Gender, Law & Politics 46.320

**Assignment 6: Gender and the Expansion of Civil Rights in the 21st Century**

**Don’t forget to use your own words and answer in complete sentences.**

1. Briefly summarize the outcome of [*Lawrence and Garner v. Texas*](https://www.thirteen.org/wnet/supremecourt/future/landmark_lawrence.html).

2. [*Goodridge v. Dept. of Public Health*](http://www.massbar.org/publications/massachusetts-law-review/2004/v88-n3/case--statute-comments-goodridge) - Fill in blanks:

After concluding its review of the rationales presented by the department, the court addressed some of the arguments presented by amici, including the argument that allowing same-sex couples to marry "will trivialize or destroy the institution of marriage as it has historically been fashioned."16 The court responded, "\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_."17 Extending the right to marry to same-sex couples "\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_," the court determined.

3. Using [*Goodridge v. Dept. of Public Health*](http://www.massbar.org/publications/massachusetts-law-review/2004/v88-n3/case--statute-comments-goodridge)as a guide, briefly describe the constitutional flaws in the arguments used to support [Proposition 8](http://ballotpedia.org/California_Proposition_8%2C_the_%22Eliminates_Right_of_Same-Sex_Couples_to_Marry%22_Initiative_%282008%29):

5. From [*United States v. Windsor*](https://www.law.cornell.edu/supct/cert/12-307):

The substantive issue is whether Section 3 of the Defense of Marriage Act violates the right to \_\_\_\_\_\_\_\_\_\_\_\_\_of same-sex couples who are legally married under state law. The procedural issue is whether the Supreme Court has [\_\_\_\_\_\_\_\_\_\_\_\_\_\_](http://www.law.cornell.edu/wex/jurisdiction) over this case in light of the executive branch’s refusal to defend the law in court.

6. Briefly summarize the main points made in the introductory paragraphs of the majority opinion in *[Obergefell v. Hodges](https://supreme.justia.com/cases/federal/us/576/14-556/)*: