

# Homosexuality

Moral Status & Tolerance

# Three Separate Questions

- 1 Is homosexuality immoral?
- 2 How should homosexuality be treated under the law (generally)?
- 3 Should homosexual couples be allowed to marry?

Address question #2

# Discriminatory Practices

- 1 Sodomy Laws
- 2 Don't ask/Don't tell policies
- 3 No legal protection from societal discrimination
- 4 Exclusion from certain heterosexual goods (e.g., marriage, adoption, etc.)

# Relevant Rights at Stake

- 1 The right of privacy
- 2 Equal protection under the laws

# The Legislation of Morality

We are justified in legislating morality *only* insofar as the practice in question:

- 1 Violates another's rights, or
- 2 produces social harms

# Carl F. Horowitz

*His aim:* Question the legitimacy and integrity of the gay movement.

His criticisms include:

- A claim of hypocrisy
- Threat of violence
- Anti-discrimination laws entail indirect affirmative action

Questions to think about:

- Could anti-discrimination laws lead to discrimination *against* heterosexuals?

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- Should we (and to what extent ought we to) regulate speech against homosexuals?