1. Abstract

This paper examines two types of issues submission. The first is how the newly born values in the present age coexist with the traditional values of society. Secondly, what are the issues surrounding independence of judicial power in the United States that will be exposed by examining the former issue? The above two questions will be discussed based on two Federal Constitutional Court decisions which made in 2015 and 2018 about homosexual marriage. They defended the opposite value actors under different regimes. “Homosexuality” and “freedom of faith or freedom of expression”. “New value” and “traditional value”. The discussion about these two conflicting values will clarify how the American society is influenced by the new values, the judgements, and the changes of regimes.

2. The significance of the research

The importance of discussing this issue in the CSPC International Fellows Program is as follows. The background of the issue of “homosexual marriage”, which is one of representative examples of new value, has a change of types of discussion from
moral one into legal one. In addition, even after the judgements, there is a characteristic of the US as a “Christian country” that has not yet achieved sufficient consensus for society against the new value standard of homosexual marriage. For me, who is Japanese and has an experience of studying for one year in Norway, it is able to effectively compare about recognition surrounding “gender” or “new value for human” among the US and Other European countries including Norway which have almost same religious backgrounds, or Japan.

3. The design and the feasibility of the research (schedule)

☐ Reading and examining two cases of Federal Court of Justice in 2015 and 2018 about homosexual marriage.

① Masterpiece Cakeshop v. Colorado Civil Rights Commission (June 4, 2018)

② Obergefell v. Hodges (June 26, 2015)

☐ Collecting and analyzing references and interview surveys in the U.S within 2019