

Lesbian and Gay Families

- ❖ **DEFINITION:** same-sex life partnerships refers to two people of the same sex living together outside marriage in a relationship which is analogous to, or has most of the characteristics of a marriage.
- ✓ Various other terms are used to signify this relationship - the most common being domestic partnership, cohabitation, living together, concubinage, *de facto* marriage and common-law marriage.
- ✓ These terms used to refer solely to heterosexual relationships but the terms "life partnership" is now used to encompass heterosexual and homosexual relationships.
- Requirements are the same as for heterosexual life partnerships
- After a number of CC judgments these partnerships now have many of the same consequences as marriage

Opposing arguments

- 1) Recognizing such marriages and life partnerships undermines the traditional institution of marriage, which is a heterosexual union. It also conflicts with public morality and encourages amoral behaviour.
- 2) They cannot fulfill the aims of marriage (procreation) and it is not in the best interests of a child to have a gay parent.

Supporting Arguments

- 1) Marriage is traditionally a heterosexual union which may be preserved, however same-sex couples should not be excluded from a legal relationship very similar to marriage or it would not be constitutional
- 2) Public opinion does not determine constitutionality, non-recognition of same-sex life partnerships and prohibition of same-sex marriage violates the right to equality of gay and lesbian persons (s9 of the Constitution), their right to dignity and right to privacy.
- 3) Saying gays and lesbians are "abnormal" is insulting and disrespectful to those principles of equality, dignity and freedom.
- 4) The Constitutional Court in *National Coalition for Gay and Lesbian Equality v Minister of Home Affairs* held that same-sex life partnerships are not indistinguishable from heterosexual relationships: "Gays and lesbians in same-sex life partnerships are as capable as heterosexual spouses of expressing and sharing love in its manifold forms including affection, friendship, eros and charity. . . They are likewise capable of forming intimate, permanent, committed, monogamous, loyal and enduring relationships; or furnishing emotional and spiritual support; and of providing physical care, financial support and assistance in running the common household."
- 5) Procreation is not an acceptable justification for infringement of same-sex couples' rights. Further it is demeaning even to those people who are unable to procreate for certain biological problems such as infertility, implying they are inadequate human beings.
- 6) Best interests: Although some view it affects the child physiologically, research shows there is no difference in physiological development of children with heterosexual or homosexual parents. As for those children possibly becoming homosexual or being stigmatized by society, it is irrelevant because the Constitution does not legitimize such stigmatization or discrimination on the basis of sexual orientation anyway.

Those who oppose homosexual unions and recognition of same-sex life partnerships do so because they are "immoral" or "wrong", however instead of focusing on them as though they are problems those people should rather divert their attention to proper problems such as child abuse, or finding solutions for the problems in maintenance courts and so on. There are serious things affecting people's health (HIV), safety (domestic violence), lives (rape and other crime) and so being outraged at gays and lesbians for their choice in lifestyle just because they don't like that lifestyle is futile. Gays and lesbians are not hurting anyone with their choice but some heterosexual parents beat their children, or cheat on their spouses, so why not focus on rectifying that instead of a supposed "problem" which does not even exist!

Regarding children, a homosexual parent is capable of loving a child just as much as a heterosexual parent is. There is a problem in South Africa, due to various factors, with orphans and children needing to be adopted, so if a gay person or couple wishes to raise a child he/she/it should not be denied because surely it would not be in the best interest of that child to have a life lacking love, care and support of a parent, homosexual or not.

Recognizing Lesbian Gay Families Strat

Jessica J Manson



Recognizing Lesbian Gay Families Strat:

Decoding **Recognizing Lesbian Gay Families Strat**: Revealing the Captivating Potential of Verbal Expression

In a period characterized by interconnectedness and an insatiable thirst for knowledge, the captivating potential of verbal expression has emerged as a formidable force. Its capability to evoke sentiments, stimulate introspection, and incite profound transformations is genuinely awe-inspiring. Within the pages of "**Recognizing Lesbian Gay Families Strat**," a mesmerizing literary creation penned by way of a celebrated wordsmith, readers attempt an enlightening odyssey, unraveling the intricate significance of language and its enduring effect on our lives. In this appraisal, we shall explore the book's central themes, evaluate its distinctive writing style, and gauge its pervasive influence on the hearts and minds of its readership.

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