**////Title: The Benefits and Costs of Legalising Same-Sex Marriage in the USA**

**////Standfirst:**

On the 26th of June 2015, the US Supreme Court legalised same-sex marriage across the USA, allowing same-sex couples to be legally recognised as married in all 50 states. In a study conducted one year later, Dr Kristina B. Wolff at The Dartmouth Institute for Health Policy & Clinical Practice, explored some of the benefits and costs of this legalisation for LGBTQ+ communities living in the USA. She introduced a new framework, based on the work of economist Dr Amartya Sen and philosopher Dr Martha Nussbaum, that could encourage long-lasting positive social change.

**////Main text:**

The legalisation of same-sex marriages was a slow and challenging process in many countries. In the USA, the battle openly began in 1970, when Jack Baker and Michael McConnell were granted a marriage license in Minnesota. This license was revoked shortly afterwards, with the Minnesota Supreme Court ruling that only marriages between heterosexual couples would be constitutionally accepted.

Over twenty years later, in 1996, the US Congress established the Defence of Marriage Act, which defined federal marriage as the union between a man and a woman. This act gave American states the right to refuse to recognise same-sex marriages granted in other states or countries where same-sex marriage was legal.

Over the next twenty years, many individuals and communities fought to abolish the Defence of Marriage Act, suggesting that it prevented married couples of the same sex from freely participating as peers in the same social activities as heterosexual couples. On the 26th of June 2015, the Supreme Court finally legalised same-sex marriage, lifting all remaining bans.

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The legalisation of same-sex marriage was undoubtedly a significant milestone in American history. However, its impact on LGBTQ+ communities is yet to be fully understood. Dr Kristina Wolff, Curriculum Specialist and Co-Director of the TDI Internship Course at The Dartmouth Institute for Health Policy & Clinical Practice, conducted a study exploring the advantages and disadvantages for LGBTQ+ communities and individuals of the legalisation of same-sex marriage.

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Her paper addresses interesting questions about the possible implications of legalising same-sex unions across the USA. For instance, it considers the extent to which legal recognition alone will result in greater acceptance for same-sex couples.

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As part of her study, Dr Wolff examined how the meaning of marriage evolved throughout history, suggesting that although marriage roles changed over time, some still uphold traditional patriarchal values. In addition, she suggests that the media and existing laws still reinforce conventional marriage arrangements, portraying opposite-sex marriage as an ideal.

One of the most obvious benefits of legalising same-sex marriage is the possible reduction of stigma and an increase in recognition for couples of the same sex, as well as their children. Many members of the LGBTQ+ community publicly discussed the importance of the Supreme Court’s decision in 2015, because it allowed them to marry in their own state and because it recognised their unions on a federal level.

The legalisation of same-sex marriage was an important step towards reducing the stigma that many LGBTQ+ individuals endure in society. By granting same-sex couples the right to marry in all states, the Supreme Court contributed to making their unions more ‘socially acceptable’.

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In addition to discussing the advantages of the nationwide legalisation of same-sex marriage, Dr Wolff examines some of the challenges and perils that it might have brought for LGBTQ+ individuals and communities. First, she points out that not all marriages are idyllic and that some can be quite stressful or, at times, even violent.

Due to the stigma and discrimination, LGBTQ+ people still experience in society, people in same-sex marriages can face unique and additional challenges. While the marketing campaign promoting same-sex marriage often depicts couples as carefree and secure, many same-sex couples are still trying to adapt to a mainstream idea of married life, which was tailored to heterosexual couples.

In other words, the decision to legalise same-sex marriages alone does not radically improve the lives of LGBTQ+ communities. Dr Wolff, therefore, reflects on why for several years marriage became the central focus of many campaigns for LGBTQ+ rights. For example, she ponders on how the financial supporters of the same-sex marriage campaign might no longer be subjected to discrimination daily due to their social status, wealth, or social position; and thus, were more focused on marriage than on discrimination-related issues and policies.

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Some scholars see the push for marriage as a classist goal, considering that college graduates in the USA with better career prospects have a higher chance of marrying. One reason why couples decide not to marry is that they do not have sufficient funds. In her paper, Dr Wolff thus points out that marrying could be particularly difficult for women in same-sex couples who did not attend college, given that on average, women are paid 20% less than men.

A further challenge outlined by Dr Wolff is the lack of acceptance that many same-sex couples still face within their communities and sometimes even from their own families. Without adequate laws against discrimination, these couples can still be unjustifiably fired or be denied housing, even if their marriage is recognised across the US.

Although the same-sex marriage campaign was meant to promote inclusiveness, Dr Wolff also points out that most of the images used by the media and campaign organisers portrayed white couples, thus excluding black and other non-white people and communities. To truly reflect the entire LGBTQ+ community, future initiatives should include images of a wide variety of people.

Overall, Dr Wolff shows that while legalising marriage was an important breakthrough for the LGBTQ+ community, many other challenges still need to be overcome. Many LGBTQ+ individuals still face discrimination and violence daily, but existing laws do not always protect them against these injustices.

With this in mind, Dr Wolff adapted a new framework from Drs Sen and Nussbaum that could guide future efforts aimed at improving the lives of LGBTQ+ individuals. This framework encourages a shift in mindset when approaching human rights issues, prompting campaigners to consider the unique needs and issues experienced by different LGBTQ+ communities. As such, Dr Wolff’s work could inform initiatives aimed at protecting all people against discrimination and injustices, facilitating deep and enduring changes in society.

This SciPod is a summary of the paper ‘“I Do, I Don’t”: The benefits and Perils of Legalizing Same-Sex Marriage in the United States- One Year Later’, published in the open access journal *Humanities.* DOI: 10.3390/h6020012.

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