

# Marriage Equality

## - Peirce Law

As this week is Gay Pride Week in Massachusetts, and the Supreme Court is deliberating upon two pieces of legislation regarding gay rights, it seemed like the perfect time to do a bit of history regarding marriage equality.

What is marriage? Marriage is defined as the institution whereby individuals are joined in a marriage. Just a few weeks ago, Minnesota became the twelfth state to have same-sex marriage legal in the United States, and before that Rhode Island, and Delaware. The journey to marriage equality has been long and hard fought, but it is not without its successes and its failures. There has been more progress towards marriage equality in the last twenty years than the last 2000 years. Marriage has many conditions that affect the economy, taxes, and most of all, people's lives. However, often unions are not recognized by the government, and thus these benefits aren't given. Being married and that marriage being recognized by the country is an important and necessary step on the road to marriage equality.

Marriage equality has been a struggle outside the U.S. as well as inside. In 1979, the Netherlands became the first Country in the world to allow gay marriage by allowing same-sex couples apply for limited marriage rights. But in 1989, Denmark was the first country to recognize same-sex unions. Now, there are fifteen countries where same-sex marriage is legal: Argentina, Belgium, Brazil, Canada, Denmark, France, Iceland, Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, and Uruguay. France was the most recent country to allow same-sex marriage and to allow same-sex couples to adopt children, which is a separate issue all-together.

The controversy around same-sex marriage has deep roots in religion and politics. In 1993, *Baehr v. Lewin* was a lawsuit in which three same-sex couples argued that Hawaii's prohibition of same-sex marriage violated the state constitution. Then in 1996, President Bill Clinton signed the Defense of Marriage Act into law, which bans the federal Government from recognizing same-sex unions. It officially declared that marriage could only be between a man and a woman, invalidating same-sex unions. Recently, the United States Supreme Court ruled that the definition of marriage in the Defense of Marriage Act was unconstitutional. Massachusetts became the first state in the U.S. to legalize same-sex marriage and, as of now, twelve states and the District of Columbia now fully recognize same-sex marriage. The 2012 Presidential election brought with it much progress, as three states voted on legislation that would legalize same-sex marriage. Maine, Maryland, and Washington were the three states that voted yes on same-sex marriage laws that went into effect shortly afterwards.

The fight for marriage equality has been a long and arduous one that has a hopeful view on the horizon, but still with its tests and challenges in front of it. It is will be a long battle that is not short in its allies, nor its enemies.