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Subject: Re: prop 8 california passes

Posted by [GoArmy44](#) on Tue, 11 Nov 2008 03:05:20 GMT

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R315r4z0r wrote on Sun, 09 November 2008 19:30 What really ticks me off is that people don't see this as unconstitutional because it was voted on, but when it comes to things such as raising/lowering the drinking age, gun control, abortion, ect, a vote is redundant because it's thought to be unconstitutional none-the-less.

It's contradicting and it just goes to show that rules do not exist for the general idea of things, but rather completely on an individual bases.

Which constitution? State or Federal? The preposition was to amend the California Constitution...so it's constitutional in that respect as an amendment changes the constitution. Concerning the federal I see a possible argument concerning the Equal Protection Clause but gays have to prove that they did not choose to be gay, thus saying they had no choice at being lumped into a group that they claim doesn't have equal rights. But there are a hundred ways for that to shoot down.

I have a feeling that this matter wasn't addressed in the Constitution because throughout history and not just in their day, marriage consisted between man and woman, especially in the judeo-christian west. Either in polytheistic or monotheistic cultures, homosexuals did in fact exist but for the overwhelming majority of the time were kept out of family life. Even in Greece where homosexuality could be said to have thrived, it was by no means a family building endeavor as both men had wives(who for the most part did not participate, a counterexample would be Sappho) and children.

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