

AlterNet

VOTER GUIDES



Progressive Voter Guide to Sex and Relationships

Election Guide to Sex and Relationships

Sexuality -- including who has the right to have sex with whom, at what age, in what states and even in what ways -- has long been a centerpiece of U.S. culture wars.

At times, elected officials and the courts have worked to institute intelligent, fair policies on sexuality and relationships: In the 1967 case *Loving v. Virginia*, for example, the Supreme Court broke with centuries of racist tradition to rule against anti-miscegenation laws, securing the right of mixed-race couples to marry.

At other times, government policy has reflected and bolstered some of the worst social prejudices about sexuality. Sodomy laws, for example, used to police the consensual sexual behavior of LGBT people, were still on the books in 14 states as recently as 2003.

And today, issues from same-sex marriage to sex education are being hashed out in court and at the ballot box.

Earlier this year, the Supreme Court of California overturned the state's ban on same-sex marriage. The court's ruling represents a giant step for LGBT equality. Unfortunately, anti-gay marriage groups around the country are waging campaigns in their home states to restrict marriage to heterosexual couples.

Another ongoing fight for LGBT equality is adoption rights. While children throughout the country wait for homes, LGBT people continue to face discrimination when seeking to adopt.

Also at stake in this election is the way that we choose to educate kids about sexuality. Our next president has the opportunity to institute a sex education policy that actually teaches kids about sex -- a welcome and much-needed alternative to the failed abstinence-until-marriage programs pushed by the Bush administration.

Not surprisingly, Obama and McCain hold significantly different positions on same-sex marriage, sex education and adoption rights for LGBT people. We've researched their views and voting records and put them all in a handy election guide so you can see where the candidates stand on these issues.

1. GAY MARRIAGE

In most of the country, LGBT people lack the rights and protections that come with legally recognized marriage. Outside of Massachusetts, California, and now Connecticut, gays and lesbians are still denied a basic civil right enjoyed by the rest of the population.

Furthermore, the recent legalization of gay marriage in California has mobilized anti-gay marriage groups in the state and throughout the rest of the country to lobby for state bans on same-sex marriage. California, Florida and Arizona have all placed measures on their November ballots that would legally restrict marriage to heterosexual couples.

Solution: Repeal the Defense of Marriage Act (DOMA) -- a federal law that bars the federal government from recognizing same-sex marriages and lets states ignore the status of LGBT couples legally married in other parts of the country. In November, the California, Florida and Arizona measures must be defeated to ensure that discrimination against LGBT people is not cemented into law in those states.

Obama's position: While Obama supports civil unions and domestic partnerships, he has publicly stated that marriage should be between a man and a woman. Nevertheless, Obama voted against the Federal Marriage Amendment, which would have changed the Constitution to define marriage as heterosexual. He has also pledged to repeal the Defense of Marriage Act. Obama opposes Proposition 8, the measure on California's November ballot that would ban same-sex marriage in the state. He has called the ballot initiative "divisive and discriminatory."

McCain's position: McCain believes marriage is a "union between one man and one woman." Although McCain voted for the Defense of Marriage Act, he opposed the Federal Marriage Amendment, arguing that same-sex marriage should be decided at the state and local levels. In 2006, McCain endorsed an unsuccessful Arizona ballot initiative that would have banned same-sex marriage in the state. McCain has also declared his support for California's Proposition 8.

Learn more: [API Equality](http://apiequality.org/)¹, [Equality Federation](http://www.equalityfederation.org/)², [Let California Ring](http://www.letcaliforniarig.org/site/c.lTJ6MQluE/b.3411527/apps/nl/newsletter2.asp)³, [Williams Institute at UCLA School of Law](http://www.law.ucla.edu/WilliamsInstitute/home.html)⁴

2. LGBT ADOPTION

Gays and lesbians in many parts of the country face formidable obstacles when they try to adopt children in need of a permanent home. Florida has a law prohibiting gays and lesbians from adopting children, while Utah forbids any unmarried individual to adopt. Although

1 <http://apiequality.org/>

2 <http://www.equalityfederation.org/>

3 <http://www.letcaliforniarig.org/site/c.lTJ6MQluE/b.3411527/apps/nl/newsletter2.asp>

4 <http://www.law.ucla.edu/WilliamsInstitute/home.html>

Mississippi does not deny gays and lesbian individuals the right to adopt, the state prohibits adoption by same-sex couples.

Only 11 states and Washington, D.C., state that sexual orientation cannot be used to determine whether an LGBT individual or same-sex couple can adopt.

While most other states do not clearly prohibit gay adoption, they lack laws protecting gays and lesbians from discrimination based on their sexual orientation, leaving them at the mercy of courts and adoption agencies.

Solution: Enact laws at the state level that prohibit discrimination based on sexual orientation and work to overturn state laws that forbid adoption by same-sex couples. At the same time, work toward a federal policy that bans discrimination in adoption based on sexual orientation.

Obama's position: Obama supports adoption by gays and lesbians, stating that "there are too many children who need loving parents to deny one group of people adoption rights."

McCain's position: McCain has stated that he opposes adoption by same-sex couples. Although he claims to encourage adoption, he says he believes adoptive parents should be heterosexual. However, McCain has also stated that adoption by same-sex couples is an issue that should be decided by the states.

Learn more: Family Equality Council⁵, PFLAG⁶, Human Rights Campaign⁷

3. SEX EDUCATION

Abstinence-only education has been a 10-year, \$1.5 billion failed federal project. Studies have shown that teens who attend schools with abstinence-until-marriage programming are just as sexually active as those who don't. But, in spite of all evidence against them, the Bush administration has been a stalwart champion of these ideologically motivated programs, which downplay the effectiveness of condoms and other types of contraception, exaggerate and sometimes fabricate health risks associated with abortion, hype medically inaccurate information, reinforce damaging gender stereotypes and generally use fear and shame in an attempt to control sexuality. Many states have begun to turn down federal funding for chastity-based education, but many others -- including those with some of the highest rates of STIs and unintended pregnancies -- still support it.

Solution: Federally fund comprehensive sexuality education in all states to ensure that kids have access to medically accurate information that helps them make emotionally and physically healthy decisions about sex.

Obama's position: Obama strongly supports comprehensive sex education and opposes ab-

5 <http://www.familyequality.org/>

6 <http://community.pflag.org/Page.aspx?pid=194&srcid=-2>

7 <http://www.hrc.org/>



stinence-only education. He has called for comprehensive sex education in all grades -- as long as it is age-appropriate. Obama supports the Responsible Education About Life (REAL) Act, which would fund science-based sex education, and co-sponsored the Prevention First Act -- legislation meant to increase access to contraception services and information. He voted yes on an amendment to the Senate's fiscal year 2006 budget that would put \$100 million toward reducing unintended and teen pregnancy through education and contraception.

McCain's position: McCain opposes comprehensive sex education. He voted against legislation to allocate \$100 for preventing unintended and teen pregnancy through education and contraception. He has also voted no on legislation to fund programs that provide comprehensive, medically accurate sex education and voted no on legislation that would require abstinence-only programming to be medically accurate and scientifically based.

Learn more: Coalition for Positive Sexuality⁸, Planned Parenthood⁹, Guttmacher Institute¹⁰, Sexuality Information and Education Council of the United States (SIECUS)¹¹, RH Reality Check¹²

8 <http://www.positive.org/>

9 <http://www.plannedparenthood.org/>

10 <http://www.guttmacher.org/>

11 <http://www.siecus.org/>

12 <http://www.rhrealitycheck.org/>