

## Moral Evaluation on Same-sex Marriage

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**Abstract:** One of the most common reasons that the community's rejection of same-sex marriage is that the same-sex marriage violated the "ethics". In this paper, general "moral prejudice" in modern society was led from the biggest difference between same-sex marriage and heterosexual marriage: that the same-sex marriage can not have fertility ability. Based on the research results of sociology and the principles of the judgment of ethics, value analysis was made on gay marriage motives and results, demonstrated that the same-sex marriage was morally "goodness" and that the moral judgment that "same-sex marriage is immoral" was a prejudice lack of theory itself, thus call for society to give more tolerance for the gay and lesbian community in order to clear the way for the legalization of same-sex marriage.

**Keywords:** same-sex marriage; ethics; moral evaluation; goodness.

### INTRODUCTION

The word which is used to describe the love with the same sex in China was translated from the word "Homosexual". Despite the phenomenon of same-sex love in ancient China but there was no title for homosexual. The definition for homosexual among scholars is varied but there were no unified regulations. Jacques Tirol thinks that homosexual refers to men to men's sexual attraction or sex, or women to women's sexual attraction or sex. Sociologist Professor Li Yinhe believes that the sexual orientation of homosexuality refers to a kind of sex orientation and behavior with homosexual as the object, while homosexual refers to individuals who make their sex partner as homosexual [1]. Which should be noted is that homosexual is defined on not the one who has sex with the same sex person, but the one who been attracted to the same sex, or sex orientation on the same sex, whether the same sex behavior happened or not.

Marriage has many functions, the biggest difference between homosexual and heterosexual is the sex selection, with the similarities of that they also need to work together to support living and share feelings and troubles in the common life, and the only and the biggest difference is the fertility. There are narrow sense and broad sense of understanding of same-sex marriage. The narrow sense of same-sex marriage is defined to be recognized by the marriage law, which admitted that the same-sex marriage is equivalent to traditional heterosexual marriage; the broad sense refers that the same-sex marriage is legally recognized the same-sex partnerships in some way, and the same-sex spouse can enjoy part or all of the equities through

completing the registration procedures. Whether the narrow or broad sense, the biggest difference between the same-sex marriage and heterosexual marriage is that the heterosexual marriage can not realize the function of reproduction of the population.

Same-sex marriage violated the "ethics", which is the most common reason that why the community reject the same-sex marriage. What kind of ethics does the same-sex marriage violate indeed? Heterosexual marriage putout that the families are the cells which composed the society, and only the isomerism can give birth, while same-sex marriage does not have the function of reproduction, which will hurt the interests of heterosexual marriage and the human survival and development. The basic argument against homosexuality in morality is that it is unnatural and perverted, and the main evidence for this assertion is that the main purpose of sex is reproduction, and same-sex marriage distorted the original nature of sex since it apparently unable to bear children. Homosexual also strive to proselytizing and quest the party (the gay or lesbian movement call for followers or believers), which undermines the traditional family values and cultural values. And if the enlisting of the party achieves the big success, then, because of most people, even not all, have become homosexual and no longer able to continue the successful procreation, what the outcome will the human be [2]. Married people or parents may oppose same-sex marriage by a way to protect their own interests. Opposition to same-sex marriage may represent a "threat" response for marital traditionalists, who see the fight for same-sex marriage as a challenge to the presumed superiority and sanctity

of heterosexual marriage and not as a way to expand access to a valued social institution [3].

The formation of the moral values that "same-sex marriage is immoral" was from the moral emotions and moral awareness. People's perception of marital morality was that "marriage" equal to "birth" for a long time; that "inheriting the best morality from the last generation and giving that spirit back to the next generation" is the purpose of marriage recognized by the ancient society; the culture of filial piety that "all who lack filial piety, the worst is who has no children" has been deeply influenced the ideology of the Chinese people. Of course, ancient Chinese society was more tolerant for homosexual acts and homosexual behavior, but the tolerance reflects only based on that the phenomenon of homosexuality and homosexual acts were "entertainments" in some way that allowed personal interest which prefer the man. Such a culture is so deeply into human's mind and is completely accepted by people, who had a strong emotional identity. Though modern society is more civilized than the ancient society, while the traditional concept still has greater influence that some people take on an emotional reflex to against homosexuality and same-sex marriage, then idea of anti same-sex marriage was formed by the passage of time and finally people formed the habit of blurting out that "same-sex marriage is immoral".

### **MORAL EVALUATION OF SAME-SEX MARRIAGE**

Ethics is a normative system regulating the relationship between people. The theory of moral judgment that "same-sex marriage is immoral" is not verified to judge a statement just because that same-sex marriage can not give birth to baby. "Infertile" is not equal to "immoral", and moral judgment logic should be that whether "same-sex marriage can not have children" would hurt heterosexual marriage and human survival and development or not. But this prejudice does exist in people's minds with strong influence, therefore, making moral value judgments on same-sex marriage is needed by the social situation and is also a necessary step to correct the social prejudices and the legalization of same-sex marriage on morality.

#### **Moral Evaluation**

Moral evaluation means that people make value judgments of right and wrong on others' or their own ethical behavior and quality based on social ethics system, in order to achieve the purpose of exalting goodness and restraining evil. Moral evaluation was mainly based on public opinion, traditional habits and beliefs, by which public opinion and traditional habits have a huge influence for the behavioral agent. There are behind and progress of public opinion, and there are healthy and unhealthy traditional habits, so we need to

regard behind public opinion and unhealthy traditional habits critically.

Moral evaluation is moral value determination of human behavior and the quality, while the moral values is often embodied by means of good and evil, so goodness and evil became the general standard of moral evaluation. Goodness and evil is the reflection of the interests and has the quality of relativity, but also exhibits absolute standard: People always put those in favor of the survival and development of human groups and others' acts as goodness [4]. Goodness on ethics can be expressed in two principles: the bottom line is does no harm principle, that is not evil and do not harm the interests of others, so that those behavior which in compliance with this principle can be considered behavior that not contrary to ethical; positive sense of the principle is reciprocity, which means that if a person or behavior is conducive to the survival and development of the entire human population, it is clear that the behavior of high moral values and should be recognized by society.

Moral judgment on the act of same-sex marriage should be: combining of the two principles of goodness embodied in the ethics to evaluate the motivation and effect of same-sex marriage, thus judge whether same-sex marriage hurt or bring benefits to heterosexual marriage and humanity. What should also be noted is that in the evaluation, the effect and motives should be combined. In a certain sense, motivation reflects a person's inner qualities and spiritual realm. The effect is reflected the fact of the objective results and it is reality visible, and its good or bad are restricted by objective conditions. Motivation is the beginning of behavior, while the effect is the result of behavior, and both the two are interdependence and can not be separated in the process, that both of two are major essential factors in moral evaluation, therefore the value standard of determine a behavior must pay attention to both the motivation and the effect.

#### **Motivation of the Same-sex Marriage**

For the most general sense, the motivation of the same-sex marriage is to live together. It is clear that only take the motivation into concerned, there is no "evil" morally. Instead, inspect the motives that homosexual step into heterosexual marriage, result can be found that the vast majority of homosexuals' choices are involuntary, and the reason is nothing but the pressure of social and family. Professor Li Yinhe pointed out that despite the reluctance to marry, most Chinese homosexuals marry eventually, the reason first comes from the pressure that from the social and cultural norms [5]. Many homosexuals believe that marriage is an obligation for parents, family and community. Such forms of heterosexual marriage will bring many moral issues, such as the most notably

"gay's wife" problem. "Gay's wife" is a long-neglected vulnerable group, lacking attention and protection, with even no effective channel for their own interests. Tens of millions "gay's wife" became the homosexuals' "victim" to evade social pressure and hide the identity [6]. Homosexuals went against their sexual orientation and "the couple mutually faithful duty," stepping into heterosexual marriage carrying on the "cheat" and "disloyal" infamy, which was not only cause self-inflicted injuries, but also violated the spouse's right to know, the right of spouse even the right of health. Nowadays, homosexuals are forced by the main-stream moral pressure, that went into heterosexual marriage and caused the damage for the spouses that caused a moral shock, leading to the moral decline [7]. The moral decline reflected in all aspects of marriage: cheating killed the principle of good faith; unfulfilling the responsibility of husband or father in marriage; marital infidelity; does not care about spouse and so on. In the heterosexual marriage, although the homosexual was also very painful, but the motive of his actions really deceived the heterosexual and hurt the spouse's feelings, wasting the spouse's time even the spouse's life, which has really touched the bottom line of ethics and was contrary to the principle of "do no harm", that was contrary to the "goodness". The behavior of "marital fraud" is contrary to the nature of marriage and can not fulfill the function of marriage sincerely, causing psychological and physiological injuries, which is indeed the behavior that the ethical should condemn.

### **Results of the Same-sex Marriage**

Homosexuality is widespread in human society, whether in ancient or in modern times, Eastern or Western, no matter what nation or country. This view has been confirmed by many sociologists' Confirmation and recognition, but the estimating proportion of homosexuality community in the population has greater divergence, ranging from 1% to 10%. The current generally accepted view in sociology field is that the proportion is no more than 10%. Zhang Zaizhou indicated that the gay widespread in ancient China after he collected the ancient Chinese gay condition data from the Pre-Qin Dynasty to the Ming and Qing Dynasty [8]. Professor Pan Suiming made survey which was representative and can reflect the Chinese adult population status, the result showed that among the age 20 to 64-year-old adults, 2.0% of men and 0.7% of women had made the identification that homosexuality [9]. Well-known scholars Kinsey's survey made a clear distinction between these of who only had same-sex sex and who of absolutely homosexuality and provided reliable data of the population proportion. He estimated that there was approximately 3% to 4% of the adult male were pure gay among the total population [1]. In other words, homosexuality does not reduce due to the severe and negative social attitude, it will also not increase because of the tolerance society norms.

The widespread homosexuality phenomenon and the homosexual community's stability can be helped to speculate that the legalization of same-sex marriage will not make a substantial increase homosexual and will not lead to "destruction" of heterosexual marriage. This problem can be converted to that will the legalization of same-sex marriage affect heterosexual marriage rate?

Public Health Institute at American Portland State University have done a society study on same-sex marriage and its threat to heterosexual marriage. 'This Marriage data were obtained for all fifty states plus the District of Columbia from 1989 through 2009, We found that there were no significant long-run or short run effects of same sex marriages or of strong or weak same sex unions on rates of opposite sex marriage' [10]. According to Mircea Trandafir : 'Overall, my results indicate that there was no negative effect from the legalization of same-sex marriage in the Netherlands, whether one focuses on the overall or different-sex marriage rate' [11].

From the respect of ethics, the homosexual community exist as a base-stable minority groups in human society, just as heterosexual existence can not eliminate homosexual behavior, that the homosexuality phenomenon also does not affect the heterosexual survival. The implementation of same-sex marriage does not affect the rate of heterosexual marriage, and the same-sex marriage's infertility is not harm for the entire development process of human reproduction, which has reflected the principle of non-injury. The role of ethics is to regulate the relationship between people, and since the same-sex marriage does not hurt heterosexual marriage, so that can not say that the same-sex marriage violates ethics.

Professor Zhang Beichuan noted that one-third of Chinese homosexuals has been married, and 40% - 60% of those unmarried homosexuals thought that they would get married [12]. The legalization of same-sex marriage bound to reduce the number of homosexual enters heterosexual marriages, which is beneficial for the heterosexual population. Which should be noted is that the homosexual population is stable in the total population and the proportion is minimal, so that the legalization of same-sex marriage would not affect the proportion of heterosexual marriage. On the other hand, as mentioned above, the difference between same-sex marriage and heterosexual marriage is the reproduction function, while the other four functions in heterosexual marriage can also work in same-sex marriage. When the two same-sex formatted the relationship of marriage, they still cooperation to feed their families; sharing the same joy and troubles in life, and they also have the same sincerely emotion as the heterosexuals; they also

restricted sex within marriage, approving binding in marriage, bearing the responsibility which should be assumed. In other words, legalization of same-sex marriage on one hand reduces the homosexuals' pressure, and it reduces the heterosexual misfortune so that the two can have healthier body and mind on the other hand. The purpose of marriage is to live together, Marriage is an important social resource. 'If rates of opposite sex marriage are not threatened by same sex marriage, then the denial of marriage rights to same sex couples is a denial of a basic resource for the health of same sex couple-based families' [10]. The positive aspect of ethics is mutual benefit, and the legalization of same-sex marriage has nothing but good. Giving more freedom and rights to homosexual community is what the guiding direction advanced has the moral showed to us.

## DISCUSSION

Two basic pillars of the existence and development of human society are that the population reproduction and material reproduction achieve complement and development in heterosexual marriage and family. Since the developing need of human society, it is impossible to abandon the reproduction function of human's marriage. Though the same-sex marriage does not have the population reproduction function, but based on that same-sex marriage is "goodness" in moral sense, we should still give more tolerance for the homosexual community.

Tolerance is a kind of virtue, emphasizing that a person should have liberal mind and to accommodate difference, giving recognition and respect for other's thoughts and actions which is different from their own, instead of taking forced means to force others. Moral tolerance refers to recognizing the moral personality and moral freedom, recognizing the value of diversity, promoting more harmonious relations between people without prejudice. What society being lenient to homosexuals should do is to achieve respect and fairness, contacting homosexuals in real life, understanding their real lives and real ideas. Only by understanding could people to respect and respect their way of life. Only by respect could people to remove stigma and discrimination. Only by digesting misunderstanding can people seek the rights of marriage.

As a minority, homosexuals' interests have been always marginalized, and now seeking morally marriage equal rights and justice is to give the same-sex marriage the system of protection and the protection of the law, so that they dare to go out of the dark to enjoy life under the sun. Apart from the homosexuals should have the rights to choose as heterosexual in marriage, respect the homosexuals' harmless lifestyle to protect their rights of freedom in marriage can reflect the

majority's tolerance for the minorities. And the harmony of minority and majority is not only the goal of moral pursuit but also the sign of progress of the whole society on morality. The heterosexuals' tolerance for homosexual marriage, in a manner of speaking, is a progressive landmark for humans on morality.

## CONCLUSION

The moral judgment that "same-sex marriage is immoral" is prejudice without theoretical basis. The motivation of same-sex marriage and the results of same-sex marriage are not only unharmed for heterosexual marriage, but also promote the harmonious development of mankind and bring greater benefits to most people. So that the same-sex marriage is "goodness" in moral sense.

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