shenk, J., dissenting, quoting from a prior court case))</p>

<p>Same-sex marriage would precipitate the breakdown of society.</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>"Civilized society has the power of self-preservation, and, marriage being the foundation of such society, most of the states in which the Negro forms an element of any note have enacted laws inhibiting intermarriage between the white and black races."</p> <p>(Source: <u>Perez v. Lippold</u>, 198 P.2d at 40 (Shenk, J., dissenting, quoting from a prior court case))</p> <p>Interracial marriages would be a "calamity full of the saddest and gloomiest portent to the generations that are to come after us."</p> <p>(Source: Tennessee Supreme Court, quoted in Eric Zorn, <u>Chicago Tribune</u>, May 19, 1996)</p>
<p>Same-sex couples cannot biologically conceive children together, and therefore can't satisfy the goals of marriage.</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>"When people of the same race marry, they cannot possibly have any progeny, . . . and such a fact sufficiently justifies those laws which forbid their marriages."</p> <p>(Source: A judge in a Missouri case, quoted in Eric Zorn, <u>Chicago Tribune</u>, May 19, 1996)</p>
<p>The founders of Vermont would never have supported same-sex marriage.</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>"[A]t the very time the Constitution of the United States was being formulated, miscegenation was considered inimical to the public good and was frowned upon by the colonies, and continued to be so regarded and prohibited in states having any substantial admixture of population at the time the 14th amendment was adopted."</p> <p>(Source: <u>Perez v. Lippold</u>, 198 P.2d at 46 (Shenk, J., dissenting, quoting from a prior court case))</p>
<p>Allowing same-sex couples to marry would degrade "traditional" heterosexual marriages.</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>Allowing interracial marriages "necessarily involves the degradation" of conventional marriage, an institution that "deserves admiration rather than execration."</p> <p>(Source: A U.S. representative from Georgia quoted in Eric Zorn, <u>Chicago Tribune</u>, May 19, 1996)</p>
<p>Advocates of same-sex marriage are urging the Legislature to take a step that no state in the country has ever taken. Why should Vermont be the first?</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>"[S]uch laws [banning interracial marriage] have been in effect in this country since before our national independence and in this state since our first legislative session. They have never been declared unconstitutional by any court in the land although frequently they have been under attack. It is difficult to see why such laws, valid when enacted and constitutionally enforceable in this state for nearly one hundred years and elsewhere for a much longer period of time, are now unconstitutional under the same constitution."</p> <p>(Source: <u>Perez v. Lippold</u>, 198 P.2d at 35 (Shenk, J. dissenting))</p>
<p>Gay people should not be allowed to marry because [in the United States] they suffer a higher incidence of AIDS than heterosexuals.</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>Racial intermarriage should not be allowed because of the physical inferiority and higher incidence of certain diseases among certain races, such as sickle-cell anemia among African Americans.</p> <p>(Source: <u>Perez v. Lippold</u>, 198 P.2d at 23-24 and n.5 (summarizing the State's argument in favor of ban on interracial marriage))</p>
<p>Same-sex marriages have adverse effects on the parties' children, and those children are apt to suffer stigma.</p> <p>(Source: Vermont House and Senate Judiciary Committee Public Hearings, 1/25/00, 2/1/00)</p>	<p>"It is contended that interracial marriage has adverse effects not only upon the parties thereto but upon their progeny . . . and that the progeny of a marriage between a Negro and a Caucasian suffer not only the stigma of such inferiority but the fear of rejection by members of both races."</p> <p>(Source: <u>Perez v. Lippold</u>, 198 P.2d at 26 and n.5 (summarizing the State's argument in favor of ban on interracial marriage))</p>