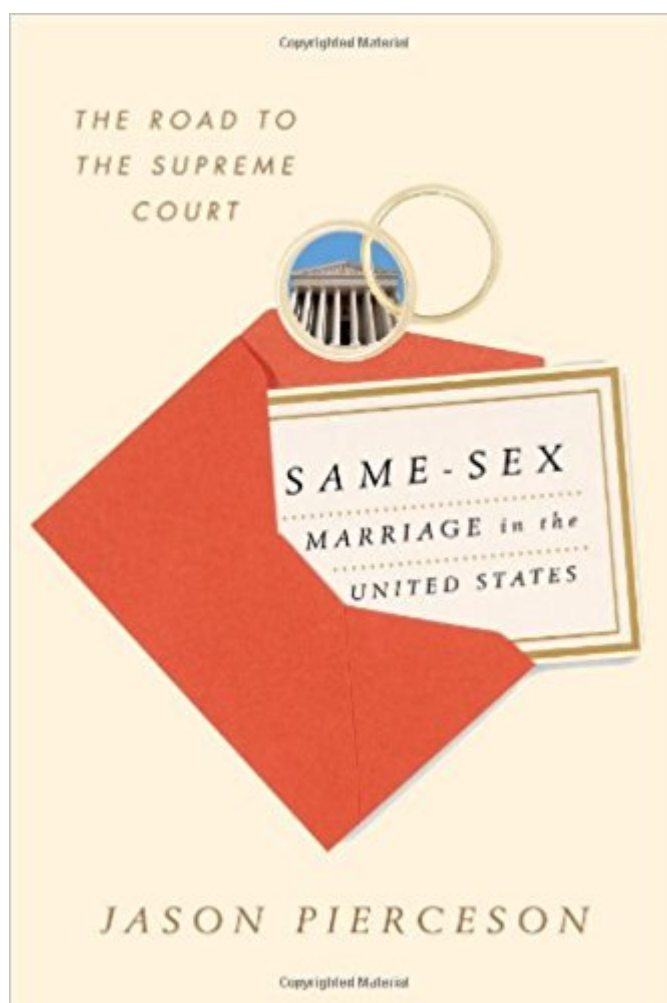


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# Same-Sex Marriage In The United States: The Road To The Supreme Court



## Synopsis

Same-sex marriage has become one of the defining social issues in contemporary U.S. politics. State court decisions finding in favor of same-sex relationship equality claims have been central to the issue's ascent from nowhere to near the top of the national political agenda. *Same Sex Marriage in the United States* tells the story of the legal and cultural shift, its backlash, and how it has evolved over the past 15 years. There is a clear story of jurisprudential evolution with regards to same-sex marriage from Hawaii, through Vermont, Massachusetts, New Jersey, California, Connecticut, and, remarkably, Iowa in 2009. This book aids in a classroom examination of the legal, political, and social developments surrounding the issue of same-sex marriage in the United States. While books about same-sex marriage have proliferated in recent years, few, if any, have provided a clear and comprehensive account of the litigation for same-sex marriage, and its successes and failures, as this book does.

## Book Information

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## Customer Reviews

Pierceson tells the story of the significant and, by any standard, surprisingly rapid legal and political shift that has taken place with regard to same-sex marriage in the US over the past 20 years. The controversial topic brings into play major dimensions of US polity and political culture: federalism, the role of the courts, and the role of religion in politics and law. Background chapters on developments between 1950 and 1990 as well as same-sex marriage around the world provide context for the examination of litigation. Chapters on developments in the Midwest, East, and South are followed by one on same-sex marriage and the Supreme Court. The analysis, careful and well

documented, is a work of advocacy scholarship. The movement toward same-sex marriage is described as "progressive" and attempts to stop or reverse these developments are described as a backlash to this progress. Natural law, on which opponents of same-sex marriage rely, is described as "deeply sexist and heterosexist." Informative up-to-date review and analysis of one of the defining issues of the polity. Summing Up: Recommended. All readership levels. (CHOICE)As the Supreme Court considers two major same-sex marriage cases, Pierceson (political science, Univ. of Illinois, Springfield) provides a detailed account of the rise of this issue as a major national focus. Both chronologically and geographically, he examines legislative and judicial action on the matter as it has arisen in state after state, producing an excellent survey of the litigation and legislation related to same-sex marriage, beginning in the 1950s. His book also explains the political forces—both progressive and conservative—that have shaped the national conversation on the subject. Though Pierceson's major focus is on the United States, he includes a chapter devoted to the politics and laws related to same-sex marriage elsewhere. At the time of writing, the author projected that the Supreme Court would hear cases related to the Defense of Marriage Act and to California's Proposition 8, which has come to pass, and concludes by offering predictions about how the court will rule. VERDICT A fine source for studying the same-sex marriage debate, especially in the United States, this title offers useful insights for researchers. Though academic, the writing here is approachable and its style agreeable enough for general readers interested in the development of this important national topic. (Library Journal)This book continues Pierceson's excellent research on the topic [of same-sex marriage]. This new book tells the story of the legal and cultural shift on same-sex marriage, its backlash, and how it has evolved over the past fifteen years. Unlike other books on the topic, Pierceson provides a comprehensive account of both the successes and failures of the movement from a legal, political, and social perspective. There are many strengths to the book, including Pierceson's focus on the historical evolution of the issue and a comparative assessment of same-sex marriage around the world, in the various regions of the U.S., and at the state level. It is also a nice addition to the literature on courts and social change and would be a good candidate for classes on the topic. . . . Pierceson's careful analysis of same-sex marriage in the U.S. persuasively demonstrates the crucial role of courts in achieving social change. (Law and Politics Book Review)Same-Sex Marriage in the United States: The Road to the Supreme Court, by political science professor Jason Pierceson, provides legal, political, and cultural context for the Supreme Court's recent gay marriage decisions by tracing the gay rights movement's campaign for marriage rights all the way back to the 1950s. Pierceson creates a valuable map of a decades-long civil rights

movement marked by distinct successes and failures. ... Same-Sex Marriage in the United States remains accessible and an enjoyably informative read. It promises to be a valuable addition to any collection and is recommended, especially for academic institutions that offer programs and courses related to human rights and social justice. (Law Library Journal) Jason Pierceson's comprehensive and well-documented volume is a welcome and essential addition to the literature on same-sex marriage, and will surely be widely used by scholars, in classrooms, and in particular as a very handy one-stop reference guide to how each state's policies came about. And it is timely. ... It is challenging to write a book on a rapidly changing subject, and challenging to frame the argument when the ground is constantly shifting. Pierceson's book is firmly grounded in the literature on the role of courts in U.S. political practice, and this literature shapes the analysis throughout the book. ... The debate over same-sex marriage equality is a deeply normative as well as a deeply practical debate. Pierceson's book is a useful contribution to this ongoing discussion in the discipline and in the world of practical politics. (Gender & Society) Pierceson provides a timely exploration of marriage equality's path to the U.S. Supreme Court, demonstrating that the Court's ultimate intervention takes place against the backdrop of a long-term and largely state-based legal, political, and cultural battle for relationship equality. His detailed exploration of the movement for relationship equality at the state level reveals the crucial and productive impact of LGBT advocates' sophisticated litigation strategy. Pierceson's analysis demonstrates that if marriage equality ultimately prevails, advocates' shrewd deployment of litigation must be counted as a significant contributor to that success. (Douglas NeJaime, Loyola Law School) A fascinating survey of developments in same-sex marriage across the states, offering an integrated law and politics approach. Pierceson's focus on the Midwest is particularly welcome, demonstrating the complex interplay of progressive and conservative political forces in litigation, legislative and constitutional battles in Iowa, Minnesota, Illinois and Wisconsin. (Miriam Smith, York University) Jason Pierceson's book reminds us that, while the debate over marriage equality has become a central issue in US politics in recent years, the history is quite a long one. That rich history is captured in this well-written account of that legal and political battle in the American states. In addition to reminding us of the actors involved in the early days of the debate, this excellent book also shows the diversity of responses to the issue of same-sex marriage around a complex nation whose states have different demographics, different politics, and different legal traditions. (Jay Barth, Hendrix College) A superb account of how the question of same-sex marriage has become one of the preeminent civil rights issues of our time. Pierceson masterfully weaves together the

legal, political, and cultural factors that are inexorably leading courts, legislatures, and most Americans to support same-sex marriage. Anyone who is interested in how our legal and political systems address claims of justice and equality will want to read this wonderful and timely book. (Carlos A. Ball, author of *From the Closet to the Courtroom*) Jason Pierceson has given us an engaging and richly informative history of the struggle for marriage equality in the United States. It has something for everybody. The general public will appreciate Pierceson's accessible prose and penchant for story-telling. Sociolegal scholars and scholars of LGBT rights will prize both the way Pierceson revisits and re-envisions key historical moments in the battle for marriage equality and his exploration of marriage equality politics in states and localities across the nation. (Ellen Anderson, University of Vermont)

Jason Pierceson is a professor of political science at the University of Illinois, Springfield.

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