

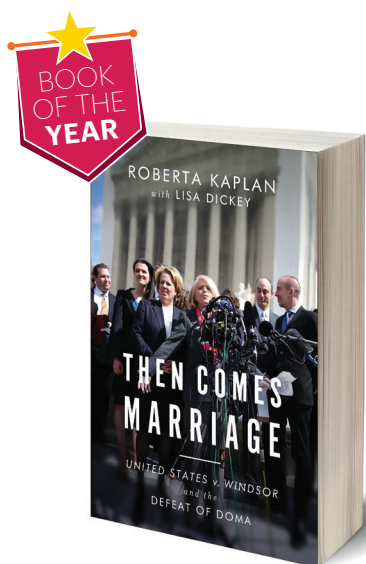
History in the Making

The best reads of 2015 celebrate lesbian heroes and their legacies.

BOOKS»

• *Then Comes Marriage: United States v. Windsor and the Defeat of DOMA*

By Roberta Kaplan with Lisa Dickey (Norton)



and of course Windsor, who wrote the foreword and contributed to the chapters about her life. It was when Kaplan started outlining the chapters that it became apparent to her that she “couldn’t tell the story of the ‘incredibly dramatic seachange’ (as Justice Scalia put it) that we’ve all experienced without explaining that in the context of my own life.”

Recently, Kaplan told a radio host that she believed God, or at least destiny, had played a hand in winning the case. The book reveals that as a young woman struggling to come to terms with her sexuality, Kaplan had sought treatment from Windsor’s wife, Thea Spyer, a respected therapist. The help Spyer gave Kaplan

was both essential and fateful. Later, Kaplan repaid Spyer’s kindness by taking on the Windsor case. “One of the things that made coming out so hard for me was my Jewish background and faith and the incredible fear I remember having as a young person about losing that community should I ever come out and live openly as a gay person,” Kaplan reveals. This fear was justified. She describes in the book how she inadvertently came out to her parents while they were visiting from Ohio during New York Pride. At the news of her daughter’s sexuality, Kaplan’s mother started beating her own head against a wall. This was precisely the disapproval and alienation that Kaplan

Edie Windsor and her New York attorney Roberta Kaplan became lesbian household names when they joined forces to defeat DOMA and effectively made marriage equality a reality in the U.S. In doing so they changed countless people’s lives, including my own. *Then Comes Marriage* is a well written and compelling behind-the-scenes account of exactly what went into building the historic argument that went before the Supreme Court to become the winning case—and what went into building the personalities of the key players in this drama.

“I’d always thought that it was important to ‘set the record straight’ and for people to know what really happened and how we did it,” Kaplan tells me about why she agreed to write the book. “I wanted it to be an honest account for the historical record.” She was assisted by Lisa Dickey,



Edie Windsor (left) with Roberta Kaplan

DAVID S. ALLEE

had feared, and “was a very big factor in my early life and in terms of being the late bloomer that I was in terms of coming out,” Kaplan tells me.

Nevertheless, Kaplan’s Jewish upbringing was instructive, particularly the idea of *tikkun olam*, “this real sense that we’re here on this planet not just to love people, enjoy life, and enjoy the passage of time, but also to try to repair the world in whatever way we can while we’re here,” she says. In defeating DOMA, Kaplan and Windsor (and Spyer, in absentia) have healed many thousands of gay lives. Kaplan won’t take all the credit: she believes that America would have one day have had marriage equality with or without the Windsor case, but she concedes that “there was no way we were going to get marriage equality nationwide until we successfully destroyed DOMA. I think Edie had a huge impact in helping to change the dialogue and the dynamic nationwide, both legally and culturally.”

Then Comes Marriage unfolds like a thriller, complete with compelling ‘characters,’ intrigue and high stakes as Kaplan, Windsor, and other important players such as Mary Bonauto bring their

A-game. It places the reader at the heart of the action: You’ll be enthralled at how quickly the clock ticks, and yet how time drags on for the plaintiff; how close we come to not winning, and yet how fitting it is that we win—an especially sweet victory for Kaplan who has a wife and child.

Kaplan tells me she has “little patience” for the people in our community who were arguing that marriage equality was not the cause we should be fighting for. “I understand that being married is difficult and I would never presume to tell any human being that they should or should not get married. I also understand, particularly among feminists, the cultural resistance—marriage has been seen as a sexist, gendered institution. However, putting that all aside, the fact of the matter is, that for better or for worse, the way that our society recognizes long-term commitment between two people and assigns rights, responsibilities, and benefits based on that long-term commitment, is through marriage. You could never have had full equality for gay people under the law until you had gay marriage. Our society would not be able to recognize the true equality of gay people as who we are,

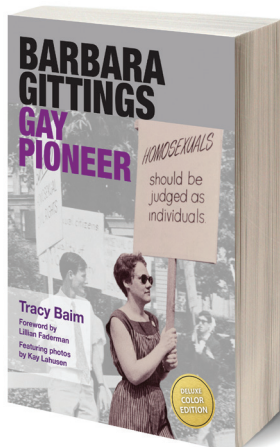
which is who we love, without recognizing equality in marriage.”

Then Comes Marriage privileges us with insights into the workings of Kaplan’s heart and mind, both as a lawyer and as a member of the LGBT community; she battles the technicalities of the U.S. court system, navigating its blind spots and its loopholes, while parsing her own role in history. Each chapter builds to the climactic ruling in which Justice Kennedy’s 26-page opinion argues for the “equal dignity” of same-sex marriages. It’s a narrative that, in the end, elevates us all.

We won marriage equality, but is the fight for equal rights also won? Kaplan knows there is more work to do, particularly for LGBT homeless youth, and the LGBT elderly. But that advocacy, she says, will be built on the baseline of equality under the law that legal marriage afforded us. Now, Kaplan is intent on knocking down another piece of discriminatory legislation: Mississippi is the only state left that doesn’t allow gay couples to adopt children. “The case is before the judge, we’re waiting on a decision, fingers crossed,” she says. Somehow, I think the case is in good hands. [Merryn Johns]

• **Barbara Gittings: Gay Pioneer**

By Tracy Baim (Create Space)



I was a teenager when I first met Barbara Gittings. She was already an iconic figure in Philadelphia in the years post-Stonewall. Meeting her changed my life. She was my introduction to lesbian activism: Because of her, I never knew any other lesbian life. Gittings was a contemporary of my parents, but felt like a peer. She was tall and sturdy and always looked serious, but she had a ready laugh and was quick to express outrage about anything that oppressed those she called “my people.” She favored embroidered blouses and corduroy pants, and she was devoted, utterly and implicitly, to lesbians and gay men

and the cause of our equality. While my parents were activists in the Civil Rights Movement, Gittings was one of the leaders of something new and very different—the (then) Gay Liberation Movement. I had no idea that she’d been an activist in the decades before I met her.

In her latest in a series of biographies of leaders of the gay and lesbian civil rights movement, *Windy City Times* editor and writer Tracy Baim focuses on the groundbreaking work Gittings did for early lesbian and gay rights organizations such as Daughters of Bilitis and the Homophile Action League. Gittings also