



Talking Points for defining and obtaining equal civil marriage rights and defeating the anti-gay anti-family federal “marriage” amendment to the US Constitution

- ◆ Currently, marriage has two distinct components: civil marriage and the religious ritual of marriage. Mixed-gender couples can have a civil marriage without the religious ceremony/ritual. Couples can have a religious ceremony/ritual, without a civil marriage. Some couples can opt for both. However, to receive the legal protections of marriage, a couple must have a civil marriage, which is the only marriage that can be addressed by courts or legislatures.
- ◆ The 1000+ rights and legal protections of civil marriage that are given to mixed-gender couples and families should also be extended to couples and families who are headed by same-gender couples. These include the rights of survivorship, inheritance, insurance, joint income tax filing, and a myriad of rights that many mixed-gender couples take for granted.
- ◆ Denying equal rights and protections to same-gender couples harms and threatens children who may depend on a family headed by a same-gender couple for insurance benefits, social security, and/or emergency hospital care.
- ◆ Freedom of religion guarantees that each faith and religion can define the religious ritual of marriage within their institution as they see fit, and this is true regardless of what the government decides about civil marriage rights. The distinction between civil marriage and religious ceremony/ritual will not change when the government grants equal civil marriage rights to all consenting adults.
- ◆ All religions are free to decide for themselves which civil marriages they honor within their tradition, and which ones they won't. For example, the Catholic Church does not recognize marriages of divorcees. Orthodox Jews do not recognize marriages of mixed religions (Jew and non-Jew). On the other hand, Unitarians do honor religious marriages of same-gender couples. Reformed Jews also marry same-gender couples. Many religions believe homosexuality is morally equivalent to heterosexuality, and same-gender couples are just as entitled to civil marriage protections as mixed-gender couples.
- ◆ For all religious views to be protected and respected, it is critical that laws not be made with a particular religious viewpoint in mind, but that all people are treated equally and fairly in the eyes of the government. This includes laws about the rights of civil marriage.
- ◆ The religious right's “ideal” of a “sacred” marriage is one where heterosexual individuals fall in love, have children, are faithful for life, are never attracted to anyone else, and espouse a belief in God. The truth is that mixed-gender couples marry for a variety of reasons, they may or may not be “in love,” may or may not believe in God, may or may not have sex, may or may not have children, may or may not be monogamous, and may or may not be attracted to each other or to members of the same sex, and the government has no business deciding which marriages between consenting adults are “ideal” or “sacred”.

Talking points specific to the proposed “marriage” amendment

- ◆ Although each religion can define the religious ritual of marriage within its own institution, the government is obligated to treat all people equally under the law. This constitutional amendment would violate that principle.
- ◆ This proposed federal “marriage” amendment is not about marriage, it is about discriminating against families. If passed, it would deny same-gender couples and families the 1000+ protections afforded to families headed by mixed-gender couples.

◆ The “marriage” amendment puts the government in the position of picking one religion’s marriage over another.

◆ If passed, the “marriage” amendment would mark the first time in recent history that the US Constitution would be amended to codify discrimination, rather than extend rights to people.

◆ This proposed amendment not only seeks to discriminate against same-gender couples and families, it would nullify existing domestic partnership and civil union laws, usurping state and local bills that grant equal rights to gay, lesbian, bisexual, and transgender (GLBT) people.

◆ The anti-gay anti-family “marriage” amendment seeks to codify discrimination against same-gender couples and their families by imposing one narrow “religious” view of marriage on all Americans. Even religions don’t agree on a single definition of marriage or family.

◆ Marriage is different for each couple, and the US government should not be in the business of defining relationships or sanctioning family structures.

Please do NOT use the following terms, and please educate others.

* Do **NOT** use the term “Gay Marriage” - Gay marriage is a term that the religious right uses as a “catch all” phrase. There are the “**rights of civil marriage / equal civil marriage rights**”, and the “religious ritual”. The religious right wants people to confuse the two, and wants people to think that if same-gender couples have the rights of civil marriage, then religious organizations will be forced to recognized “gay marriages”. This is a lie. Divorced people can receive the rights of civil marriage, but the Catholic Church is not forced to recognize their marriages. Also, using the term “gay marriage” creates a separate entity (as in “gay marriage” vs. “heterosexual marriage”), and separate is inherently not equal.

Instead, **DO use the term “Civil Marriage” or “Equal Civil Marriage Rights”.**

* Do **NOT** use the term “Heterosexual couples” - There are mixed-gender marriages of convenience without love, there are marriages between asexual people, there are mixed-gender marriages between bisexuals, or where one or both people are gay or lesbian and not sexually attracted to each other, there are mixed-gender marriages where the partners are swingers or swap partners. Not all mixed-gender marriages are between heterosexual individuals.

Instead, **DO use the term “Mixed-gender couples”.**

* Do **NOT** use the term “same-sex couple”. “Same-sex couple” excludes some transgender people and relationships.

Instead, **DO use the term “Same-gender couple”.**