

A Selective Timeline of Same-Sex Marriage Rights

(summary based primarily on information from
http://en.wikipedia.org/wiki/Timeline_of_same-sex_marriage)

NOTE: Entries marked with ** represent events directly pertinent to *United States v. Windsor*. This document was originally created in May 2015 to accompany an OLLI study group viewing of the film *Edie & Thea: A Very Long Engagement*. Edie Windsor brought suit against the U.S. government that resulted in the Supreme Court case that declared the Defense of Marriage Act to be unconstitutional.

1969 (June): Riots at the Stonewall Inn in New York City represent what is considered to be the beginning of the modern gay rights movement.

1979 (June): The Netherlands adopts an "Unregistered Cohabitation" scheme as a civil status in rent law, becoming the first country in the world where same-sex couples could apply for limited rights.

1989 (October): Denmark becomes the first country in the world to legally recognize same-sex unions, after passing a bill legalizing "registered partnerships."

1993 (May): Hawaii Supreme Court rules that the state statute limiting marriage to opposite-sex couples is presumed to be unconstitutional unless the state can present a "compelling state interest" justifying the same-sex marriage ban.

1993 (August): Norway enacts a registered partnerships bill, becoming the second country in the world to provide legal recognition for same-sex couples.

1995 (January): The Parliament of Sweden enacts a registered partnerships bill.

1996 (April): Greenland adopts Denmark's registered partnerships law.

1996 (June): The Parliament of Iceland legalizes registered partnerships.

**** 1996 (September):** President Bill Clinton signs the Defense of Marriage Act (DOMA) into law, which bans the federal Government from recognizing same-sex unions.

1998 (January) through 2015 (December): Registered Partnerships/Civil Partnerships/Civil Union bills enacted in the following countries/provinces/cities (in order of adoption): The Netherlands, Belgium, Germany, Finland, Tasmania (Australia), Luxembourg, United Kingdom, New Zealand, Andorra, Switzerland, Slovenia (limited rights), Czech Republic, Mexico City, South Africa, Uruguay, Victoria (Australia), Ecuador, Hungary, Austria, New South Wales (Australia), Ireland, Isle of Man, Brazil, Liechtenstein, Queensland (Australia), Gibraltar, Malta, Croatia, Estonia, Chile, Cyprus, Greece.

- 1998 (November): Hawaii and Alaska become the first U.S. states to pass constitutional amendments against same-sex marriage. Other U.S. states followed suit and passed similar amendments in the following years, reaching a peak of 31 in 2012.
- 1999 (September): California passes a domestic partnerships bill into law that provided limited rights for same-sex couples.
- 1999 (November): France approves legislation that creates a relationship register for both gay and straight couples.
- 1999 (December): The Vermont Supreme Court holds that excluding same-sex couples from marriage violates the Vermont Constitution and orders the legislature to establish same-sex marriage or an equivalent status.
- 2000 (July): Vermont enacts a civil unions bill, thus making Vermont the first state in the U.S. to give marriage rights to same-sex couples.
- 2000 (December): Netherlands signs into law the first same-sex marriage bill in the world, effective April 1, 2001. Four couples were married at the stroke of midnight in Amsterdam.
- 2003 (May): The British Columbia Court of Appeal becomes the first provincial court of appeal to rule that the Canadian government must legally recognize same-sex marriage.
- 2003 (June): Belgium enacts a law legalizing same-sex marriage, making Belgium the second country in the world to legalize civil marriage for same-sex couples.
- 2003 (June): A court of appeals in Canada legalizes same-sex marriage in the province Ontario, making Ontario the first jurisdiction in the Americas to legalize same-sex marriages.
- 2003 (November): The Massachusetts Supreme Court orders the Legislature to open marriage to same-sex couples. The Court also rules that if the Legislature fails to do so in 180 days, same-sex couples will be able to marry without any impediment.
- 2004 (May): Same-sex marriage becomes legal Massachusetts after the Legislature failed to take any action in the 180 days period given by the state's Supreme Court. It became the first U.S. state to legalize same-sex marriage.

2004 (July) through 2013 (March): Registered partnership bills/Domestic Partnership/Civil Union bills enacted in the following U.S. states (in order of adoption): New Jersey, Maine, Connecticut, Washington, Oregon, New Hampshire, Maryland, Nevada, Wisconsin, ILLINOIS (June 2011), Hawaii, Delaware, Rhode Island, Colorado.

**** 2005 (July):** Same-sex marriage legalized in Canada.

2005 (June) through 2015 (May): The following countries/provinces/cities enact same-sex marriage laws (in order of adoption): Spain, Norway, Sweden, Mexico City, Portugal, Iceland, Argentina, Alagoas (Brazil), Denmark, Caribbean Netherlands, Uruguay, New Zealand, France, England, Wales, Scotland, Luxembourg, Finland, Slovenia, Greenland.

2008 (May) through 2013 (December): Supreme Courts legalize same-sex marriage in the following U.S. states (in order of ruling dates): California, Connecticut, Iowa, New Jersey, New Mexico.

**** 2008 (May):** Governor David Paterson from New York signs an executive order mandating state agencies to recognize same-sex marriages performed out-of-state equally under the law. New York thus became the first U.S. state that didn't allow same-sex marriages, but whose state agencies recognized same-sex marriages performed elsewhere.

2008 (November): A referendum ("Proposition 8") seeking to constitutionally ban same-sex marriages California is approved by 52.2% of voters. This was the first time in modern history that same-sex marriage has been overturned.

2008 (November) through 2013 (May): The Supreme Courts of the following countries legalize same-sex marriage (in order of rulings): Nepal, Colombia, Brazil.

2009 (April) through 2013 (November): Legislatures in the following U.S. states legalize same-sex marriage (in order of adoption): Vermont, Maine, New Hampshire, Washington DC, New York, Washington, Maryland, Rhode Island, Delaware, Minnesota, Hawaii, ILLINOIS (law passed November 2013, effective June 2014; prior civil unions converted to marriage beginning July 2014).

2010 (June): Jóhanna Sigurðardóttir, Iceland's Prime minister, becomes the world's first head of government to enter a same-sex marriage.

2012 (November): Voters in Maine, Maryland, and Washington approve same-sex marriage laws in referendums, becoming the first U.S. states to legalize same-sex marriage through this process, while voters in Minnesota become the first to reject a constitutional amendment seeking to ban same-sex marriage in their state.

**** 2013 (June):** The Supreme Court of the United States rules in *United States v. Windsor* that Section 3 of the Defense of Marriage Act (DOMA), the portion of the law that barred federal recognition of same-sex marriages, is unconstitutional. On the same date, SCOTUS also overturned the same-sex marriage ban in California (Prop 8).

2014 (February) through 2015 (February): U.S. District Courts or U.S. Courts of Appeal or State Supreme Courts rule that state bans on same-sex marriage are unconstitutional in the following states (in order of ruling dates) (Note: some decisions stayed pending appeal): Texas, Michigan, Arkansas, Idaho, Oregon, Pennsylvania, Utah, Kentucky, Oklahoma, Colorado, Florida, Virginia, Indiana, Wisconsin, Idaho, Nevada, West Virginia, North Carolina, Alaska, Arizona, Wyoming, Kansas, Missouri, South Carolina, Montana, Alabama.

2015 (May 22): Ireland holds a Marriage Equality referendum, which proposed to add the following language to the Irish Constitution: “Marriage may be contracted in accordance with law by two persons without distinction as to their sex.” The referendum passed with a yes vote of 62%. Ireland thus becomes the first country to approve same-sex marriage by a popular vote.

2015 (June 26): United States Supreme Court rules in *Obergefell v. Hodges* that the fundamental right to marry is guaranteed to same-sex couples by both the Due Process Clause and the Equal Protection Clause of the 14th Amendment. At the time of this ruling, same-sex marriage was recognized by the federal government (via *United States v. Windsor*) and had been legalized in 36 U.S. states, the District of Columbia and 22 Native American tribal jurisdictions. The *Obergefell* ruling legalized same-sex marriage throughout the U.S., and its possessions and territories.

2015 (December 20): In a referendum, voters in Slovenia overturn the same-sex marriage bill that had been passed by the parliament in March 2015.

2016 (February 25): The Italian Senate approves a Civil Union bill in a 173-71 vote. The bill will face a vote in the House of Representatives.

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