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**Equality Across the Pond: An Analysis of Marriage Equality between the United States  
and the United Kingdom**

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An Honors College Capstone Project  
presented to the faculty of the  
Undergraduate College of Arts and Letters  
James Madison University

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by  
Angel Santiago  
May 2022

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Accepted by the faculty of the Department of Political Science, James Madison University, in  
partial fulfillment of the requirements for the Honors College.

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## Introduction

Throughout history, the United Kingdom (UK) and the United States (US) have faced criticism and backlash for limitations on marriage equality. To establish how two prominent western regions (i.e., the US and the UK) compared to one another in terms of LGBTQ+ rights, two LGBTQ+ activist organizations in each country were examined. Within the UK, Stonewall and the LGBT Foundation serve as examples, and within the US the National Lesbian and Gay Journalists Association (NLGJA) and the National LGBT Chamber of Commerce (NLGCC) serve as examples. Examinations of the means of each movement as well as the movement's initiatives were conducted and analyzed in relation to their nation's societal and legislative progress. Since the organizations that have emerged since the LGBTQ+ movement in the US and UK do not all display identical characteristics, the examples used here should not be seen as necessarily representative, but rather as examples of how social activism may be correlated to LGBTQ+ rights and quality of life. With this, it should be noted that the outcome may yield different results when applied to other LGBTQ+ activist organizations. Furthermore, this discussion should be seen as an exploration and possibly even a point for further investigation. Though this comparison was limited to two western countries and with this, cannot claim to be representative of the broad and varied social movement landscape throughout the world. However, some of the findings may serve as points of departure for future research.

The root of this dilemma spurs from human rights being challenged due to society's response to the LGBTQ+ community opposing the status-quo and traditional norms of society. This connects directly to the public perception, religious influence and polarization factors that will be studied. Marriage equality should not be a dilemma. Unfortunately in the US and UK it is mainly a political dilemma; but is also a moral, ethical, and legal controversy. The purpose of

this research is to compare and contrast LGBTQ+ organizations' effect on the marriage equality initiatives taken within the UK to the initiatives taken within the US. I will examine differences in legislation, court rulings, religiosity, and norms. The final objective of this research is to draw conclusions on how the LGBTQ+ social movement not only brought the LGBTQ+ community together, but also played a major role in both the US' and UK's progress in obtaining marriage equality.

## **Literature Review**

### **Universal Marriage Equality**

Twenty-nine countries worldwide, including the prominent Western democracies of the United States (US) and the United Kingdom (UK) have legalized same-sex marriage. The Netherlands was the first country to legalize same-sex marriage in 2001, yet today in 2022 same-sex marriage still remains outlawed in numerous countries throughout the world and the expansion of LGBTQ+ rights has remained a global controversy. For far too long individuals in regions throughout the world have had to face discrimination as well as suffer through violent attacks due to their sexual orientation or gender identity. In several instances, simply the mere perception of homosexuality or a transgender identity puts an individual's safety at risk. The United Nations has initiatives set forth to document these human rights violations and has for over two decades now. Today, United Nations organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Development Programme (UNDP), have placed a much higher focus on issues regarding sexual orientation and gender identity. Although there are several violations in relation to gender identity or sexual orientation that are not addressed, the major human rights concerns and the emerging responses to these concerns are addressed. International organizations have also issued resolutions in support of LGBTQ+ rights, but human rights groups continue to claim that these organizations have limited ability to enforce their policies. These unrecognized concerns must be dealt with in a manner that protects both the rights and the safety of the LGBTQ+ community.

### **Violence and Discrimination**

LGBTQ+ individuals from all around the globe are often faced with physical attacks, rape, arbitrary detention, the denial of rights to assembly, torture, and discrimination in

employment, health and education (Lee & Ostergard, 2017). These attacks are a form of gender-based violence, often motivated by a strong desire to combat those seen as defying societies traditional gender norms. Aside from the spontaneous outbreaks of violence and other unforeseeable attacks in public settings, individuals that are perceived as LGBTQ+ are often targets of organized abuse by such groups including religious extremists, paramilitary groups, neo-Nazis, and extreme nationalists. To many in society LGBTQ+ individuals of all ages are seen to be transgressing unstated social norms and with this, face a much higher risk of family and/or community violence. Lesbian and transgender women are at an even higher risk due to gender inequality and power relations within society (Lee & Ostergard, 2017). Violence against LGBTQ+ individuals is often absurdly vicious compared to many other bias-driven controversies and such acts of discrimination should be outlawed. There are several countries with ongoing efforts to eradicate LGBTQ+ violence, but until all gender/sexual orientation-based violence is eliminated in every region throughout the world, the fight for equality will be ongoing.

### **Legalized Nations**

Today same-sex marriage is still deemed illegal and/or immoral in numerous regions around the world, but there are also several countries that have either legalized or have been moving toward legalization. Currently, there are only 29 countries where same-sex marriage is legal; these countries are, as stated by the Human Rights Campaign: Argentina, Australia, Austria, Brazil, Belgium, Canada, Colombia, Costa Rica, Denmark, Ecuador, Finland, France, Germany, Iceland, Ireland, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, Taiwan, the United Kingdom, the United States of America and Uruguay (2020). Although it is a step in the right direction, this information shows that in the majority of countries throughout the world, same-sex marriage remains illegal.

Numerous countries have recently legalized same-sex marriage in 2019, such as Austria, Ecuador, and Taiwan. In Austria, the Constitutional Court of Austria ruled on December 4, 2017 that the denial of marriage equality was discriminatory, thus legalizing same-sex marriage was a given and began on January 1, 2019. Also in 2017, the Taiwan Constitutional Court ruled that marriage between same-sex couples could not be illegal and gave parliament two years to enact legislation that would legalize same-sex marriage. So, beginning on May 24, 2019 same-sex marriage is legal in Taiwan. This made Taiwan the first Asian country to enact marriage equality and presumably not the last. Finally, as stated in the article by the Human Rights Campaign, Ecuador legalized same-sex marriage after their States Constitutional Court found on June 12, 2019 that the ban of same-sex marriage was simply and utterly unconstitutional. This then led to marriage equality taking full effect in Ecuador on July 8, 2019 (2020).

In the latter part of 2020, numerous countries were on track to legalize same-sex marriage. The countries mentioned in the article by the Human Rights Campaign that are on track to legalize include Chile, Czech Republic, Switzerland, the Philippines, and Thailand (2020). However, only one country legalized same-sex marriage in 2020; this country being Costa Rica. In November 2018, Costa Rica's Supreme Court ruled in support of the historic January 2018 advisory opinion of the Inter-American Court of Human Rights that stated marriage equality was necessary for Costa Rica due to their obligations under the American Convention on Human Rights. The push by the Inter-American Court of Human Rights in 2018, led to Costa Rica's supreme court ruling which stated that the ban on same-sex marriage was unconstitutional and must be nullified. So, beginning on May 26, 2020, same-sex marriage was legalized in Costa Rica, which made Costa Rica the first country in Central America to legalize same-sex marriage. Costa Rica's compliance paved the way for other countries involved in the



Inter-American Court of Human Rights to follow suit because this instance demonstrated that a country must follow through with their commitments, whether it was on a controversial issue or not. The Inter-American Court of Human Rights is an independent judicial institution of the Organization of American States, and it includes over twenty different signatory countries for which it is pushing for marriage equality. An article by the Child's Rights International Network, discusses that within these countries the Inter-American Court of Human Rights has proven to be an effective leader for positive change (2018). Costa Rica is a prime example of the positive change that the Inter-American Court of Human Rights has brought about, and continues to fight for in regions around the globe.

The process of legalization was different depending on the region, but no population held a unanimous stance on the legalization of same-sex marriage. There were twenty different countries that legalized same-sex marriage nationally through legislation. Out of these twenty countries, Australia and Ireland legalized same-sex marriage through legislation only after nation-wide votes (2020). Seven countries have legalized same-sex marriage nationally through court decisions Austria, Brazil, Colombia, Costa Rica, Ecuador, Mexico, South Africa, Taiwan and the United States of America. Two countries, South Africa and Taiwan, enacted legislation legalizing same-sex marriage after courts mandated them to do so. Renowned theorists, Finnemore and Sikkink, theorize that there are three stages of the life cycle of a norm: norm emergence, norm cascade, and norm internalization. In the second stage, the norm cascade stage, Finnemore and Sikkink argue that norms are adopted in response to international pressure. Legislatures do this to enhance their domestic legitimacy, for the purpose of conformity, and simply their own esteem needs (Finnemore & Sikkink, 1998). Furthermore, the argument that marriage equality is in the norm cascade phase during this period seems fair to say. This is

because it is the law of the land in some regions, and it is not the law of the land in all regions, but it is well on its way. With this being said, it is still very unsafe to be a part of the LGBTQ+ community. To make matters worse, even where same-sex marriage is legal, individuals are still being discriminated against. Thus, pushing individuals to continue fighting for societal LGBTQ+ acceptance with the goal to one day make it universal.

Similar to the Inter-American Court of Human Rights, the European Court of Justice (ECJ) serves as a prestigious court in the European Union. In 2018, the ECJ determined that all EU countries were required to recognize the same-sex marriages of EU and non-EU citizens for purposes of immigration, regardless of whether same-sex marriage is legal in those countries. In recognition of this decision, the Supreme Administrative Court of Bulgaria was the first to affirm that the country would recognize such same-sex marriages in accordance with the ECJ's regulations. The ECJ is a leading actor in the fight for marriage equality in Europe, as well as being a prominent contributing actor in the fight for universal marriage equality.

### **Civil Initiatives**

To further assist with the transition to legalizing same-sex marriage and ensure the safety of LGBTQ+ individuals, several United Nations member states have enacted training programs for law enforcement personnel to prepare them for bias-motivated violence against LGBTQ+ individuals and to assist them in recognizing, processing and reacting to reports of hate crimes (Delucio, Avellar, Harkness, Goodman, Bettergarcia, & Israel, 2017). In some countries, such as Spain, they have specific prosecutors to investigate, as well as bring hate crime cases to trial. Similarly, South Africa appointed a national task team for hate crime against the LGBTQ+ community. Other states, such as Brazil or Germany, have used the Yogyakarta Principles, (international principles relating to sexual orientation and gender identity), to help guide policy

procedures that deal with hate crimes and discrimination (ARC International, 2016). There are also several examples of public campaigns that can, in some cases, gain state-wide support, that are designed to address hate crimes. A prime example of this is Brazil; the Brazilian government has supported a public education campaign that is run under the slogan “Brazil without Homophobia” (de la Dehesa, 2010). Similar initiatives, often led by civil society, have been launched in countries throughout regions around the world. Examples of initiatives in educational institutions that counter LGBTQ+ hate crimes and violence include, teacher-training programs, “safe spaces” for LGBTQ+ youth in schools, and several different awareness campaigns. The Boys and Girls Clubs Association of Hong Kong, China offers counseling in schools and youth centers (Khor, Tang, & Kamano, 2020). In Ireland, they show an anti-homophobia video that has been shown to almost half a million people online alone (Brent, 2012). In the United States, there are several gay-straight alliances or clubs, which are established in more than 4,000 universities and high schools (Leins, 2019). These initiatives are just the beginning in the fight for universal LGBTQ+ rights.

### **Global Actors**

National human rights institutions also hold an important role in ensuring marriage equality. An example of this is in 2011 when the Kenya Human Rights Commission produced the report, “The Outlawed Amongst Us: A Study of the LGBTQ+ Community’s Search for Equality and Non-Discrimination in Kenya.” Individuals put a lot of focus on this report and the conclusions that were drawn from it changed societal perspectives. The Asia Pacific Forum of National Human Rights Institutions has also facilitated dialogue among member institutions, with positive contributions from national institutions in the Republic of Korea and Thailand (Asian Pacific Forum, 2020). Additionally, the New Zealand Human Rights Commission recently concluded a two-year consultation to identify human rights concerns of transgender

individuals. Finally, acknowledging that the protection of LGBTQ+ rights is crucial to the progression of society, the Government of Norway recently published a plan of action intended to mobilize eight Government departments to enact a series of measures to assist in ensuring LGBTQ+ rights (Kenix, 2008). These institutions, along with several others, have played a major role in the legalizing of same-sex marriages worldwide.

### **Illegalization and Hate**

Even with countless organizations fighting for marriage equality, including the Inter-American Court of Human Rights and the European Court of Justice as well as several countries in the international community already that have achieved marriage equality, there are still sixty-eight countries that retain laws used to criminalize individuals simply on the basis of gender identity or sexual orientation. These laws, often referred to “sodomy laws,” are often ancient creations from colonial era legislation (American Civil Liberties Union, 2020). These laws prohibit either certain types of sexual activity or, more specifically, sexual activity between persons of the same-sex. In some instances, the wording that legislators use is vague. A couple examples of these phrases are, “crimes against the order of nature” or “crimes against morality” (American Civil Liberties Union, 2020). The main aspect that makes all of these laws the same is that they are used to discriminate and prosecute individuals due to their gender identity or sexuality. In some severe instances, an individual can face the death penalty due to their gender identity or sexuality. The banning of a consensual relationship, homosexual or not, violates an individual’s rights to privacy and to non-discrimination, thus constituting a violation to international human rights law.

United Nations special procedures mandate holders have noted the connection between criminalization and homophobic hate crimes and overall community violence (American Civil

Liberties Union, 2020). The United Nations Special Rapporteur on health noted that sanctioned punishment by states has reinforced existing prejudices, and legitimized community violence, as well as police brutality directed at certain individuals (United Nations Human Rights, 2020). Also, the Special Rapporteur on extrajudicial executions noted that criminalization increases social stigmatization which in turn makes more individuals vulnerable to violence and human rights abuses, such as death threats and are prominent in a climate of impunity. Since early 2000 laws that criminalize homosexuality have been gradually revoked in regions around the globe, such as Bosnia, Cape Verde, Nepal, Nicaragua, Panama and the United States. In some cases, the courts have overturned the laws that were enacted to deprive LGBTQ+ individuals of their freedoms, such as in Nauru and Principe. In others, revoking the laws resulted directly from some form of legislative process. Nonetheless, revoking these discriminatory laws is a step in the right direction.

### **The LGBTQ+ Social Movement**

Social movement research tends to be constituted as an interdisciplinary field of study, but Donatella della Porta & Mario Diani aim at presenting social movements through the lenses of political science by summarizing political science's most noteworthy contributions to the study of social movements. Diani and della Porta focus on broad research traditions that can be traced back to the social science's founding fathers. Diani and della Porta argue that with contemporary mainstream social movement studies being developed predominantly within US academia tend to be rooted in liberal pluralism and therefore follow the theories of James Madison (2015). They then state that the political science view of social movements tends to view them as an expression of collective power interacting with other coordinated powers, such as capitalism, state, counter movements, or the plurality of civil society groups. However, they

discuss several other views such as the Marxist view, Weberians view, K. Polanyi's view, and A. de Tocqueville's view. In the Marxist view, social movements are a fight response to capitalism, envisioning an alternative social arrangement to be built from grassroots activism (Diani & della Porta, 2015). To the Weberians, movements are shaped by institutionalized power in the form of the modern state; they provide tools of collective expression to those not included in the formal decision making structure. Followers of K. Polanyi view social movements as a regulatory reaction to capitalist expansion and focus on democratically based regulation. On the other hand, participation researchers following A. de Tocqueville tend to view social movements as the collective expression of individual political action which reflects unequal distribution of resources within society. According to Diani and della Porta, the organizations that reflect the ambivalence of modern democratic society represent and form various social movements which can serve countless purposes (2015). The mission and motivation for each social movement may vary but all of which tend to connect trace back to inequality.

The LGBTQ+ movement is a social movement that promotes equal rights and representation for the LGBTQ+ community. The first known western LGBTQ+ activist organizations were not formed until the early 20th century, but since then multiple have risen from the shadows. These organizations may focus on liberation, or as more commonly seen today, equality, which is demonstrated in today's world by the ongoing fight for universal same-sex marriage rights. Earlier LGBTQ+ activist organizations seemed to have placed a much higher focus on self-acceptance and self-worth. A prime example of a liberation focused movement is the homophile movement of the 1950s. During this 1950s movement, prominent organizations and publications were openly supporting and representing sexual minorities. The move away from liberation focused movements was due to the LGBTQ+ movement

advancement which led to a change in goals as well. LGBTQ+ rights organizations tend to vary widely on their mission so there is not one leading organization, but rather several organizations of all different sizes, fighting for equality. Although there is not a leading or central organization that represents the entire LGBTQ+ community, there are several LGBTQ+ rights organizations that are active on a global scale. LGBTQ+ movements organized in today's world are made up of political activism such as lobbying, street marches, social groups, media, art, and research (Morris, 2022). LGBTQ+ organizations are resilient and will keep fighting until LGBTQ+ rights are respected around the globe.

## **Conclusion**

My comparative case studies of the four organizations within the LGBTQ+ movement will use the factors examined to construct a framework through which I can compare and contrast differing success outcomes between the four LGBTQ+ organizations. These factors are as follows: public perception, political polarization, and religious affiliation. This undergraduate thesis seeks to shine light on the LGBTQ+ social movement's road to success as well as analyze how the UK and the US' LGBTQ+ organizations differ from one another. I will examine their differences by reviewing the organization's effects on the three facets being studied: public perception, political polarization, and religious affiliation. Each organization's actions may not directly correlate to legislation change, rather it is the changes in public perception, political polarization, and religious affiliation that these organizations brought about that led to the changes in legislation. It is important to note that it is the factors being studied that directly correlate to changes in legislation. As shifts in legislation, particularly on controversial topics, do not occur without some form of social upheaval; which is where the LGBTQ+ movement came into play for same-sex marriage rights.

## Chapter 1 - United Kingdom

Individuals around the globe seem to see Europe as the pinnacle of a modern utopia. They have strong job security, a modernized economy, and a more progressive healthcare system than that of many other developed nations; which is likely what individuals find so appealing. Despite Europe's strengths, countries within the UK still suffer from almost all of the same issues that most developed nations undergo. These include, but are not limited to, unemployment, debt, and healthcare complications. Although Europe has had to experience the same challenges as other developed nations, the UK as a whole has had significant success when it comes to the inclusion of the LGBTQ+ community. The two organizations examined in the US to assess LGBTQ+ rights within the country: Stonewall and the LGBT Foundation, are both well-known for fighting for change in UK legislation within the LGBTQ+ sphere. By examining these two organizations, there is a sight at how the LGBTQ+ movement and social movements in general, have impacted both public opinion and policy. It is important to consistently and thoroughly study shifts in policy and public opinion for members of the LGBTQ+ community because there have been constant shifts within society; which is essentially due to changes in societal norms.



## **Marriage Equality in the United Kingdom (UK)**

Currently, same-sex marriage is legal in all parts of the United Kingdom. Since marriage is a devolved legislative matter, different parts of the UK legalized same-sex marriage at different times. It has been recognized and performed in England and Wales since March 2014, in Scotland since December 2014, and in Northern Ireland since January 2020. However, it took roughly five centuries to make such progress within the UK.

In 1533, the Buggery Act came into effect and it was the first ever English law to specifically outlaw anal sex. The text of the act described "buggery" as a "detestable and abominable Vice," punishable by death whether committed with "mankind or beast" (25 Hen VIII C.6). Buggery eventually ceased to be a capital crime in 1861, when the Offenses Against the Person Act 1861 downgraded the punishment to life imprisonment in England and Wales (24 & 25 Vict c 100). Scotland then followed suit in 1889 and lessened the severity of the charges for such crimes. In 1885, the Criminal Law Amendment Act came into law. The act's main purpose was to protect girls from sexual exploitation by raising the age of consent to 16, but another provision in the act criminalized "gross indecency," which in practice extended existing laws against "buggery" to criminalize all sex acts between men (48 & 49 Vict. c 69).

In 1957, the Wolfenden committee published a report that was based on three years of testimony from police, psychiatrists, and gay men themselves. All but one of the committee's 15 members, drawn from the world of politics, law, medicine and academia, agreed that homosexual acts between consenting men over the age of legal majority should not be a legal issue. In 1967, the Sexual Offences Act stipulated that private sex acts between consenting men over the age of 21 would no longer be a criminal offense in England and Wales (1967 c. 60), although Scotland did not follow suit until 1980 and Northern Ireland until 1982. Despite cross-party support for

the Act, Members of Parliament (MPs) were not quick to accept homosexuality as something that is legitimate. "Even those supporting decriminalization called homosexuality 'a disability' and 'a great weight of shame'" (Huffington Post, 2017). By the early 1970s, gay rights organizations began to appear both locally and nationally (Lesbian and Gay News media Archive, 2017). In 1988, Prime Minister Margaret Thatcher introduced an amendment to the Local Government Act, Section 28, which banned state schools from teaching or promoting the "acceptability of homosexuality as a pretended family relationship." The infamous Section 28 caused widespread outrage and was the catalyst for a massive surge in LGBTQ+ activism, including the formation of LGBTQ+ rights group Stonewall UK.

Section 28 of the Local Government Act was a piece of legislation that banned the promotion of homosexuality by schools and councils throughout the UK, and led to a total suppression of LGBTQ+ identities across schools nationwide. Section 28 was repealed in Scottish law in 2000, and from English, Welsh and Northern Irish law in 2003. In 2004, the Civil Partnership Act allowed same-sex couples to enter into same-sex unions with the same rights as married couples. Then in 2014, the Marriage (same-sex couples) Act 2013, which recognized same-sex marriages, entered into law in England and Wales. Legislation to allow same-sex marriage in Scotland was then passed by the Scottish Parliament in February 2014 and took effect on December 16, 2014. The first same-sex marriage ceremonies for same-sex couples previously in civil partnerships occurred on the same day. The first same-sex marriage ceremonies for couples not in civil partnerships occurred on December 31st, 2014. In 2017, The Alan Turing Law received royal assent, which is an amendment to a clause in The Policing and Crime Act 2017, as it was modeled after the codebreaker's royal pardon years earlier, "pardoned all historic instances of criminal convictions of gross indecency against men" (2017 c. 3). It only

applies to convictions in England and Wales. In 2020, same-sex marriage was legalized in Northern Ireland. Following the enactment of the Northern Ireland (Executive Formation) Act in 2019, same-sex marriage became legally recognized in Northern Ireland in January 2020 (2019 c.22). However, couples who are already in a civil partnership are still not able to convert it to a marriage (Coulter, 2020).

### **Public Perceptions and Status Quo**

In recent years, opinion polls have shown general support for same-sex marriage among citizens of the UK which is a drastic shift from their traditional standpoint. Attitudes towards homosexuality amongst the British public have become more tolerant over time: according to the British Social Attitudes Survey, in 1983 approximately 50% to 70% of respondents of the three major political parties (Conservative, Labour and Liberal Democrat) regarded homosexuality as "always wrong" or "mostly wrong" and in 1993 opposition to homosexuality was reported to have slightly increased amongst all parties. However, by 2003 attitudes had become more tolerant, with 25% to 50% of respondents regarding homosexuality as always or mostly wrong and by 2013, only around 20% to 35% of respondents in each party felt the same way (BSA, 2015). Liberal Democrat respondents tended to be less likely to regard homosexuality as wrong than Labour or Conservative respondents across each survey. A later poll by BBC Radio in March 2014 found that 68% of respondents supported same-sex marriage and 26% opposed it. The research also found that younger people were more likely to support same-sex marriage, with 80% support from 18 to 34-year-olds, compared with 44% of over-65s. 75% of women were in favor, compared with 61% of men (2014). A 2018 Pew Research Center poll concluded that between April and August 2017, 77% of Britons reported to support same-sex marriage, 20% were opposed and 3% didn't know or just refused to answer. When divided by religion, 83%

of non-practicing Christians, 82% of religiously unaffiliated people and 63% of church-attending Christians supported same-sex marriage. In June 2018, a YouGov opinion poll found that 80% of British people supported the introduction of same-sex marriage in Northern Ireland, with that number decreasing among Northern Irish respondents. Finally, in a more recent poll from 2019, Eurobarometer found that 85% of Britons thought same-sex marriage should be allowed throughout Europe, whilst 12% were against.

### **Political Association/Polarization**

Party identification is a differential predictor of attitudes towards the LGBTQ+ community, and the impact of party identification is both modest and variable over time (Bettinsoli, Suppes, & Napier, 2020). The issue engendered considerable opposition within the Conservative Party when it was put on the political agenda. In 2012, many Conservative MPs either opposed the reform or simply did not regard it as a priority, arguing that the economy was still in trouble and major public service and welfare reforms were still underway. Surveys from 2012 Conservative MPs and peers showed considerable opposition to the plans and support for delaying the plans and concentrating on other priorities (ComRes, 2012). More than 100 Conservative MPs expressed opposition to the plans in correspondence with constituents. In the extra-parliamentary party, a survey of constituency chairpersons found that 71% wanted the proposals to be abandoned, while nearly half said their local party had lost members over the issue (Hennessy, 2012). A 2012 membership survey by the *Conservativehome* website found that large majorities of those polled disagreed that the gay marriage reform was necessary (64%), agreed that it could split the party (71%) and believed their leader had underestimated the strength of feeling on the issue (78%) (Grice, 2012). It is clear that there was widespread opposition to the reforms within both the parliamentary and extra-parliamentary party, and the

coalition government needed to rely on the votes of Labour MPs to get the measure through the House of Commons.

### **Religious Influence**

Northern Ireland has been socially and religiously conservative since its foundation in 1921; the polity still contains strong religious sentiment among Protestants and Catholics (Hayes & McKinnon 2018). It provides an example of a confessional political system and maintains heavy religious derived support bases for its political parties. Although same-sex marriage is now legal in Northern Ireland, the Quakers are the only mainstream church that allows same-sex marriages.

The Church of England has more than 16,000 churches in which different-sex couples can marry, but its churches are not available as venues for the blessing or solemnization of same-sex marriage, leaving same-sex couples at a significant disadvantage with regards to their ability to access a religious ceremony in connection with their marriage. While England has embraced the notion of equal marriage, the Church of England maintains its traditional doctrine on marriage. Its pastoral guidance holds firm to the belief that marriage consists in a permanent and lifelong union between one man and one woman. In consequence, it prohibits its clergy from entering into a same-sex marriage themselves, and from solemnizing or offering public services of prayer and dedication in respect of such marriages (Smith, 2019).

As stated in the report by the Standing Doctrinal Commission of the Church of Wales, similarly to England, same-sex marriages may not be solemnized by the Church in Wales. Such marriages are also at variance with the church's doctrine of marriage which states that marriage is a lifelong and faithful union between a man and a woman. The church, however, has to recognize the legality of same-sex marriages, but it is also clear that there is a dissonance

between its opinion and the State's opinion. If the governing body decides in the future that the church should solemnize same-sex marriages and the bishops propose a Canon to that effect, the Lord Chancellor must then bring measures to change the law to make that possible (2014).

As stated by the BBC news article (2017) The Scottish Episcopal Church voted to allow gay couples to marry in church, making it the first major Christian church in the UK to allow same-sex marriages. The vote to amend canon law on marriage, removing the stipulation that it is between a man and a woman, was carried by the Synod in Edinburgh. This meant that gay Christians from any Anglican Church can now ask to be married in a Scottish Episcopal Church. The article by the Church of Scotland states that in May 2018, the General Assembly voted 345 by 170 to instruct the Legal Questions Committee of the Church of Scotland to prepare legislation which, if approved, would allow ministers and deacons to apply for a licence to conduct same-sex marriages if they wished to do so. The Committee will report to the General Assembly of 2020 and it will be for commissioners to decide whether to begin the process of considering whether this law should be adjusted.

### **Stonewall & LGBT Foundation**

The information previously discussed gives the reader the information needed in order to be able to fully comprehend the UK's stance on LGBTQ+ rights throughout history which is crucial in understanding the development on LGBTQ+ rights, specifically ones that pertain to marriage equality. The topics discussed political association, religion, and public perception/status quo are all important components of societal change as well as legislative. For the purpose of this study, I have chosen to focus on two renowned organizations within the UK: Stonewall and the LGBT Foundation. I will be examining these organizations' impact on the UK as a whole and more specifically focusing on what actions they took to bring about change. The

rationale behind choosing these two organizations is that they are prominent throughout the UK and have been leading actors in the fight for LGBTQ+ rights in the UK. In the following case studies, I will focus on exploring these organizations' impact on the UK as well as how they affected the overall quality of life for members of the LGBTQ+ communities within the UK.

**Stonewall**

“Campaigning as part of a global movement since 1989, we have helped create transformative change in the lives of LGBTQ+ people across communities in the UK.” (Stonewall, 2021). This is the slogan that the courageous Stonewall organization has displayed on their website’s homepage. Founded in May of 1989, roughly one year after Section 28 came about, the Stonewall organization has been fighting for LGBTQ+ rights throughout the UK and ultimately LGBTQ+ rights worldwide. The founders of Stonewall were a small group of activists who had been active in the fight against Section 28 from the start. They knew communities throughout the UK needed a professional campaigning organization who would fight for their rights in politics, in the media, in the courts, and ultimately everywhere they learn, work, pray and exist (Stonewall, 2021).

The Stonewall organization has come a long way from just being a small group of activists fighting against Section 28. It’s founders, Ian McKellen, Lisa Power, and Michael Cashman have fought tirelessly to eliminate anti-LGBTQ+ legislation with the hope of one day eliminating LGBTQ+ discrimination worldwide. Today, Stonewall’s initiatives have led to almost every child in the UK now being taught about LGBTQ+ individuals' lives, families and relationships as part of their national curriculum. When Prime Minister Margaret Thatcher introduced an amendment to Section 28 that banned state schools from teaching or advocating for the acceptance of homosexuality, Stonewall’s founding activists were among the first to speak out about the unjustness of Section 28 and played a leading role in its eradication. This is just one of the many steps Stonewall took to alter public perceptions on homosexuality.

Prior to starting the Stonewall organization, the founders were all known throughout the LGBTQ+ community but they had no intentions of starting an organization for the LGBTQ+ movement. McKellen has held several prominent positions in society and is well-known for his



acting awards. However, it was not until 1988 that he publicly came out as a gay man during a BBC Radio 3 discussion Section 28 of the Local Government Act. This was just the beginning of the mark that McKellen would have on the LGBTQ+ community. As for Power, she came out as Lesbian in the 1970s in a time when homosexuality was practically shunned in British society and became an advocate for LGBTQ+ rights soon after. She had worked for numerous LGBTQ+ campaigns and programs prior to being a co-founder for Stonewall. Finally, Cashman was an actor, politician, and activist. He was always open about his sexuality which at the time, put him in direct danger. During this period, police were not very welcoming to the LGBTQ+ community which led to increased rates of LGBTQ+ violence. The Stonewall organization may not have been planned, but these three activists noticed the need for collective action and took it upon themselves to start Stonewall.

Stonewall did not stop the fight for LGBTQ+ after combating Section 28, rather they continue to strive to make the UK a country that accepts LGBTQ+ relationships as well as one where there are equal rights to love. This fight is still an ongoing battle today in 2022. For individuals in the LGBTQ+ community who want equal rights to marry or to have children, the Stonewall organization has remained a part of every major battle for LGBTQ+ rights since 1989, including: an equal age of consent for gay and bi men, the end of Section 28 in Scotland, England, and Wales, same-sex couples gaining ability to adopt children, LGBTQ+ individuals gaining the right to serve openly in the Armed Forces, protection from discrimination at the workplace, the right for same-sex couples to have civil partnerships, the right for LGBTQ+ couples to be legally recognized as parents, the right for same-sex couples to get married, LGBTQ+ inclusive teaching in the national curriculum, etc. They have truly stood their ground throughout the fight for LGBTQ+ rights. Whether this was pushing for large-scale change or

working within local communities to make change, Stonewall has always done their part. They work with thousands of people every year throughout all communities, whether in a village or city, school or university, etc. Ultimately any place where LGBTQ+ individuals should be able to thrive the Stonewall organization will be there to help individuals in the LGBTQ+ reach their goals.

Since the early 2000's, Stonewall has worked with thousands of both the UK's and the world's leading employers through their Diversity Champions program and Workplace Empowerment program. This in turn helped get legislation passed that would eliminate LGBTQ+ discrimination in the workplace. An example of this is the Equality Act 2010 which protects lesbian, gay, bi and trans people from direct discrimination, indirect discrimination, harassment and victimization in the workplace (2010 c 15). Later in 2004, Stonewall started working with tens of thousands of teachers and schools through their School and College Champions program to put the freedom, equity and potential of LGBTQ+ youth at the center of the education system. The organization now works with local councils to support LGBTQ+ children and young people within their communities with their Children and Young People's Services Champions program. With this being said, Stonewall has been a leading actor in the implementation LGBTQ+ acceptance in schools throughout the UK. Stonewall has also created countless safe spaces for the LGBTQ+ community to exercise and enjoy themselves while doing it. The Rainbow Laces campaign is a useful example here, it was started in 2013 and more than a million individuals from the LGBTQ+ community and allies laced up to make sports more inviting to LGBTQ+ individuals. The Rainbow Laces campaign has led to sport bodies from the Premier League to community cricket clubs working directly with Stonewall to make LGBTQ+ inclusion a reality on their playing fields.

Stonewall have had an extensive impact through their programs and campaigns in the LGBTQ+ community. Their organization consists of proud LGBTQ+ individuals who are themselves, who feel valued and included and able to thrive, and who advocate for the rights of others in the LGBTQ+ community (Stonewall, 2021). This is crucial to the development of the youth in the LGBTQ+ community because most LGBTQ+ children do not have a positive LGBTQ+ role model. In every community in the UK and around the world, LGBTQ+ people are still being abused, thrown out of their homes, bullied in schools and workplaces, and so on. The institutions that should protect LGBTQ+ members, governments, communities, faith institutions and often families too stand silent, or also actively act against the LGBTQ+ community. From misogyny to classism, racism to ableism, LGBTQ+ people of color, LGBTQ+ women, LGBTQ+ individuals living in poverty, and many more, are not given equal opportunity and are forced to live in the shadows. No matter the challenge, Stonewall has been at the forefront of the LGBTQ+ movement and if it wasn't for their collective push, these laws would not have changed. World history has taught us that it takes collective action to motivate a government to nullify discriminatory laws, and this is exactly what Stonewall has helped achieve by bringing individuals together for the fight for equal rights. In conclusion, the Stonewall organization will continue to stand with, and fight for, the freedom, equity and potential of all LGBTQ+ individuals worldwide until the world that they imagine becomes the world that we live in (Stonewall, 2021).

## **LGBT Foundation**

The LGBT Foundation is a national charity that delivers support, advice and information services to lesbian, gay, bisexual and transgender (LGBT) communities. Established in 1975, the LGBT Foundation's main purpose is to support the needs of the diverse range of individuals who identify as lesbian, gay, bisexual and transgender. They strive for equality and have faith in a fair and equal society in the future; a society where all the individuals in the LGBTQ+ community can finally achieve their full potential. The LGBT Foundation stated that the hashtag "EqualityWins" practically summarizes their mission. With this being said, the organization's central focus is equality and they aim to be there for the LGBTQ+ community whenever LGBTQ+ discrimination is present. They are a nationally recognized charity mainly based in the communities of Greater Manchester and provide a wide range of evidence-based and cost effective services. Each year, they serve over 40,000 people, achieving an average 98% satisfaction rating as well as providing information to thousands of individuals virtually (LGBT Foundation, 2021). As a result, they serve more LGBT people than any other charity of their kind in the UK. Throughout all of their work, they have supported LGBT people to increase their skills, knowledge and self-confidence, in order to improve and maintain their health and wellbeing. They also work in partnership with other organizations to build strong, cohesive and influential LGBT communities. On account of their commitment to bring LGBT individuals together, they are changing LGBT lives for the better and securing a safe, equal and healthy future for all LGBT people.

To help guide the LGBT Foundation in their work and deal with the opportunities as well as the challenges that they may face moving forward, they have four key values that they must always adhere to. The first is passion; they are passionate about what they do. Their passion for

their cause is what drives them to assist others. As staff, volunteers, and trustees they dedicate their skills, experience and time to improving the lives of the LGBTQ+ community. They strive daily to ensure that everyone who comes into contact with the LGBT Foundation or any of its members has an excellent experience. The second is empowerment; they are committed to enabling individuals to flourish by creating time and space for the LGBTQ+ community to achieve their full potential. The organization believes that enabling others to feel empowered results in improved resilience and better outcomes. Empowering their members and the people that they serve amplifies what they can achieve collectively. The third value that underpins everything they do is integrity. They are committed to being professional and honest and hold themselves accountable to the highest ethical and performance standards. Behaving professionally and honestly builds on the excellent reputation that their charity has attained. It is their integrity that motivates them to deliver professional governance, services, insight and business support daily to the communities that they serve. Finally, their fourth value is respect. They are respectful of not only themselves, others too, appreciating differences and trusting individuals to do what is right. They believe that respecting one another's work creates a supportive environment in which to receive services, work and volunteer.

At the LGBT Foundation they have had a passionate history of grassroots activism and community involvement since 1975. As the needs of LGBTQ+ people have changed so have the objectives of the LGBTQ+ community, responding to an evolving landscape as well as to changes to health and support needs. The LGBT Foundation as well as its predecessor, the Lesbian & Gay Foundation, were formed by the merger of two community groups, all of which initially served LGBTQ+ people throughout Manchester. In April of 2000 the Manchester Lesbian & Gay Switchboard Services (MLGSS) which began life in January of 1975 merged

with Healthy Gay Manchester (HGM) to form the Lesbian & Gay Foundation (LGF). Eventually, the LGF became inclusive of both bisexual transgender individuals and subsequently changed their name to the Lesbian, Gay, Bisexual, and Transgender Foundation. Such changes were crucial in the rapid growth of the currently named, LGBT Foundation. It took the mergers of several LGBTQ+ activist organizations to expose the LGBTQ+ community to one another, further giving them the power of collective action.

Following the decriminalization of homosexuality in 1967, Ian McKellen and Michael Cashman came together and created a Helpline to provide an information and support service for the growing number of men starting to come out. To this day, the Helpline remains a vital part of the Foundation's work, delivered by both staff and trained volunteers. In 1994, their current Chief Executive Paul Martin became one of the founder members of Healthy Gay Manchester only five years after his arrival. The charity was originally formed in response to the HIV epidemic and was dedicated to improving sexual health amongst gay and bi men, but was too successful to end. So, it stuck around as a safe space for LGBTQ+ individuals. In April 2000 the two charities merged, becoming the UK's largest health and community charity for LGBT people, yet it retained its community activism origins. In 2015, they became fully trans inclusive and changed their name to LGBT Foundation.

Throughout this period in time, the LGBT foundation witnessed and responded to: the country's response to the decriminalization of homosexuality; the emergence of HIV and AIDS and its devastating impact as well as the inspirational response from their communities; the passing and the subsequent abolition of Section 28; the removal of homosexuality from the WHO list of mental illnesses; the ending of the ban on LGBT people serving in the armed forces; the gaining of adoption rights for same-sex couples and equal birth rights for lesbians and

bisexual women; the passing of the Gender Recognition Act; essential workplace protections as well as protections in the provision of goods and services for all LGBT individuals; the introduction of Civil Partnerships and same-sex marriage equality (LGBT Foundation, 2021). The LGBT foundation will not stop in its efforts for equality. They have formed numerous initiatives to combat the events listed above that played key roles in the change. Some of these include, but are not limited to; MeSMaC formed in response to HIV and Healthy Gay Manchester.

The LGBT Foundation believes that true equality will not be possible without all members of LGBT communities feeling welcome, heard, and represented (LGBT Foundation, 2021). The LGBT Foundation is united in their efforts to build a better world for every person in their uniquely diverse community because, as their organization says, there cannot be equality for some without equality for all. Earlier this year, the LGBT Foundation launched a new campaign that they termed EqualityWins in an attempt to bring a voice to all LGBT people, especially those who are underrepresented or marginalized. The EqualityWins campaign brings communities together in hopes to alter the stigma and attitudes held by society through collective action. The EqualityWins campaign creates a movement for change, campaigns to protect and extend LGBT rights, and challenges prejudice and discrimination wherever it may exist. Although, there is still much more that needs to be done in order to ensure a safe, healthy and equal future for LGBT people worldwide. There have been several occasions in recent years that hard fought LGBT rights were never actually guaranteed. This is an ongoing issue throughout the world and organizations such as the LGBT Foundation are needed in those unjust moments to be the voice of the LGBT community.

Despite the backlash and opposers, the LGBT Foundation will continue to support and champion the full diversity of LGBT communities worldwide. Their EqualityWins campaign brings LGBT communities together to challenge prejudice, raise awareness and change hearts and minds in wider society. They have seen from recent campaigns, such as their LGBT inclusive education campaign, that when their communities come together they are able to mobilize policy-makers, LGBT communities and the wider public under the banner of EqualityWins. Collectively, the LGBT community can achieve a fair and equal society where all lesbian, gay, bi and trans people have the ability to live their life free of discrimination and judgement. The LGBT Foundation is pushing to make this vision a reality. To help structure their work, all of their principal activities fall into the following strategic goals: achieving equality, encouraging wellbeing, and promoting safety. The LGBT Foundation is making change happen by ensuring that LGBT people's voices are heard, reducing isolation amongst LGBTQ+ communities, and helping people feel more confident and in control of their lives which in turn makes the world a more safe and equal space for the LGBT community.

2019-2020 was a remarkable and record-breaking year for the LGBT Foundation. With the support of their funders and donors, they were able to be a prominent leader throughout the Covid-19 pandemic. In 2019-20, they responded to the Covid-19 pandemic by becoming a fully remote service delivery charity in just a week in hopes of allowing LGBT communities to have continued access to vital services at a time that was extremely challenging for many. Also in 2019, the organization celebrated a huge milestone, this being the 45th anniversary of their helpline. During the pandemic, the organization offered a vital lifeline to 2,886 LGBT people via their helpline. A total of 411 hours of support were given to LGBT individuals. The organization also provided 3,623 hours of counseling to 505 Talking Therapies clients from 2019-2020. In



addition to their helpline and counseling service reaching record breaking numbers, the organization celebrated the 25th anniversary for their Condom and Lube Distribution Scheme. Since the scheme launched in 2012, they have distributed over 31 million condoms and sachets of lube. To conclude the year, the LGBT Foundation launched a number of exciting new programs and areas of work including: Pride in Ageing, Bi Program, Men's Program, Bring Dementia Out, and Making Smoking History LGBT. They also won the prestigious Queens Award for Voluntary Service for their incredible Village Angels Volunteers. This is the highest award given to volunteer groups across the UK, and is the organizational equivalent of a Member of the Order of the British Empire award (MBE). The LGBT Foundation has been relentless in its fight against inequality. Even during a challenging time like the Covid-19 pandemic, the organization's strength and dedication was demonstrated.

Even in 2022, LGBT people still face persecution, discrimination and stark health inequalities. Through their services they reduce isolation amongst their communities, help people feel more confident and in control of their lives, and enable them to flourish. Every year they give a voice, provide help and offer hope to a minimum of 40,000 people throughout the UK. The organization often works in partnership with others to build strong, cohesive and influential LGBT communities to further promote a norm change in society. Their services and activities include: a range of support groups; face-to-face counselling; a helpline, email and pop-in service; a befriending scheme; a sexual health program, a substance-misuse project; organisational training; a range of guides and resources; a national website; advice surgeries; LGBT infrastructure support; various research projects and policy campaigning. Through strictly their online services, the organization reaches about 600,000 people online each year. Throughout 2021, they have delivered 1,035 LGBT-affirmative and inclusive talking therapy sessions to 276

people, assisted 2,634 people who were in need of immediate assistance by giving them access to advice and support through their helpline, email, and pop-in service. In latter part of 2021, the LGBT Foudation provided a total of 260 full sexual health screenings and 498 HIV tests to the LGBTQ+ community so that iniviudals can have safe sex. To close out the year, the organization distributed over a quarter of a million condoms and loose sachets of lube throughout Greater Manchester, and helped numerous LGBTQ+ individuals make friends, build their networks, and reduce loneliness through their Befriending scheme. They also supported 561 LGBT people through their support and social groups and helped 4,605 people have a safer night out with their Village Angels program. Their support services are delivered by a team of dedicated full-time staff and volunteers. So whether it's relationships, coming out, family issues, knowing your legal rights, reporting a hate crime, or you just need someone to talk to, members of the LGBTQ+ community can get in touch with the LGBT Foundation and receive the assistance that they need. Regardless of the circumstances, they are there to support all members of the LGBT community.

### **Overarching Connections**

There are several overlapping connections between the LGBT foundation and Stonewall. Both are prominent actors in the fight for LGBTQ+ rights in the UK. They have built their reputation by being active in their local communities and by providing support for members of the LGBTQ+ community who need it. These two organizations have made similar initiatives in their fight for change, and together have had a massive impact on LGBTQ+ rights in the UK. Without LGBTQ+ organizations, such as Stonewall and the LGBT Foundation, pushing for LGBTQ+ rights in the UK it is untellable where the UK would currently stand on the matter. Although they are not the only actors in the fight for change within the UK, they have had a tremendous effect on policy and the community. The LGBT Foundation's programs have helped

lift individuals out of solitude by providing them with a support system with programs such as Rainbow Brew Buddies and Pride in Practice. These two programs have helped countless individuals find someone to talk to that truly understands them for who they are. Rainbow Brew Buddies and Pride in Practice programs serve a similar focus to Stonewall's constant helpline that gives the LGBTQ+ community someone to talk to whenever they may need it. These two organizations are fighting for the same cause, and have declared on countless occasions that they will continue to fight for LGBTQ+ rights until the entire world treats LGBTQ+ individuals as equals. They have influenced society with their programs and activism in a way that has changed religious, political, and social societal ideals.

## Chapter 2 - United States

The United States is renowned for being a country with a government that offers freedoms in a wide range of areas, such as speech, assembly, and religion. With this being said, it is quite shocking that the freedoms for those who identify as LGBTQ+ have been so heavily restricted throughout history, from limitations on openly being part of the LGBTQ+ community and serving in the military to restrictions on necessities such as shelter. Decades of both physical and mental abuse have led countless members of the LGBTQ+ community to be diagnosed with anxiety and Major Depressive Disorder (MDD), along with high rates of suicide and substance abuse (ODPHP, 2018). To put this into context, LGBTQ+ individuals are three times as likely to experience a mental health disorder in comparison to individuals that identify as straight and six times as likely to experience depression. Approximately 40 percent of LGBTQ+ adults had a mental illness in the past year, in comparison to 18 percent of total adults who faced a mental illness in the past year (ADAA, 2022). It is truly unjustifiable as to why these individuals are still being mistreated today, in the twenty-first century. These policies often stem from religious notions that are embedded deep in politics and just in the US as a whole; with numerous politicians often using religion as their rationale behind their discriminatory views. There will be two organizations examined in the US to assess LGBTQ+ rights within the country: the National Lesbian and Gay Journalists Association (NLGJA) and the National LGBT Chamber of Commerce (NGLCC), which are both well-known for fighting for change in US legislation within the LGBTQ+ sphere. By examining these two organizations, there is a glimpse at how social movements have impacted both public opinion and policy. It is important to consistently and thoroughly study shifts in policy and public opinion for members of the LGBTQ+

community because there have been constant shifts within society; which is essentially due to changes in societal norms.

## **Marriage Equality in the United States**

Between 1998 and 2005, state ballot initiatives to ban gay marriage were commonplace in the American political scene. Within this time period, 19 states passed ballot measures amending their constitutions to prohibit same-sex marriage. This period also represented when efforts to legalize same-sex marriage began to come about across the country, leading to several challenges at both the state and national levels. At the federal level alone, same-sex couples were denied access to more than 1,100 federal rights. Currently, even with legislation being on their side, LGBTQ+ individuals still struggle to be accepted and are forced to face nonsensical obstacles. For example, roughly two years after nationwide same-sex marriage legalization, it was still common for individuals in the LGBTQ+ community to have to endure physical attacks, rape, arbitrary detention, the denial of rights to assembly, torture, and discrimination in employment, health and education (Lee & Ostergard, 2017).

Within the U.S., attention was first brought to the controversial topic of same-sex marriage in 1970; when a same-sex couple in Minnesota, Jack Baker and Michael McConnell, were denied a marriage license by Hennepin County. After getting denied, Baker and McConnell then took their case to the state Supreme Court, where they lost their case in a one-sentence dismissal. This case played a crucial factor in the pushing of same-sex marriage in following decades (Georgetown, 2021; Howard, 2021). In 1973, Maryland became the first state to ban same-sex marriages and after this, issues with same-sex marriages in the U.S. really began to arise. A decade after, in 1983, spousal rights of same-sex couples became the focus when a lesbian couple was confronted with the spousal rights issue after one of them had been in a car accident and her significant other was denied the right to take care of her. Then in 1989, court rulings in New York and California declared to define same-sex couples as families. A few years

after this, in 1992, same-sex employees begin to receive domestic partner benefits from Levi Strauss & Co. and the state of Massachusetts. Following this, in 1993, the Hawaii Supreme Court ruled that same-sex marriages cannot be denied without there being a compelling reason to do so. Hawaii legislators then responded to this by passing an amendment to ban gay marriage. Following Hawaii's actions, in 1995 the governor of Utah signed a state Defense of Marriage Act (DOMA) statute into law, and soon after this President Clinton signed the federal DOMA in 1996. Following, in 1997 Hawaii begins takes a more progressive stance, becoming the first state to offer domestic partnership benefits to same sex couples. In 1998, Alaskan and Hawaiian voters approve state constitutional bans on same-sex marriage. In 1999, Vermont's Supreme Court ruled that same-sex couples must receive the same benefits and protections as any other married couple under the Vermont Constitution and roughly a year after this ruling, the Central Conference of American Rabbis agrees to allow religious ceremonies for same-sex couples.

In 2002, Nevada followed Alaska and Hawaii and voted to approve a state constitutional ban on same-sex marriage. Later in 2003, a proposed amendment to the federal Constitution was introduced to the House of Representatives. This amendment defined marriage as only between a male and a female. In the same year, The US Supreme Court decided on *Lawrence v. Texas*; which resulted in the striking down of sodomy laws and enacting a broad constitutional right to sexual privacy, California passed a domestic partnership law which provided same-sex partners with almost all the same rights and responsibilities as spouses in civil marriages, President Bush stated that marriage should be reserved for heterosexuals and finally, Massachusetts became the first US state to legalize gay marriage. The following year, the city of San Francisco began to marry same-sex couples in an open challenge to California law, New Mexico began to issue marriage licenses to same-sex couples as their law does not make a reference to gender, and

Portland, Oregon began to issue marriage licenses to same-sex couples. In the same year, Missouri voted to ban same-sex marriage, Washington state said yes to same-sex marriage in a supreme court decision, and the California Supreme Court voided same-sex marriages. In an attempt to prevent the legalization of same-sex marriages, numerous US states either passed initiatives to ban same-sex marriages or rejected attempts to reverse previous bans on same-sex marriages.

In 2005, a New York state judge called the state ban on same-sex marriage illegal, California's legislature attempted to pass a law legalizing same-sex unions but it was vetoed by the governor, and Connecticut became the second state to approve same-sex unions. In 2006, the New Jersey Supreme Court ordered the legislature to recognize same-sex unions. Two years later, California's Supreme Court overturned the ban on gay marriage; which in turn led to California's voters approving a constitutional ban on same-sex marriage. Florida and Arizona voters then did the same. In 2009, the Iowa Supreme Court overturned the state ban on same-sex marriage, Vermont's legislature legalized same-sex marriages, Maine and New Hampshire followed suit, but Maine voters later repealed the state law allowing same-sex marriage. In 2010, California's voter-passed ban on same-sex marriage from 2008, known as Prop 8, is finally declared unconstitutional. In 2011, President Obama declared DOMA unconstitutional, and New York legalized same-sex marriage. In 2012, the Ninth Circuit found Prop 8 unconstitutional and Washington state, Maine, and Maryland legalized same-sex marriage by popular vote. In 2013, Rhode Island, Delaware, Minnesota, New Jersey, Hawaii, Illinois, and New Mexico legalized same-sex marriage. Also in 2012, the U.S. Supreme Court found Section 3 of DOMA unconstitutional, and decided that the Prop 8 defenders lacked standing, thus allowing for same-sex unions to be legalized in California. To close out 2012, the IRS began to recognize



same-sex married couples, and lastly, Utah's same-sex marriage ban was found unconstitutional. In 2014, Oregon, Pennsylvania, Kansas, and South Carolina legalized same-sex marriage and the Presbyterian church voted to allow same-sex ceremonies (Georgetown, 2021; Howard, 2021). Also, the U.S. Supreme Court decided on a case that allows for same-sex marriage in 5 states (VA, OK, UT, WI, and IN), but declined to make a statement for all states. As of August 2014, 19 U.S. states legally recognized the marriage of same-sex relationships. Finally, in 2015, the U.S. Supreme Court put an end to all state bans on same-sex marriage, legalized it in all fifty states, and required states to honor out-of-state same-sex marriage licenses in the case *Obergefell v. Hodges* (Georgetown, 2021). Nevertheless, this is not the end of the discrimination that same-sex couples have to endure.

### **Public Perceptions and Status Quo**

Currently, views on same-sex marriage are quite polarized within the U.S. A 2019 Pew Research Center poll found that 61% of Americans supported same-sex marriage while 31% were still against it, and the last 8% had no opinion (Pew Research, 2019). The results from this study directly correspond with the current status quo within the U.S. As seen in the past two decades, there has been a dramatic increase in general acceptance of the LGBTQ+ community, as well as same-sex marriage. An important reason for this increase is that the changing social norms on gender relations and the family have significantly altered the institution of marriage (Ogletree, 2014). The contestation of existing rules and norms played a crucial role in institutional transformation: institutions are subject to change when their ideational foundation is challenged and the people no longer deem it necessary to comply (Capoccia, 2016). This is the case with marriage equality, which rose as a policy issue during a time of religious decline (Amato, 2004).

Marriage is a matter of public policy, which can be defined as an authoritative decision, backed up by sanctions from a government on behalf of its citizens to change or maintain the status quo, which can be expressed through laws or judicial rulings and typically affects everyone in society (Howlett and Cashore, 2014). The government can decide to change the status quo and eliminate the specification of gender in marriage, transforming the institution of marriage by changing the way it organizes society and embodies its values. On the contrary, marriage equality is part of those politically generated rules of the game that directly help to impact the lives of modern citizens (Pierson, 2006).

A useful example to examine here is that of Hawaii. As previously noted, in 1993 Hawaii's Supreme Court ruled that same-sex marriages cannot be denied without there being a compelling reason to do so. As a direct result of this ruling, Hawaii legislators immediately passed an amendment to ban gay marriage. This example encapsulates the polarization of views at the time and demonstrates the backlash that was coming from both individuals and states. Then following Hawaii's legislative actions, President Clinton signed the federal DOMA in 1996 which allowed states to make their own decision on same-sex marriage rights. This in turn puts legislative bodies up against one another because, as seen with Hawaii, the polarization within an area can lead to contradicting policies.

### **Political Association/Polarization**

In a 2009 study, researchers analyzed the determinants of support for measures for gay marriage bans, as expressed by the countywide vote of those in favor of gay marriage bans. Several different hypotheses were explored that examined whether each county was urban or rural, as well as what the political and demographic characteristics of the county residents were. The findings showed that countywide support for the Republican Party, along with lower income

and education levels, are associated with support for gay marriage bans (Burnett & Salka, 2009). Focus on the Family, a global Christian ministry, predicted to *USA Today* a month before the November 2006 balloting that all gay marriage bans would pass since voters “believe that marriage is the union of one man and one woman” (Frank, 2006). Following this, the electoral majorities passed constitutional bans on same-sex marriage in seven states. The anti-gay constitutional amendments received less than 60% of the vote in four of the states, Colorado (56–44%), South Dakota (52–48%), Virginia (57–43%) and Wisconsin (59–41). However, in Idaho (63–37%), and especially in the southern states of South Carolina (78–22%) and Tennessee (81–19%), the margins were more overwhelming (Burnett & Salka, 2009). Barth, Overby, & Huffmon (2009), suggested that the United States is divided between traditionalists or cultural conservatives, and modernizers or progressives, with the divides often falling on a small town versus urban basis.

O’Reilly and Webster (1998) found that patterns of support for three anti-gay referenda in Oregon in 1988, 1992, and 1994 were closely associated with patterns of support for the Republican Party in gubernatorial and presidential elections. Those backing gay rights, in contrast, tend to be younger, secular, minorities, better educated, urban, and individuals earning higher income. Egan and Sherrill (2006) found that party identification and political ideology were strong predictors in the 2006 national election, with gays and lesbians a strong part of the Democratic voting bloc. Gay and lesbian voters cast 75% of their ballots in 2006 for Democratic candidates, topped only by Blacks (89%) and Jews (87%).

### **Religious Influence**

Historically influenced by Christianity, marriage has been characterized as a heterosexual institution aimed at providing a stable, indissoluble basis for the family, with state policies

regulating and promoting it as a way of living and providing unique rights, responsibilities, and obligations to those who enter a marital union (Calhoun, 2000). In a recent study by Pew Research, researchers found that roughly half of Christians support same-sex marriage and the other half oppose same-sex marriage. It is notable that when analyzing the charts created by Pew research, it is the individuals who claim to strongly favor God who are also very likely to oppose same-sex marriages (Pew Research, 2020).

Despite having the word “united” in its name, the United Methodist Church is quite divided over LGBTQ+ issues, specifically same-sex marriage (Anderson, 2020). It is the country’s biggest mainline Protestant denomination, with roughly 7 million U.S. members. For now, the United Methodist Church sanctions marriage only between a man and a woman, and the church’s Book of Discipline says clergy who bless same-sex marriages in United Methodist sanctuaries will have to face the consequences and can possibly lose their career. Many liberal members would like to follow the lead of other mainline denominations and allow same-sex marriage, but too many conservative members are opposed, and it is these differing viewpoints that led to the idea of splitting the denomination (Anderson, 2020). Polarized views within a church are commonplace with the dilemma of same-sex marriage. The Evangelical Lutheran Church in America (ELCA) has also had a history of internal division on LGBTQ+ issues. The denomination leaves it up to the individual clergy in accordance with their congregation to decide whether it is permitted to marry same-sex relationships. Some liberal ELCA churches have been ecstatic about the chance to marry gay and lesbian members, while others have decided against it (HRC, 2021).

There are also churches such as the Lutheran Church-Missouri Synod, a more conservative denomination, that are completely against same-sex marriage, calling it “contrary to

the will of the Creator” (HRC, 2021). Along with the Lutheran Church-Missouri Synod, the majority of the Baptist churches are against same-sex marriage. The predominantly white Southern Baptist Convention, with almost 16 million followers, has taken a leading role opposing same-sex marriages (HRC, 2021). Finally, the Catholic church teaches that all sex outside of marriage is sinful, and that marriage is reserved for one man and one woman. Catholics are the world’s largest denomination, consisting of roughly 1.2 billion members, including 78 million in the United States. Liberal Catholics had hoped that Pope Francis would shed some light on this issue, but he never has (HRC, 2021).

## **National Lesbian and Gay Journalists Association & National LGBT Chamber of Commerce**

The previous information discussed gives insight on how the US's views on same-sex marriage views are not only polarized between people, but between also between states. There are several factors that contribute to an individual's views on same-sex marriage that were discussed such as religion, political affiliation, and public perception/status quo. This information is needed in order to fully understand the relevance of the case studies, as they have not directly altered legislation but rather have been a part of the push to challenge the norms of society through collective action. For the purpose of this study, I have chosen to focus on two renowned organizations within the US: National Lesbian and Gay Journalists Association & National LGBT Chamber of Commerce. I will be examining these organizations' impact on the US as a whole as well as examining how they made this impact. The rationale behind choosing these two organizations is that they are prominent throughout the US and have been leading actors in the fight for LGBTQ+ rights since the uprising of the LGBTQ+ social movement.

### **National Lesbian and Gay Journalists Association (NLGJA)**

The National Lesbian and Gay Journalists Association (NLGJA) has been a leading actor in the fight for LGBTQ+ rights in the US and stands by all members of the LGBTQ+ community regardless of race, ethnicity, gender identity, etc. NLGJA is a strong voice in the news industry, educating newsroom decision-makers about coverage of the LGBTQ community, promoting non-discrimination policies and the establishment of equal benefits, and creating educational opportunities for future leaders. Though, the journalist-led organization is much more than words can explain. NLGJA promotes diverse and inclusive workplaces by holding the industry accountable and by providing education, professional development and mentoring (NLGJA,

2021). The organization envisions fair representation and respect of diverse LGBTQ+ communities in newsrooms and news coverage, and will not stop fighting until this goal is achieved. Individuals, especially in the 21<sup>st</sup> century, receive much of their news through the news media. Proper media coverage on controversial topics such as same-sex marriage is crucial to the progression of a stigma and norm change. It is often norms that change first and then those changes tend to lead to changes in legislation. A LGBTQ+ voice is needed in the media in order to really bring about change within society making NLGJA crucial to the development of the LGBTQ+ identity and LGBTQ+ rights.

NLGJA's story began in April of 1989 when the American Society of Newspaper Editors (ASNE) conducted its first survey on LGBTQ+ journalists in American newspapers, *Alternatives: Gays and Lesbians in the Newsroom*. Following this, in April 1990, the survey's coordinator Roy Aarons presented the results of the standout survey in Washington, D.C., and concluded the presentation with him coming out as gay (NLGJA, 2021). Inspired by the report and Roy's courage, LGBTQ+ journalists from across the United States and across media platforms expressed a desire to create a professional organization. Under Roy's guidance, NLGJA: The Association of LGBTQ+ Journalists was formally introduced in 1991 and chapters were formed throughout the country.

Aligning with its mission, NLGJA is a dominant voice in the news industry; by educating newsroom decision-makers about LGBTQ+ coverage, promoting non-discrimination policies and equal benefits, and laying the groundwork for future LGBTQ+ leaders by creating educational opportunities that support the next generation of LGBTQ+ newsroom leaders (NLGJA, 2021). The dramatic positive shift in the quality and quantity of news coverage of the LGBTQ+ community is due to NLGJA members working within their newsrooms to educate

peers about fairness and accuracy. NLGJA's main goals are to enhance the professionalism, skills and career opportunities for LGBTQ+ journalists, and strengthen the identity, respect and status of LGBTQ+ journalists in the newsroom and throughout the practice of journalism. NLGJA advocates for the highest journalistic and ethical standards in the coverage of LGBTQ+ issues, collaborates with other professional journalist associations and promotes the principles of inclusion and diversity, and finally, provides mentoring and leadership to future LGBTQ+ journalists (NLGJA, 2021). These objectives shape NLGJA's mission statement and as an organization overall.

After their founding in 1990, NLGJA put out their first set of alternatives the following year in 1991; Roy Aarons coined this moment a major milestone in the organization's efforts in building the organization. A year later, in 1992, NLGJA hosts its first national convention in San Francisco and over 300 lesbian and gay journalists attended, many of which have yet to come out publicly. On that same night, there was a videotaped message played by *New York Times* publisher, Arthur Sulzberger Jr., promising that the Times will begin to offer domestic partners benefits; which was a revolutionary change for such a major publisher. The conventions turnout nearly doubled the same year at their second convention that was held in September of 1992, where they had roughly 600 journalists come out to support. This is just the beginning for NLGJA. In 1993, after a meeting between NLGJA and NBC News, NBC puts out a memo to employees and reminds them of its policy not to discriminate on the basis of sexual orientation. At this point, NLGJA has 13 chapters and is rapidly growing in popularity. In 1994, NLGJA published "Domestic Partner Benefits: At What Cost?," which was a guide for news media companies on how to properly institute domestic partner health benefits. At the time, only ten media companies were known to offer domestic partner benefits and NLGJA wanted to make



domestic partner benefits widely known and offered. Later in 1994, NLGJA popular member Steven Gendel became the first journalist to disclose that he is gay on a major network when he discussed it on an NBC broadcast of the Stonewall Celebration. This was extremely impactful because no one had publicly come out on a live network before; definitely not in the fashion that Gendel did. This paved the way for other journalists to disclose and openly discuss their sexuality on or off the air.

NLGJA's fight for equal rights did not stop here. To assist in the expansion of LGBTQ+ rights, in 1995 NLGJA assisted a Canadian organization form its own National Lesbian and Gay Journalist Association. Also in 1995, NLGJA and the Radio and Television News Directors Foundation published, *Another Perspective: A report on Gay and Lesbian Issues in Electronic Journalism*. This survey exposed the truth, which was that most individuals were unimpressed with the quality and extent of coverage of many LGBTQ+ issues (NLGJA, 2021). Then, in 1996, the renowned *Washington Post* refused to extend benefits to domestic partners; but in the same year, the Hearst Media group extended benefits to domestic partners. Hearst Media group was not the only one though, Knight-Ridder followed their lead and soon after there were 56 news organizations offering domestic partnership benefits. Theorist Finnemore and Sikkink would argue that this was the tipping point for domestic partner benefits, as there was a clear domino effect that occurred.

Jumping ahead to 2000, NLGJA starts off the year by celebrating its 10<sup>th</sup> Anniversary at a gala in San Francisco. The organization at this point now has 1,000 members in its 19 chapters, not including those in Germany and Canada. NLGJA also launched a new survey, *Lesbians and Gays In the Newsroom: 10 Years Later*. The survey received a lot of attention and had positive feedback from the media. In 2001, NLGJA was recognized for its hardwork and perseverance in

the fight against LGBTQ+ inequality by the Gill Foundation and was awarded \$100,000, the largest awarded to NLGJA since its first award in 1995. NLGJA members and staff work endlessly with their colleagues in the news industry to fulfill the organization's mission of fair and accurate coverage.

NLGJA is so dedicated to achieving their mission of fair and accurate representation that they developed the Rapid Response Task Force (RRTF). RRTF was created for moments when a more targeted response is required to promote greater understanding about how to fairly and accurately represent the LGBTQ+ community. RRTF is a panel of working journalists from mainstream and LGBTQ+ media who answer complaints about reporting that is deemed as unfair and/or inaccurate by its audience and NLGJA's peer journalists. Since it began, the Rapid Response Task Force has not only informed countless newsrooms about appropriate terminology and the appearance of bias, but has also used these contacts to spread awareness about issues facing the LGBTQ+ community. The Rapid Response Task Force relies on media consumers to bring the problematic coverage to light, otherwise they may never know of the issue. The Task Force suggests that individuals submit a link to the story that they believe is unfair or inaccurate, and the Task Force will evaluate the submission, discuss it, and if appropriate, contact the newsroom in question (NLGJA, 2021). The RRTF focuses on inappropriate and inaccurate media coverage and aims to not only challenge unfairness and inaccuracy, but it also aims to spread awareness through action. This is a crucial part of the organization because it gives the LGBTQ+ community the power to report and raise awareness on discriminatory and hateful acts.

In the later part of 2001, NewsWatch, the Native American Journalists Association, National Association of Black Journalists, Asian American Journalists Association, National Association of Hispanic Journalists and NLGJA published an issue celebrating NLGJA's 10<sup>th</sup>

Anniversary. This was crucial because it was one of the first times all of these journalist organizations joined together for a project. The same year, NLGJA also ratified a strategic plan, which put emphasis on core program goal areas of membership and chapter growth; improved coverage of LGBTQ+ communities; expansion of benefits for LGBTQ+ employees; increased student outreach and education; and more professional development training (NLGJA, 2021). Following this, in 2002, the Associated Press began to offer domestic partner benefits to LGBTQ+ employees and NLGJA became a voting member of the Accrediting Council on Education in Journalism and Mass Communications. These were major steps were the LGBTQ+ community, NLGJA has really put its foot in the door of change during this period.

In 2004, NLGJA kicked off its Newsroom Outreach Project, which seeks to familiarize newsroom leaders with NLGJA and discuss LGBTQ+ coverage issues; meetings were launched throughout the country. In 2005, NLGJA celebrated 15 years and they are now at roughly 1,200 members and have 24 chapters spread throughout the country and affiliates in both Canada and Germany. The same year NLGJA unveils the LGBTQ+ Journalists Hall of Fame, honoring the strong lesbian, gay, bisexual, transgender and queer journalists whose actions demonstrated both exemplary professionalism and personal courage. It is really important to shine a light on such prominent LGBTQ+ activists, so the Journalists Hall of Fame was a huge step in the right direction for NLGJA.

In 2009, NLGJA formed the Student Advisory Committee, to aid in reaching out to students, creating education projects and building exposure among journalism schools. Also in 2009 Re:ACT, the official NLGJA blog, went live and it more than doubled NLGJA's exposure and traffic on the web. To bring 2009 to a strong close, UNITY: Journalists of Color will now include the NLGJA, after the board of directors of both organizations agreed to the partnership

last week. NLGJA's mission to advance the interests of LGBTQ+ journalists aligns with UNITY's mission of ensuring that newsrooms, and news coverage, reflects the diversity of LGBTQ+ communities. The joining of UNITY and NLGJA will further NLGJA's goal of obtaining fair and accurate coverage of LGBTQ+ issues in the news media and encouraging newsroom diversity. The alliance with UNITY will help NLGJA continue its mission of ensuring that newsrooms properly represent the LGBTQ+ communities UNITY's immediate goal is to work on broadening their focus on diversity; this shift will strengthen UNITY's position when advocating for specific types of inclusion. The alliance between NLGJA and UNITY allows NLGJA members to participate in a broader discussion of issues that affect the LGBTQ+ community since UNITY has such a diverse array of journalists. UNITY and NLGJA are committed to working toward a respectable, trustworth, and mutually advantageous alliance that will further advance their common mission.

UNITY: Journalists of Color is a strategic alliance that advocates for adequate news coverage for people of color, and aggressively challenges its organizations at all levels to reflect the nation's diversity. UNITY is composed of three national associations: Asian American Journalists Association, National Association of Hispanic Journalists, and the Native American Journalists Association. Not only does UNITY hold the largest gathering of journalists in the country, UNITY also supports research and advocacy initiatives that promote its mission (UNITY, 2021). The joining of UNITY and NLGJA will further advance marriage equality rights for all LGBTQ+ individuals regardless of race, nationality, ethnic origin, etc. As a matter of fact, NLGJA has now become a part of a social movement that can often be seen as intersecting with the LGBTQ+ movement, this being the movement of equality rights regardless of race, ethnicity, nationality, etc.

In February of 2010, over 60 of the nation's top LGBTQ+ bloggers, reporters and editors traveled to Philadelphia for the 4<sup>th</sup> annual LGBTQ+ Editors and Bloggers Convening. Hosted by NLGJA this invitation-only event has quickly become one of the most anticipated of the year. The goal of the forum is to strengthen the capacity of LGBTQ+ members of the media and blogosphere to truly understand and more effectively communicate issues regarding the LGBTQ+ community, and also to assist in the growth as LGBTQ+ bloggers in the national community. The event was live tweeted by many of the participants, which played a large role in its popularity. The event's hashtag, #LGBTmedia13, became the top trending hashtag on Twitter that same day (NLGJA, 2021).

NLGJA strives to be the premiere network for LGBTQ+ media professionals. As you can see with the plethora of actions that NLGJA has taken since they began in 1990, NLGJA has a strong voice not only throughout the US, but worldwide. The organization has fought for change for over three decades now and has grown exponentially throughout. NLGJA has never sat back and let LGBTQ+ individuals go underrepresented, as long as they have been around, they have made the LGBTQ+ community's voice heard throughout the media and society.

### **National LGBT Chamber of Commerce (NGLCC)**

The National LGBT Chamber of Commerce (NGLCC) is the business voice of the LGBTQ+ community; it is the only national advocacy organization dedicated to expanding economic opportunities for the LGBTQ+ business community. The LGBTQ+ business owners NGLCC represents generate over \$1.7 trillion in economic impact, create jobs and innovate business solutions throughout the country. NGLCC is the leading public policy advocate working to include Certified LGBTBE® businesses in procurement opportunities at the federal, state and local level (NGLCC, 2021). With NGLCC's Global initiative, the organization is growing and

intends on expanding to five continents, thus improving economic opportunities and LGBTQ+ human rights on a universal scale.

The National LGBT Chamber of Commerce began in November 2002 when co-founders Justin Nelson and Chance Mitchell were fed up with the impact of LGBTQ+ people on the American economy going unrecognized despite economic equality being an important factor of the LGBT movement. The founders' goal was to create an organization that could support LGBTQ+ business owners and showcase the wide array of talents within the LGBTQ+ community. After realizing that the economic impact, economic equality, and the impact economics could have on the future of the equality movement were rarely considered in politics, the founders felt as if they must spring into action. Justin Nelson and Chance Mitchell, the founders, sought to show society that in addition to being LGBTQ+, many of these individuals are also business owners, employers, taxpayers, providers of healthcare and a dominant, essential part of the small business realm that keeps the U.S. economy strong (NGLCC, 2021). An organization that began with just a small group of activists is now the voice for the nation's 1.4 million LGBTQ+ business owners due to their hardwork and dedication. NGLCC has the support and participation of more than 200 corporate partners as well as prominent executive leadership that assist the organization in promoting pro-business and LGBTQ+-inclusive policies. With the assistance of news outlets like the Washington Blade and Out magazine, NGLCC's popularity began to grow very quickly. This motivated the organization and proved that economic and social visibility are one of the same in the fight for equality and opportunity for all. NGLCC has succeeded in large part due to dedicated individuals and boards, along with the powerful businesses and corporate partners that have gotten involved since NGLCC's founding.

Today, NGLCC has a network of more than 50 local, state, and international affiliate LGBT chambers of commerce, and serves to represent their economic interests and opportunities. In 2017 for the first time NGLCC released its proprietary data, the *America's LGBT Economy Report*. A key finding reported was that the standard LGBTQ+ business has been in business for more than 12 years and that LGBTQ+ businesses account for more than \$1.7 trillion to the U.S. economy and have also created over 33,000 jobs. In 2018 and early 2019, NGLCC won the public sector contracting inclusion of certified LGBTBEs in several cities; including Orlando, Florida; Nashville, Tennessee; Baltimore, Maryland; and Jersey City, New Jersey. Currently, California, Massachusetts, and Pennsylvania also acknowledge certified LGBT-owned businesses, along with major cities such as Seattle and Philadelphia (NGLCC, 2021).

Beginning in 2004, the NGLCC began to offer certification to businesses owned by the LGBT community. NGLCC is the exclusive third-party certifying body for Certified LGBT Business Enterprise companies with their diversity certification program. More than 33% of Fortune 500 recognize this certification and will partner with NGLCC to create fully LGBTQ+-inclusive markets (NGLCC, 2021). The goal of the certification is to help corporate and government procurement teams source LGBTQ+ owned products and services, known as supplier diversity. To obtain a certification, it is a multi-step process that involves an application and supporting documents, a on-site visit, and final approval before a national certification committee. Though challenging, the certification program expands business opportunities to LGBTQ+ communities.

In August 2007, the NGLCC signed a memorandum of understanding with the Women's Business Enterprise National Council to provide opportunities for dual-certification as both a women-owned, and LGBTQ+ owned, business. In 2011 the Human Rights Campaign (HRC)

began including actively sourcing of LGBTQ+ certified businesses as part of the Corporate Equality Index, a national directory of LGBTQ+ friendly workplaces. In 2017, HRC further expanded the index criteria to require LGBTQ+ inclusion in supplier diversity programs as a stand-alone scored metric (NGLCC, 2021). The NGLCC also offers corporate membership and has over 300 companies recognized as corporate partners of the NGLCC. These partnerships provide benefits such as access to certified suppliers, recognition of supporters of the LGBTQ+ business community, and opportunities to share best practice in supplier diversity. The NGLCC recognizes 10 companies as founding corporate members; those being IBM, Wells Fargo, JP Morgan, Chase, American Express, Intel Wyndham Worldwide, American Airlines, Ernst & Young, and Aetna Motorola (NGLCC, 2021). In August 2017 it was announced that the Billion Dollar Roundtable will now include NGLCC certified LGBTBEs as a category of diverse vendors counted by corporations spending a billion dollars or more on procurement with diversity-owned firms. The Billion Dollar Roundtable was created in 2001 to recognize and celebrate corporations that achieved spending of at least \$1 billion with minority and women-owned suppliers. This was a huge step in the right direction for LGBTQ+ recognition in economics.

In June of 2005, NGLCC became the first LGBT organization to ring the New York Stock Exchange Closing Bell. In 2010 NGLCC began international work, which eventually led to the development of NGLCC Global in 2013. In November 2011 the NGLCC unveiled a new Supplier Innovation Center; the center is designed to facilitate training opportunities and develop best practice for small businesses, and provide an opportunity for local start-ups to operate. In 2014, AB1678 became the nation's first public mandate requiring the inclusion of certified LGBT Business Enterprises in contracting with a statewide agency, the California Public



Utilities Commission. In 2015, Massachusetts became the first state to include certified LGBTBEs in statewide contracting, which was enacted by Governor Charlie Baker with the guidance of the NGLCC. In 2016, NGLCC helped introduce the New York State Supplier Diversity Act to intentionally include LGBTQ+, disability, and veteran owned firms in New York State contracting opportunities. In 2018 NGLCC's advocacy and public policy team was responsible for the inclusion of certified LGBTQ+ Business Enterprises in the cities of Baltimore, Maryland and Jersey City, New Jersey. In this same year, the groundwork was laid for inclusive legislation to be implemented in Denver, the District of Columbia, Nashville, and several other major cities. Today in 2021, Three Rivers Business Alliance, working with NGLCC's advocacy and public policy team, was able to make the City of Pittsburgh the first city in Pennsylvania to create an initiative that expands its inclusion of LGBTQ+ owned businesses and LGBTQ+ business opportunities (NGLCC, 2021).

To conclude, NGLCC is dedicated to ensuring equal LGBTQ+ representation and equal LGBTQ+ rights. The organization has worked within the LGBTQ+ community since 2002 fighting for economic equality. Though the organization's fight is still ongoing, the groundwork has been laid and their voice is now being heard. The impact that NGLCC has already had on LGBTQ+ business plays a major factor in the progression that has been made within the LGBTQ+ community within the last two decades. NGLCC will continue the fight for LGBTQ+ rights until equal rights and equity becomes the standard.

### **Overarching Connections**

There are several overlapping connections between NGLCC and NLGJA. First, both organizations strive for the LGBTQ+ community's right to equality and fair representation and together, have left a massive impact on LGBTQ+ rights in the US. Though the organizations

differ in their short-term goals, the overall missions of these organizations are one of the same. The general mission of these two organizations are to establish LGBTQ+ rights throughout not the United States. Both also place partnerships and diversity as the primary focus of their organization; such as NLGJA's collaboration with organizations like the Native American Journalists Association, National Association of Black Journalists, Asian American Journalists Association, National Association of Hispanic Journalists, and NGLCC's collaboration with IBM, Wells Fargo, JP Morgan, etc. The organization's partnerships have played a major role in the shift in the societal stigma around the LGBTQ+ community. With more acceptance from major businesses, comes more acceptance from the local community.

Although NLGJA and NGLCC are not the only actors in the fight for change within the US, they have had a tremendous effect on policy and the community. For NLGJA, initiatives such as the Rapid Response Task Force, Student Advisory Committee, and Newsroom Outreach Project have had an outstanding impact on the LGBTQ+ community by educating individuals and then using these contacts to spread awareness about issues facing the LGBTQ+ community, and for NGLCC, initiatives such as their diversity certification program and the addition of the Women's Business Enterprise National Council, have had a lasting impact on LGBTQ+ business.

Finally, NLGJA and NLGCC contributed to changes in legislation by their political activism and collective action. Fighting in every battle that concerns LGBTQ+ rights, these organizations have placed political activism through collective action as their top priority. They focus on shining a light on the issues regarding the LGBTQ+ community in the news media, which, unlike some other forms of activism, can continue to reach countless individuals for years to come. In today's world, more and more people are looking to the media for their news. Thus furthering the influence that these two organizations had on LGBTQ+ rights. By directly

reaching the American public in a way that is accepting to homosexuality, these organizations have played a major role in the shift in religious, political, and social societal ideals regarding same-sex marriage.

### **Chapter 3 - Comparison of Regions**

Although the UK and the US are relatively close in proximity and are both Western-oriented regions with similar demographics, these regions greatly differ within their human rights scope. When it comes to the LGBTQ+ community in particular, these regions have varying degrees of freedom, which were examined and discussed throughout the previous chapters.

Before I begin my analysis, the substantial progress that the UK and the US have made in their respective LGBTQ+ communities within the past decade must be acknowledged. They both began to recognize same-sex marriages and also began to set protections in place for members of the LGBTQ+ community. The UK's and the US' contributions to the LGBTQ+ community have mainly resulted from backlash that originated amongst the LGBTQ+ community members and advocates of same-sex marriage rights, though their efforts have had different impacts that will be assessed below. The variations in impacts led to several differences in the quality of life for those in LGBTQ+ communities within the UK and the US. After analyzing these variations, I will discuss how the organizations examined played a major role in the push for both the legislative change that occurred as well as the norm shift. The discussion section will be divided into two categories: a general comparison of the United Kingdom and the United States, and then followed by a comparison of the case studies of the organizations examined.

#### **General Comparison**

Within the UK, though different countries are on different spectrums when it comes to political platforms and cultural norms, all offer opportunities to further enhance the quality of life for LGBTQ+ individuals. The steps the UK made toward equal marriage rights from the Buggery Act of the 1533 to full legalization almost 500 years later with the Marriage (Same Sex

Couples) Act of 2013 were extraordinary. The UK had been anti-gay with their legislation and culture up until the relatively recent changes in legislation. As noted in previous chapters, the UK often placed emphasis on cultural ties and religious heritage, though this does vary depending on where in the UK an individual is from. Several countries throughout the UK have surprised the international community with their drastic norm shift from a focus on the Catholic religion to a focus on creating an inclusive environment for all citizens. Today in 2022, they have allowed same-sex marriage, marriage benefits for same-sex couples, and public access to healthcare for citizens, regardless of aspects of their identity such as gender identity, race, and ethnicity.

When compared to the US, the UK has been a step ahead in their LGBTQ+ legislation for quite a while now. Though, both nations currently have legalized same-sex marriages and have several renowned LGBTQ+ activist organizations within their country that are constantly fighting for LGBTQ+ rights on a local and global scale as well as providing a line of support for LGBTQ+ individuals.

In the US today, all 50 states as well as the District of Columbia must follow the 2015 ruling on *Obergefell vs. Hodges* which ruled that the Fourteenth Amendment requires all states to grant same-sex marriages and recognize same-sex marriages granted in other states. Although when analyzing the US on a state-level, there are differing levels of rights and limitations for members of the LGBTQ+ community. For example, Massachusetts demonstrates a wide range of freedoms and protections from discrimination for the LGBTQ+ community. In Massachusetts same-sex marriage has been legal since May 17, 2004, due to the Massachusetts Supreme Judicial Court (SJC) ruling in *Goodridge v. Department of Public Health* that it was unconstitutional under the Massachusetts Constitution to strictly allow heterosexual couples to

marry. Meanwhile, states such as Kansas were still fighting back against allowing same-sex marriages even after the 2015 federal ruling. Kansas' Gov. Sam Brownback and his administration refused to recognize same-sex marriages in Kansas until the so-called 'issue' worked through all court procedures and appeals (Lopez, 2015). The term 'issue' is in quotes here because this is not an issue, it is a human right. With this all being said, the legislative measures taken to allow same-sex marriage and overall ensure LGBTQ+ safety are required to stop their protections at the end of state lines due to jurisdictional boundaries. So, when individuals from the LGBTQ+ community move from state to state there are different laws in place which in turn creates a huge challenge for members of the LGBTQ+ community. A prime example of these laws is housing protections. In some states it is still legally allowed to deny a member of the LGBTQ+ community housing, whereas others states have made laws to end such discriminatory practices toward the LGBTQ+ community.

Overall, the UK places a much higher focus on LGBTQ+ rights than the US, as they have initiatives in place for health care access as well as initiatives for proper training of providers so they can properly treat LGBTQ+ patients. Whereas in the US, there are still ongoing battles about healthcare issues such as whether a doctor can discriminate against LGBTQ+ individuals or not. Just recently in 2020, the Trump administration put a rule in place that allows doctors to discriminate against LGBTQ+ patients (Burns, 2020). These forms of discriminatory policies further perpetuate hate crimes and discrimination against the LGBTQ+ community. On such controversial topics like same-sex marriage the federal government must hold definitive stances in order to ensure equality. The progression within the US is unpredictable, thus making the UK the more stable nation and therefore a safer place for LGBTQ+ individuals to reside in today's world.

## Case Study Comparisons

Both Stonewall and the LGBT Foundation can be considered prominent movements in the UK's sociopolitical landscape and the same goes for the National Lesbian and Gay Journalists Association and the National LGBT Chamber of Commerce within the US. Their well-maintained web sites ([www.stonewall.org.uk](http://www.stonewall.org.uk), [www.lgbt.foundation](http://www.lgbt.foundation), [www.nlgja.org](http://www.nlgja.org), and [www.nlgcc.org](http://www.nlgcc.org)) suggest that they use new media technologies to good effect, which helps make them effective examples for this study. All of which are also active on various social media platforms, including Instagram, Facebook, and Twitter. After reviewing their platforms on social media, I now have a better sense of how they virtually mobilize individuals. I found their Instagram and Facebook accounts to be the most impactful. I am basing this off of their platform engagement and quality of posts. All four organizations used social media to raise awareness on pressing issues and to share their event dates, times, etc.

To analyze how each organization uses media, their usage will be compared to several functions that Rheingold (2003) argues as central to the way media is used by social activists throughout the world. According to Rheingold (2003), media technologies bring about interaction that provides both opportunities and threats for activists in three key areas: dissemination of alternative news, creating virtual public spheres, and organizing collective political action. The functions that Rheingold discusses in this typology should not be seen as definite and distinct, but rather as overarching categories that illustrate the varying ways the news media is used by social movements. Furthermore, some of the examples discussed could fit into more than one category. The purpose of this is not to make a clear distinction between functions, but to provide a door opener into the social use of media by activists and social movements. The US organizations examined, NLGJA and NLGCC, revolve around the use of

the news media whereas the LGBT Foundation and Stonewall do not. Although the LGBT Foundation and Stonewall use the Internet and other new media technologies such as e-mail to spread information without the aid of the mainstream media, it is not part of their mission as it is with NLGJA and NLGCC, specifically NLGJA. Stonewall and the LGBT Foundation unexpectedly received the highest rates of engagement on their social media accounts when being compared to NLGCC and NLGJA.

While comparable uses of media to those outlined by Rheingold (2003) could be found in the activities of all of these organizations, there were also some differences that were worth noting. The NLGJA and NLGCC take pride in their community outreach, as well as their ability to publicly defend the LGBTQ+ community in the news media. NLGJA's mission is to challenge individuals who combat LGBTQ+ rights by using their ability to reach the public with journalism. Whereas, Stonewall and the LGBT Foundation focus less on the news media and more on connecting with leaders, both global and local, to push for change. As seen with NLGJA's UNITY program and NLGCC's Women's Business Enterprise National Council. Community outreach is a core focus for both Stonewall and the LGBT Foundation, but they tend to do so with their programs and by hosting events, rather through news media. Though, as mentioned earlier, both organizations are active on social media and in the news media just to a far lesser extent than their American counterparts. Therefore, as Rheingold suggests, both the organizations within the UK and within the US use media to provide alternative news to what is commonly overrun by mainstream journalism, to create alternative public spheres, as well as to mobilize for social activism.

Although both the UK's and the US' organizations share the same organizational structure, they provide contrasting examples of initiatives taken in their fight for equality. The



US organizations examined have a more centered focus on the US LGBTQ+ movement alone, whereas Stonewall and the LGBT Foundation have much more of a wider scope and tend to take a more global stance. They are all centralized organizations but differ in their means of action. The US organizations examined also take a more written approach at combating these injustices; whereas the UK organizations, Stonewall and the LGBT Foundation, tend to focus more on taking a hands-on approach with programs that assist and welcome the LGBTQ+ community. Prime examples include Stonewall's Rainbow Laces campaign, Children and Young People's Services Champions program and the LGBT Foundation's Condom and Lube Distribution Scheme and their Equality Wins campaign (Stonewall, 2021). Further, it seems as if the US organizations examined, NLGJA and NGLCC, have managed to awaken a spirit of civil advocacy and volunteerism amongst many middle-class citizens. Stonewall and the LGBT Foundation, by contrast, are mainly made up of locally based community members who are mostly unemployed, but volunteer for the organization. This is a fascinating find and can contribute to studies on volunteerism within LGBTQ+ communities.

This study also demonstrates the impact that these organizations had within their respective regions. The internal push for equal rights that was needed for legalization was brought about by these kinds of organizations and activists. It seems fair to say that without such prominent movements in either region, it is untellable as to where these countries would stand today in terms of legalization. The UK organizations Stonewall and LGBT Foundation have a very wide range of focuses and ultimately emphasize public activism and citizen advocacy to push their rights. On the contrary to the organizations examined in the UK, the US organizations examined have a more central focus on outreach by activism. For example, NLGJA and NLGCC promote LGBTQ+ individuals in journalism and in the news media. It seems as if the general

outreach and broader mission led the LGBT foundation and Stonewall UK to their success, surpassing that of the US. Such examples include Stonewall's Workplace Empowerment program that corresponds with the world's leading employers and the LGBT Foundation's Helpline that reaches thousands of LGBTQ+ individuals worldwide on a daily basis. The most effective way Stonewall and the LGBT foundation grew their following was by creating programs that brought the LGBTQ+ community together in a safe environment. Though, even today activists throughout both countries are still fighting for an overdue norm change, from one of hate for same-sex relationships, to one of support and acceptance of all relationships.

Though they were not the only organizations that were a part of this movement throughout this time period, these organizations were all prominent actors throughout the LGBTQ+ movement and still are today. The US organizations played a major role in the changes of legislation. Not only did they push for legalization but there was also a major push for a norm change by these organizations. Simply passing legislation was not enough to get rid of the hate throughout society that could create barriers for same-sex marriages and for same-sex couples in their day-to-day lives.

### **Variations**

Variation is almost guaranteed in all aspects of these cases as all four of these organizations have various governmental structures in place, governing political parties and different policies that the individuals that reside within their nation must abide by. Variation is possible within these nations for LGBTQ+ policies based on the public opinion of their citizens as well as their policies and how these policies affect the overall well-being of their citizens. All of these organizations are fighting for the same cause but have different means of action and have to combat different issues depending on their region. While a public opinion shift is crucial

for change, it is weighted differently depending on the organization which leads to variation. Even with a constant push for change, injustices and unjust policies such as in the state of Kansas have held strong against social advocacy groups and activists. It was not until 2020 that Kansas prohibited discrimination on the basis of sexual orientation and gender identity in employment, housing and accommodations (2021). It is crucial to examine variations because every government, state, and person are different, and with this one can draw inferences and make relevant connections. When examining prominent regions such as the US and the UK, there will always be variation as they both maintain different values and design legislation as they see fit for their region. Since these are such large nations as well, there is variation among member states. Similarly to Federalism in the US, the UK has a national government that oversees all of its member states. In the UK, it is left up to the states to denote their own economic policy, employment rights and benefits, and rights of their citizens. This leads to variation between member states response to social movements; although they may be very similar both culturally and politically. Regardless of the variations, analyzing these two nations same-sex marriage and LGBTQ+ rights provide insight on how developed nations handle controversial topics.

## Conclusion

This undergraduate thesis explores the social upheaval that eventually led to changes in legislation and norms throughout the US and UK, while also assessing the quality of life for LGBTQ+ individuals in these regions. The core of each country's progress toward marriage equality rests on the public perceptions and religious and political affiliations of the community. These factors also directly correlate to changes in legislation as shifts in legislation, particularly on controversial topics, do not occur without some form of social upheaval; which is where the LGBTQ+ movement came into play. These factors were all relevant to the status quo and public perception of each country, which has guided legislation to where it is. Generally, this research has shown that as society becomes more progressive, it also starts to alter discriminatory legislation.

Overall, the UK proved to have more accepting legislation in place within their countries. The organizations analyzed in the case studies provided demonstrated the shifts in both legislation and norms as they constantly change their immediate goals over time to accommodate for the changing needs of the LGBTQ+ community. The fight for marriage equality in the UK and US were prominent example of the steps it takes to get a government to alter discriminatory legislation. When it comes to the United States, it remains a step behind the UK in respect to the LGBTQ community. Though the variation amongst member states plays a major role on the US' ability to surpass the UK in terms of progressive LGBTQ+ legislation. As we see vast differences in states such as Massachussetes, where LGBTQ+ rights became legal in 2004, in comparison with with a state like Kansas that decided it would not act on the federal legalization of same-sex marriage until all appeals were dealt with. With this being said, the study further demonstrates the importance of acknowledging variation when it comes to marriage equality.

Analyzing these two nations has shown me the variation of views within these two affluent countries is significant and due this variation, it is challenging to come to conclusive facts about the US and the UK collectively because both are exceedingly polarized in their views.

### **Limitations**

There are numerous limitations to this study, as it was conducted for undergraduate thesis and with the progression being only three semesters from start to finish. With more time, I would have liked to study the LGBTQ+ movement more generally, analyzing how the global movement as a whole had an effect on universal marriage equality and overall quality of life of the LGBTQ+ community. I also would have added more case studies to each region to see if they follow the same trends of the previous researched case studies. Finally, it should also be noted that the research, discussion, and conclusions above are based on articles up until March 11, 2022, and this thesis will be published in April of 2022. In the future there may be changes that render some or all parts of this thesis to be insufficient or invalid due to the constant shifts in LGBTQ+ legislation and policy.

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