

U.s.a constitution and same-sex marriages

Sociology



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Number: U. S. CONSTITUTION RELATED TO CURRENT EVENTS U. S. A

Constitution and Same-Sex Marriages According to Arnheim and Andy, advances in same-sex marriages have become very interesting setups within the society. The issue is no longer as concealed as it was some years ago. However, not every society has embraced same-sex marriages. In California, same-sex marriage was considered “ illegal,” up until recently, that the Supreme Court of California abolished bans against gay marriage unconstitutional. The provision permitted about 18, 000 couples to tie the knot —? until the passing of Prop 8 got passed, thus overruling the provision of the Supreme Court and deeming gay marriage, essentially, unacceptable and illegal once more. Within the U. S, five sovereign American States recognize and exercise same sex marriages. However, we have many other sovereign States as well as jurisdictions which have not acknowledged such marital relationships. Additionally, some American States have engaged in constitutional amendments, in order to ban same sex marriage; some have even defined marriage, exclusively to imply a marital union of two people; the two must be of differing gender. The Federal Government of the U. S, concurrently, does not recognize pursuant of the same sex marriages to the language referred to as “ Defense of Marriage Act” (DOMA). Following the Defense of Marriage Act’s provisions, the Federal government is therefore barred from acknowledging marriages involving two partners of the same sex. This issue of great significance regarding the Immigration law of the U. S; same gender bi-national partners are not in a position to obtain similar visa benefits on the visas based on families; differing sex bi-national families enjoy such provisions, no matter whether the latter couple is lawfully married within one of the sovereign States of America; which acknowledges <https://assignbuster.com/usa-constitution-and-same-sex-marriages/>

same sex marriage. Within the context of all underlying conflicting legalities and policies, Federal Courts of the United States experience pending cases, which seek to address the contentious issues affiliated to same sex marriages and the provision of the governmental recognition thereof.

Additionally, Federal District Courts of Massachusetts and California made a ruling that it was unconstitutional for the Federal's failure of recognizing same sex marriages which were State sanctioned. However, these decisions are still pending on appeal. The very appeals could most probably find their way to the Supreme Court of the United States. U. S Constitution and

Marijuana The longtime question regarding regulation of marijuana in California has been, can there be an effective marijuana regulation, by the Federal Government, without an amendment of the constitution? The assumption has always been that use of tighter taxation measurers would help solve the phenomenon. A story which goes around regarding marijuana in the U. S is that, it is quite legal to be in possession of marijuana, if one can show the necessary stamps which can help prove the payment of the federal tax is committed. Although there is the availability of stamps, accessible from the federal authority - only, the very federals declined to issue the stamps. Arguments are presented, that the process of issuing stamps is executed via the extended powers of the State's federal government, in an attempt of regulating interstate commerce. The concept dates to the " Pure Food and Drug Act," published in 1906 by Theodore Roosevelt. The Act effectively decreed a ban in the then conducted interstate commerce involving adulterated and/or impure foods as well as drugs. Another reef would be borrowed from the 1914's Harrison Narcotics Act that was established in the federal government's ability to offer exercise taxation.

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Harrison Narcotics Act emerged the opiates' initial federal regulation, limiting opiates' sale to those who owned licensed physicians' prescription. That Narcotics Act had never been challenged, and has applied as the premise for most legislation addressing anti-drug policies. In a lawsuit recorded on 20th January 2006, the county of California raised a case against the California State. In contrast to an international treaty and federal law, California enacted laws which declare that specific persons are permitted to utilize marijuana to meet medical purposes; they also have the authority to consume, own, distribute (supply), as well as cultivate the very drug, marijuana, yet no criminal sanction is decreed upon them. The reason as to why the County of California introduces this lawsuit is that the county holds to the believe that marijuana laws with California's medical explanations are preempted by the Supreme Clause contained in the Constitution of the United States, Article VI. The preemption emerges since the California's marijuana laws conflict with the Act of Controlled Substances, a statute of the federal, and the Single Convention regarding Narcotic Drugs, which is an international treaty. Therefore, the United States holds that an implementation requirement should not be poised to it by California's preempted and thus void medically affiliated marijuana laws. According to the Constitution of the United States of America, a supremacy clause gives the federal constitution power over the other constituent States' constitutions; during conflict instances between state law and federal law, federal law takes precedence. The federal law does not in any recognize medical marijuana laws of as proposed by the state's law. According to the United States Congress, marijuana is considered a dangerous drug; the Congress classifies it a " Schedule One substance". When a substance is

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classified Schedule one, the implication is that it lacks any authorized medical use within the United States of America, and the same substance is prone to high potential abuse. U. S. A and Abortion Arnheim and Andy explain, although the American Constitution fails to directly address abortion, the constitution remains the source of legal precedence. The interpretation by liberals, regarding abortion, indicates at heart ownership of this legal issue. Since the Supreme Court emerges more conservative regarding the overall idea since 1973, many hold the belief, that in the recent future, this interpretation will almost resemble the dissenting opinion by Justice Rehnquist's, over Roe v. Wade. As Rehnquist explains that the so-referred to as the right to abortion does not imply what many claim it to be. The problem with the abortion issue was the difficulty encountered in defining when life begins. The matter is thus considered weighty and with moral implications. An argument by ' Pro Choice' activists state; women should access safe abortions, but this would be contrary to the foundations of the United States; dedications to civil liberties, which could permit its citizens resorting to hazardous self-abortion procedures. Although the constitution does not fully address the issue of abortion, abortion remains prohibited in the U. S. A. Work Cited: Arnheim, Michael and Jacobs, Andy. U. S. Constitution for Dummies. Wiley Publishing Inc: Hoboken, 2009.