

Same sex marriage essays example

[Family](#), [Same Sex Marriage](#)



Same-sex marriages have been taking place since the ancient Egyptian and Mesopotamian times, and in non-Western cultures. Yet, for more than twenty years, people of the same sex in the United States have been denied the legal and legitimate ability to marry each other. Large numbers of bisexual and homosexual men and women have disclosed sexual orientation and demanded their identity ever since the Stonewall Riots in 1969 (Marotta 71-99). Same-sex relationships have become quite common, often even referred to as “ marriages,” but they do not receive the same recognition from federal and state governments. In fact, neither lawsuits nor legislative efforts seeking the legality and legitimacy of same-sex marriages have succeeded until recently.

Valid same-sex marriages are somewhat recognized by the state, to the extent of dealing with legal issues surrounding such marriages. For instance, ever since June 26, 2013, legally married same-sex couples have been receiving federal benefits thanks to the United States Supreme Court’s decision. Prior to 2013, marriage was limited to men marrying women by the federal Defense of Marriage Act (DOMA), however, that section of the DOMA was declared null and void. Therefore, a majority of the federal benefits are now applicable for legally married same-sex couples, no matter where they reside.

However, some federal agencies have their own eligibility criteria for legally married same-sex couples to receive federal benefits. For instance, for many agencies like the USCIS, the gender of the spouses does not matter as long as they are legally married; rather they look at the place where the marriage took place and whether or not they are legally married. As of late, it has

been clarified by the Treasury Department that federal tax provisions are applicable to every legally married same-sex couples, whether they reside in a state where same-sex marriage is recognized or a state like Texas, where no such recognition exists. Other federal agencies like the Social Security Administration, only agree to grant federal benefits to same-sex couples that are residing in a state where same-sex marriages are legal. Currently, same-sex marriage is recognized in fourteen different jurisdictions, and only legally married same-sex couples residing there qualify for Social Security and other such federal benefits.

As mentioned, there are fourteen states where marriages between men and men, and women and women are cognized. In the past, the U. S. federal government did not recognize such marriages, regardless of their recognition in the states, due to the federal DOMA (" Supreme Court strikes down federal provision on same-sex marriage benefits"). It a burning question whether same-sex marriage will ever be recognized in states like Texas. In a few states like California and Washington, same-sex marriages are recognized as legal but only if they were performed in any of the fourteen states or another country. It can also be assumed that same-sex marriages from any of those fourteen states will also be recognized as legal in other states as well. That recognition simply does not extend to actually performing a same-sex marriage within the state. Same-sex marriages have not been successfully legalized in states like Maryland, New York and Vermont ever since 2013. At the same time, there happen to be certain constitutional amendments and/or state laws in more than 30 states that prevent men and women from getting married to a person of the same sex. As of now, there is no

requirement for these states to recognize same-sex marriages for any purpose, regardless of the fact that the couple may have gotten legally married in one of the eligible states. However, same-sex marriages even in these states may be recognized by certain judges, even if they are not legal, for instance, if a divorce needs to be granted. It would not been wrong to claim that the legality and recognition of same-sex marriages will remain an issue because the law in the states regarding such marriages is just not uniform, and mostly non-existent.

Works Cited

" Supreme Court strikes down federal provision on same-sex marriage benefits." CNN. com International. Cable News Network, 27 Jun 2013. Web. 25 Mar 2014. .

Marotta, Toby. The Politics of Homosexuality. 1st ed. Boston, Massachusetts: Houghton Mifflin, 1981. Print.