

## **Let's Talk About Marriage: Talking Points**

Equal Rights Washington

1) The terms we use when speaking to others about marriage rights are important. We should seek to avoid using terms such as "gay marriage" and "same sex marriage" because those terms set gays and their relationships apart, sending the message that the marriages of gays and lesbians would be different or special. When we talk about marriage, here are some phrases we should use instead:

- Marriage
- Legal Marriage
- Marriage Equality
- Marriages of Same-Sex Couples

2) Civil marriage is a personal choice that should not be denied by our government to couples just because they are of the same sex. Marriage is commitment between two people. Just like heterosexual couples, gay and lesbian couples grow up dreaming of meeting a partner, getting married and growing old together. They should not be denied their portion of the American dream simply because their chosen partner is of the same sex.

3) Marriage is a pro-family ideal that protects the rights of couples and provides stability and security to families. There are over 1000 federal rights and more than 300 state rights and obligations that protect married couples and families, including:

- Social Security survivor and pension benefits
- Hospital visitation rights
- Medical decision making rights
- Inheritance rights
- End-of-life decisions (burial)
- Family leave under the federal "Family Medical Leave Act"

4) Children are negatively impacted by discrimination. According to the 2000 census, there are more than a million children being raised by same-sex couples in the U.S. and they deserve protection as well. Currently, the children of same sex couples are needlessly deprived of the protections that most families take for granted. Allowing two people who are in a loving and committed long-term relationship to have legal protections will have a positive impact on their children.

5) Religious objections to same sex marriage should not apply when discussing legal marriage. We are not asking people to change their religious beliefs. Access to legal marriage is completely unrelated to the right of religious institutions to decide whom they will marry, just as various religious institutions have always made those decisions in regard to heterosexual couples. No church or other religious institution will be required to perform a ceremony for a same sex couple, although many religious denominations do perform marriages for same-sex couples and have done so for many years.

6) The tradition of marriage is not harmed by access to legal marriage for same sex couples. There is nothing to fear from equality; nothing about the marriage of a same sex couple changes the individual marriages of others. Marriage does have a long history of excluding same-sex couples but that doesn't necessarily mean that is in keeping with American values and traditions. In fact, Marriage equality would build on America's tradition of moving civil rights forward and erasing the inequities of the past. One of the most highly valued traditions in this country has been to pass laws to safeguard people and to expand laws where they leave citizens unprotected.

7) Civil Unions do not provide the same rights, benefits, and obligations as marriage. While domestic partnership benefits and civil unions have provided concrete benefits for some same-sex couples, they fall short of the benefits provided to couples under marriage laws.

#### Marriage:

- State grants marriage licenses to couples.
- Couples receive legal protections and rights under state and federal law.
- Couples are recognized as being married by the federal government and all state governments.
- Religious institutions are not required to recognize marriages or perform marriage ceremonies.

#### Civil Unions:

- State would grant civil union licenses to couples.
- Couples receive legal protections and rights under state law only.
- Civil unions are not recognized by other states or federal government.
- Religious institutions are not required to recognize civil unions or perform civil union ceremonies.

8) The proposed Federal Constitutional Amendment is unjust, unfair, and goes against the principles on which this country was founded. Amending the constitution is a very rare act, only done to address significant public policy need. It has never been amended to single out a class of people for unequal treatment. The proposed FMA writes discrimination into the constitution and is anti-family. As written, the FMA would actually repeal basic civil rights that have been affirmed for gays and lesbians in several cities and states.

9) Complaints about "activist judges" are unfounded. It is the proper role of the judicial branch of government to interpret our laws and constitutions and not surprising that many would confirm that same sex couples are not excluded when it comes to equal rights and protections. Issues of equality should not be decided on the basis of a popular vote or polls.