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Newsroom

Terry and Cahill on Marriage Equality

Professors Keeva Terry and Courtney Cahill discuss tax differences between gay and heterosexual couples, and the state of local marriage-equality efforts.

From the BROWN DAILY HERALD: "[Teach-in dissects marriage equality](#)" by Izzy Rattner, Senior Staff

Writer



Wednesday, February 29, 2012: Tax differences between gay and heterosexual couples and the local marriage equality situation, as well as its judicial progress, were the focus of a teach-in hosted by the Queer Alliance last night. **The event featured law professors from Roger Williams University** and a representative from Marriage Equality Rhode Island. Almost all of the approximately 10 attendees spoke or asked questions, as the event was changed from a lecture to a discussion due to the low turnout in List Art Center 120.



Keeva Terry, professor of law at Roger Williams, spoke about the surprising differences in federal income tax rates. In some states, gay married couples pay less than heterosexual married couples. Terry distributed a handout showing that the difference is \$340,000 annually for couples in California.

Terry said the Defense of Marriage Act has proven to discourage marriage among heterosexuals, since they would be forced to pay more in taxes in some areas.

Terry added that this effect is largely lost on the heterosexual community, who might be encouraged to join the fight for equality in the interest of evening out tax rates.

The Congressional Budget Office predicted the added revenue from taxing gay couples the same amount as heterosexual couples could total \$500-700 million annually. **Terry acknowledged** this is "not a significant percentage of the federal budget" but would accumulate to "not a small number either."



Courtney Cahill, also professor of law at Roger Williams,

focused on the legal developments of the issue. She listed several examples of how marriage equality has been defended in the courts, including refuting defense by majoritarian morality and discriminating against a group because of presumed actions. She explained that homosexuality cannot be discriminated against because sodomy may violate a religious belief, as argued by the attorneys of a Christian legal group at the University of California Hastings College of the Law.

"(Marriage equality is) happening much more quickly than I would have anticipated," **Cahill said.**

Cahill described *Perry v. Brown*, which overruled California's 2008 ban on gay marriage under Proposition 8, as a "pretty limited decision" because it is inapplicable to most states.

Ray Sullivan of Marriage Equality Rhode Island primarily addressed the legislative process of passing a marriage equality bill. Sullivan explained that the majority of Rhode Islanders support equal rights, but the state government has yet to get behind it. "It's not a question of will marriage equality pass, it's when," Sullivan said.

In the legislative process, the distinction between "marriage" and other terms such as "civil unions" is often disputed. Sullivan said this difference in semantics should not be overlooked, adding that "'marriage' is the gold standard."

Sullivan noted it is also an economic development issue, saying a company may not find Rhode Island a good place to do business if it knows its employees will not be treated equally.

He also suggested replacing elected members of the Rhode Island General Assembly who have failed to support the marriage equality initiatives.

"If you don't like the score at the end of the game, you've got to change some of the players," Sullivan said.

For full story, click [here](http://www.browndailyherald.com/2012/02/29/teachin-dissects-marriage-equality/#.T06JsvUqPcw). [http://www.browndailyherald.com/2012/02/29/teachin-dissects-marriage-equality/#.T06JsvUqPcw]