

# Gay rights movement in the united states research paper examples

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



## **Abstract**

Modernization seemed to have taken its toll on some people, especially the ones who are particularly against the notion of allowing same-sex relationship and marriage in the society. Based solely on statistical estimation, Barry (9) was able to quantify the percentage of homosexual people on the planet. According to his work, the percentage of homosexual individuals roaming on the planet could be as low as 1% and as high as 20% of the total world population. This means that there should be, at the most, 1 homosexual out of 5 individuals, using the world population as the context in the equation. The objective of this paper is to present different local as well as international viewpoints that could possibly be used to judge whether there is indeed a basis for the affirmation and legalization of same sex marriage. The paper will try to use critical analysis using past and current related evidences to support its statements and claims about the sociological aspects and implications of homosexual marriage. Lastly, the paper also aims to trace back the history of the modern same sex marriage claims. After reviewing the different homosexual movements, it was discovered that most heterosexual marriage principles and concepts cannot be applied to homosexual marriages. This may not stop homosexual couples from asserting that they also have marriage rights but such discovery will surely be a key factor to be considered by judges who will approve or disapprove the legalization of same-sex marriage.

## **Social Arguments used to defend of Same-sex Marriage**

Married Individuals Tend to be More Emotionally and Financially Stable

Studies have repeatedly suggested that married couples tend to be more financially and emotionally stable compared to live-in partners. This is because marriage has binding forces that somewhat makes the relationship, even for homosexual marriages, stronger.

## **Decision-Making**

Because homosexual individuals aren't allowed to be married to another person of the same sex, they are not allowed to make important decisions for their partner in cases where their partner is simply unable to do so. Such scenarios usually occur in a hospital wherein Partner A has to make a decisions but his current medical condition prevents him from being able to do so. Usually in these cases, the decision comes from his partner but since they do not share the same emotional benefits, the couple usually has to wait for the direct family of Partner A to intervene.

## **Discrimination**

The people in the current social structure tend to discriminate the human rights of homosexual individuals. Homosexual individuals often face harassment and prejudice. One of the perfect examples how society used to behave against gay people was the incident that happened in New York City during the early 1960s. It was in this decade where harassment and discrimination against homosexual individuals skyrocketed that. It appears that the current local government administration wants to wipe all undesirable things within the city of New York. It has been documented that gay people became one of the primary targets of this movement (David 1).

This local government movement was one of the main contributing factors that sparked the Stonewall riot in 1969.

## **The 1969 Stonewall Riots**

It was the “acts of cleaning up” New York City that urged the gay community to react and fight for their rights in a highly discriminative environment. Government and police forces faced militant resistance. Different gay communities in New York organized a series of violent and spontaneous demonstrations against the local authorities on the 28th of June year 1969 around the vicinity of the Stonewall Inn within the city of New York. The “Stonewall Riots” incident has been recorded as the first attempt of the U. S. gay community, particularly the gay communities in New York to fight back and retaliate, in a violent way, against the persecution of sexual minorities mainly composed of homosexual individuals. The argument that the gay community was trying to raise that time suggests that there are ways how gay people could be successfully assimilated into the then current society without causing a lot of harassment, loss of lives and chaos. But instead of respecting their rights, the police, ordered by the local government, fed the fire up even more. Gay rights communities sprouted in different countries some two years after the Stonewall incident. Society could see various gay rights groups in almost every U. S. city, in Canada, in the countries at Western Europe and as far as Australia. Many of these groups were actually formed as a commemoration of the Stonewall incident.

## **Same Sex Marriage**

Same-sex marriage is the politically and professionally correct term to use whenever we talk about topics related to homosexual relationships. Same-sex marriage is basically the marriage of two males or two females or of two individuals who are of the same sex. Since marriage is considered a bond that is legally, religiously and ethically accepted worldwide, approbation of Same-sex marriage will automatically lead to the legal, religious and ethical acceptance of that type of marriage, assuming that it will be ultimately approved.

Similar to almost any type of argument, the Same-sex marriage audience is also divided into two parts. One side claims that Same-sex marriage violates the legal and ethical laws established by the men of society and religious & natural laws that different clergies claim as the mandates of God. On the other hand, the Same-sex marriage proponents' side claims that the privileges of marriage should also be experienced by homosexual individuals.

They, just like any other people, are also yearning for love and intimacy. They also have familial and future plans for themselves and for their partner (Harvy 22). The legalization and public recognition of Same-sex marriage will let them realize those dreams and aspirations. Both sides do have their own interests and grounds to defend. However, it will surely take some time before the legal and justice system of countries worldwide and the residents of this planet can accept and legally recognize the bonding or marriage of two homosexual people.

## **Same-Sex Marriage in the U. S.**

The following is a fact that homosexual individuals worldwide will have to face. Not all states in the U. S. formally and legally recognize the effects and implications of same-sex marriage. In fact, the Federal Government of the United States does not recognize same-sex marriage, despite that some states are already making progress in figuring out the right equation that can make heterosexual and homosexual marriages coexist in the modern society, at least in the U. S. society. Currently, only six U. S. states recognize and allow homosexual marriages. Those states are New York, Connecticut, Massachusetts, Iowa, New Hampshire and Vermont. There are also countries and states outside the U. S. that recognize and allow same-sex marriages. In Mexico for example, same-sex marriage is fully allowed.

Socially, same sex marriage is not accepted. Conservative people of the society tend to discriminate homosexual individuals more than the government does. For them, homosexuality symbolizes immorality and defiance of the natural law.

There are several factors that contribute to the overall reaction of the government and the public against same-sex marriage and that will be discussed in the next parts of this paper. But just to serve as an overview, those contributing factors are the benefits & the basis of those benefits, societal and state pressures, dependence, and dependence (Hill 1). It is important to know however, that although these factors could internationally be applied to determine the government and the public's perception and

view about same-sex marriage, it cannot serve as the sole or standard way of doing so.

## **A Brief History of Same-sex Marriage**

We could dig out a lot of things if we are going to trace the history of same-sex marriage and relationships since the ancient times. On the book of Genesis, it was stated that one of the main reasons why God decided to devastate and destroy the cities Sodom and Gomorrah is because of the lust and alleged homosexuality and homosexual acts of the citizens. This reasoning may be too old to use against the approbation of homosexual marriage but the Supreme Court of Minnesota actually used the homosexual-describing passages found in the book of Genesis as one of the grounds for dismissing a trial case about homosexual marriage. There are also passages in the bible that prophesizes what could happen if men and women were to engage with homosexuality and homosexual acts, which same-sex marriage is a very good and common example of. Meaning, it could be asserted that homosexuality or even same-sex relationships have been coexisting with heterosexual relationship since the ancient times, if we are going to use the Bible as the prime reference point. But since same-sex is not the sole business of the global religious sector, it is important that we also use other types of references and viewpoints to determine the basis of both sides. The first published discussion about the approbation of same-sex marriage that modern research would allow us to trace dates back from as early as the 1960s or 1970s. Mike McConnell and Jack Baker are the first homosexual couple who passed a petition to the appropriate state department so that

they could be formally and legally given a marriage license, despite their being homosexual (Niemczyk 1). Baker studied law at the University of Minnesota while McConnell worked as a student librarian o the same school. Unfortunately, their marriage license application was immediately rejected by a local legal clerk because of the fact that they were both of the same gender. Bewildered, McConnell and Baker brought their license application issue to the Supreme Court of Minnesota. It is widely known at that time that marriage of two individuals who are of the same gender are prohibited both by the law of the church and state.

The Minnesota Supreme Court then became the first court in the U. S. that was able to handle and try a case under the context of same-sex marriage. After a couple of months and court trials, the court had finally decided to dismiss McConnell and Baker's case. It had been documented that the reasons why the case was dismissed by the court include the definition of the word " marriage" extracted from a dictionary and specific passages that could be found on the book of genesis pertaining to homosexuality. Surely, many same-sex couples followed McConnell and Baker's footsteps. They tried to acquire a marriage license even though they know that they will just be denied in the first place.

After being initially rejected, they tried to bring it into their respective justice courts only for their case to be either dismissed or rejected. This is because after encountering a similar case with that of McConnell and Baker's, U. S. courts firmly stood its ground and insisted to the public, especially the claimants, that same-sex marriage is prohibited, at least at that moment. The state-governed public health department actually backed up the U. S.



courts' claims saying that approbation of same-sex marriage could be perceived as an act against the U. S. constitution.

## **Influential Same-sex marriage Movements**

The previous sections only talks about the U. S. current marriage practices. Issues and calls for the legal and ethical recognition of same-sex marriage were also occurring in other countries. Before the rapid deterioration and conversion of communist and social governments into democratic governments, there had been vague definitions and descriptions given to the term " Civil Marriage" which was mentioned (vaguely) in the Marriage Act of 1961. Law experts have discovered some lapses in the then current definition given to the term. Many people had to question it because due to an undocumented reason, they were able to discover that some terms and conditions in the Marriage Act of 1961 either contradicted or does not simply coincide with some of the conditions of the marriage applicants (Smith & Robinson 22).

This later on led to confusions about the real concepts and even meaning of marriage. This issue was actually one of the best evidences that could prove how society tried to contest the concepts and definition of marriage. It could be asserted that the people who had marriage problems (same-sex marriage problems) and wrongful marriage intentions at that time are the ones who took advantage of the problematic domestic marriage concepts and definition.

Islamic citizens of Africa are amongst the ones that contested that marital concepts and definition. Islam enables their male members to have a

polygamous type of marriage where the male is allowed to have more than one wife. This is contrary to the marital concepts and definition of Christians whose marital laws are based on common laws. Since at that time most Christian churches are located in the West, it could be asserted that Middle Eastern and eastern countries have adapted marital concepts and definitions from the Western countries, which later on proved to be not so applicable to them, resulting into conflicts and legal complications (Smith & Robinson 422).

Hill (1) described and interpreted the homosexual marriage process as complicated and impractical. There are certain marriage practices and concepts that are only applicable to a heterosexual type of marriage. Intimacy, Benefits and Dependence are the strongest forces that bind married couples. Heterosexual relationships usually share and exhibit the same level of intimacy. They also share common emotional benefits and economic benefits. Heterosexual marriages are ultimately bound by dependence.

Most of the time, it is the women who tend to be more dependent to men in a heterosexual properties. Some of the factors that could explain such phenomenon are the gender-work inequalities that suggests that men can be more effective if they will stay out of the house, look for ways of earning money and work while women can be more effective if they will stay inside the house, do the chores and take care of the kids (Hill 1). This unconscious perception is the one that makes the woman in a couple more dependent to the man. Hill suggests that this scheme cannot possibly be applied to

homosexual marriages and relationships. Because of the fact that they are either both males and females, they cannot be bound by the same forces that holds a heterogeneous marriage together. Homogeneous marriages can be as intimate as heterogeneous marriages but it's a different thing when it comes to the benefits and dependence.

For male-male couples, it can be asserted that both of them can still live and enjoy the things they used to enjoy when they were single because there's a huge pool of empty job positions waiting for them in case they run out of money. Males, according to Hill's model of dependence in marriage are workers. A male-male couple simply brings in two possible workers inside the house. They may not starve but they're missing one of the strongest binding force that could make their marriage last.

For female-female couples on the other hand, it's the opposite that applies. It would be like bringing in two dependent identities inside the household. Who will work and earn money to meet the needs of the family? What will happen to the family if no one will work? These information shows that homosexual marriages and relationships are simply not socially structured unlike heterogeneous marriages and relationships.

## **Conclusion**

At the moment, talks are still ongoing whether same-sex marriage will be legally, ethically and religiously recognized. But even so, there are already a significant number of homosexual partners in the U. S. Some U. S. states and other countries outside the jurisdiction of the U. S. may have already made progress in liberating their marriage practices, concepts, and definitions but

majority of other countries are still reluctant as to whether they will approve such movement or otherwise.

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