

Debate Continues Over Same-sex Marriage

Legalizing marriage for same-sex couples has become a topic of more and more debate since last summer's U.S. Supreme Court decision in *Lawrence v. Texas*. It has even advanced to the stage where many state governments are looking at their legislation and how the term "marriage" is legally defined. In addition, our nation's president is considering the proposal of an amendment to the U.S. Constitution to define marriage as a union between a man and a woman.

In February, a group of law students brought this debate, which was attended by over 300 people, to the UGA campus. Nationally renowned legal scholars representing both sides of the argument were present. Defending the traditional union between a man and a woman was Lynn T. Wardle, a family law professor at Brigham Young University, and representing those in favor of same-sex marriages was Evan Wolfson, the leader of the organization Freedom to Marry.

One of Wolfson's most persuasive points was that the attributes of a marriage, as defined by the U.S. Supreme Court in the 1987 *Turner v. Safley* decision, do not include a definition of the individuals concerned. In the court's ruling, the attributes of marriage were defined as:

- 1) Providing an opportunity for a couple to make a statement of their commitment and to receive public support for that commitment,
- 2) Having for many Americans a very important spiritual or religious dimension or meaning,
- 3) Bringing at least the prospect of physical consummation, and
- 4) Serving as the gateway to a vast array of tangible and intangible, public and private, legal and economic protections and responsibilities that under the law bear on people's lives and couple's lives in virtually every area of their life.



Arguing in favor of legalizing same-sex marriages was Evan Wolfson (standing), the leader of the organization Freedom to Marry, and defending the traditional union between a man and a woman was Lynn Wardle, a family law professor at Brigham Young University.

In their ruling, the Supreme Court said these attributes were so important that they cannot be arbitrarily denied to convicted felons. Wolfson, in turn, related this scenario to same-sex couples and compared the pro-gay marriage movement today to the Civil Rights struggles of the past.

Wardle countered this argument by stating the institution of marriage was founded on gender differences and provides a basic social order for society on which societies are based. "[Marriage] is the foundation of a family, the basic social unit of all societies. To legalize same-sex marriage, to radically redefine that fundamental social institution, would seriously weaken that social foundation. ... It would create tremendous confusion. ... The union of a man and a woman, in conjugal marriage, creates a unique relationship of unparalleled strength and unequalled value, and potential value, to both individuals and society."

"Calling a same-sex relationship a marriage doesn't make it a marriage and the benefits that we attribute to marriage and that flow from marriage do not flow, and will not flow, from those relationships as much as we would like to pretend that they will," Wardle continued. "By legalizing same-sex marriage, we will be creating an incentive for persons to forego marriage and pursue alternative relationships that are significantly less valuable for society and for the future, our children and for them." In addition, he advocated bringing a vote to the people of our country. Wardle believes this is an issue for the people to decide, not legislators or judges. ■

EMPLOYMENT STATISTICS FOR 2003 LAW GRADUATES

Final employment figures for the Class of 2003 were reported to the National Association for Law Placement in March, nine months after graduation (the standard reporting date).

Total Graduates	205
Total Reporting Employment Status	201
Employed	94.0% of known
Private Practice	60.8% of employed
Business/Industry	6.3% of employed
Government	10.1% of employed
Judicial Clerkships	16.4% of employed
Public Interest	3.7% of employed
Academe	2.1% of employed
Undisclosed	0.6% of employed
Advanced Degree Programs	3.5% of known
Unemployed, Not Seeking	0.5% of known

Class of 2003 graduates obtained employment in 15 different states in the nation, including Washington, D.C.