



UNHEARD VOICES Stories of LGBT History



David Wilson and the Struggle for Marriage Equality

Introduction to the Interview (Running Time: 3:09)

David Wilson and his partner, Rob Compton, were two of the plaintiffs in *Goodridge v. Department of Public Health*—the landmark state appellate court case in Massachusetts that awarded marriage equality to same-sex couples in the state.

Ten years before the lawsuit, David Wilson was living with his first partner, Ronald Loso, outside of Boston, until November 29, 1994. Here, Wilson remembers that day.

Questions to Discuss with Students Following the Interview

- Why do you think the police initially assumed that David was a criminal rather than Ron's partner? What challenges did David face as a black gay man? How are racism and heterosexism interconnected throughout David's story?
- David comments that as far as the hospital was concerned, he was a stranger. Why didn't medical personnel recognize David and Ron's relationship? Do you think the law should treat domestic partners differently than legally married couples? Why or why not? Do you know what the law says about this in your state or locale?
- What is a commitment ceremony? Why did David make a point of telling people that their ceremony was not a wedding? How is a commitment ceremony the same and/or different from a civil marriage (on a social/emotional level, spiritual level, legal level, etc.)?
- David comments that his father saw their wedding as a victory for all people who had ever experienced discrimination. What connections do you see between efforts to legalize same-sex marriage and other civil rights struggles? How does marriage equality help to further the goals of other equal rights causes?

Suggested Activities and Assignments for Extended Learning

- Assign students to research the current status of relationship recognition laws in the U.S. and around the world (see Web sites such as www.freedomtomarry.org, www.lambdalegal.org, www.thetaskforce.org, www.marriageequality.org and www.hrc.org). Have students create a U.S. and/or world map illustrating what types of laws governing marriage exist in different places. Discuss regional trends and differences, and what might account for these patterns.
- Assign students to research the current status of relationship recognition laws in your state. Have students read the actual text of the law and debate its merits and limitations. Assign small groups of students to rewrite the law to incorporate changes that they think are needed. Have them follow up by writing a letter to their state representative sharing their views and advocating for policies that they support.

- Assign students to research some of the rights and benefits associated with civil marriage (over a thousand have been identified at the federal level, including hospital visitation, tax exemptions, custody rights and social security income). Hold a class debate about whether or not these benefits should be available to families only through civil marriage.
- A common argument against same-sex marriage is that it has been historically between a man and a woman, and that it is important to maintain this age-old tradition. Assign students to research the history of marriage and the ways that it has changed and evolved over the centuries (see, for example, *What is Marriage For?* by E.J. Graff). Then have them write an essay or engage in a debate about whether or not same-sex unions pose a threat to the traditional institution of marriage.
- Assign students to read about the landmark *Loving v. Virginia* case that ended interracial marriage bans in the U.S. (see, for example, *Loving v. Virginia: Lifting the Ban Against Interracial Marriage* by Susan Dudley Gold and *Loving v. Virginia: Interracial Marriage* by Karen Alonso). Have students write an essay comparing and contrasting past bans on interracial marriage with current restrictions on same-sex marriage. As a follow-up, have students research other marriage bans that existed in the past or that currently exist in other parts of the world.
- Conduct a discussion with students about the difference between civil and religious marriage. Have students consider whether the rules about access to marriage should be different in civil versus religious settings. Ask students to find out what their faith community's position is on same-sex marriage, and to reflect on how they feel about that position.



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Stories of LGBT History



Student Handout



David Wilson

Arriving home from work one evening in 1994, David Wilson found his partner, Ron Loso, lying unconscious in their driveway. “EMTs arrived within minutes,” remembered David, “and they called the police, because they saw me standing in the driveway. You know, an African-American man in a white neighborhood... When the police arrived they wanted to arrest me for assault and battery, and breaking and entering.”

At the hospital, David was not allowed to visit Ron or receive information about his condition. “They wouldn’t give me any information because they did not recognize our relationship,” David explained. “They called my partner’s 75-year-old mother who lived in Vermont, and she gave them permission to tell me his condition. They told me that he had suffered a massive heart attack and was dead on arrival.”

David’s tragic experience drove home the reality that same-sex couples in the U.S. did not enjoy the same rights as legally married couples, such as the right to visit a partner in the hospital and make medical decisions for him. “I had never considered the problem with relationship rights until that moment,” David commented. “I had a lot to think about.”

In 1994 no U.S. state recognized gay relationships, but the issue had been thrust into the national spotlight a year earlier when three same-sex couples sued the state of Hawaii for the right to marry. That battle lasted six long years until the state amended its constitution to define marriage as the union between a man and woman only.

In response to the controversy in Hawaii, the U.S. Congress passed the “Defense of Marriage Act” (DOMA) in 1996, which allows states to refuse recognition of same sex marriages performed in other states and officially defines marriage as the “legal union between one man and one woman as husband and wife.” Since 1996, more than 30 states have passed similar laws at the local level.

Following the loss of his partner, David joined a group called Gay Fathers of Greater Boston. There he met Rob Compton, a dentist who had been fired after coming out as a gay man. David and Rob fell in love and decided to have a commitment ceremony. “Lots of people came and thought it was our wedding,” David explained. “We said, ‘No, this isn’t a wedding, because we don’t have the right to get married.’”

One morning Rob awoke in terrible pain. David rushed him to the hospital and—in what seemed like a recurring nightmare—was denied access to Rob or information about his health. “I tried to describe what

had happened to me three years earlier, and the staff didn't really care," David shared. "To them, I had no relationship to this man and, unless I could prove that I was related in some way, they would not give me any information." Rob ultimately recovered from his illness and the couple moved to the city, seeking a more supportive environment for their relationship.

In 1999 Vermont became the first U.S. state to rule that same-sex couples are entitled to the benefits and protections of marriage, though the state legislature decided to grant those rights through a separate system called "civil union." (In 2009 Vermont abolished the civil union system and made civil marriage available to all couples, gay and straight alike.)

In nearby Massachusetts, David and Rob learned that a local legal rights organization was preparing to sue the state for marriage rights for same-sex couples, and they decided to get involved. More than a hundred couples were interviewed, and David and Rob were selected along with six other couples to be plaintiffs in the case. The suit—known as *Goodridge v. Department of Public Health*—was filed in April 2001 and in November 2003 the Supreme Judicial Court of Massachusetts ruled to extend marriage rights to same-sex couples, making Massachusetts the first state in the nation to do so. David and Rob were among the first same-sex couples in the U.S. to be married on May 17, 2004.

As of this writing, six U.S. states (MA, CT, IA, VT, NY and NH) and the District of Columbia have extended the freedom to marry to same-sex couples, as have ten countries around the world. In addition, at least six U.S. states and twenty nations offer civil union, domestic partnership, registered partnership or another system of relationship rights.

The issue of same-sex marriage continues to be a hotly debated topic in the United States. In California, for example, a long battle over marriage rights followed after San Francisco Mayor Gavin Newsom issued the first same-sex marriage certificates in the U.S. in 2004. These certificates were later nullified, but in 2008 the California Supreme Court officially legalized same-sex marriage. In response, opponents of same-sex marriage launched Proposition 8, a ballot initiative that passed in 2008 and changed California's constitution to define marriage as the union between a man and woman. As of 2011 judges at a federal appeals court are deliberating on the constitutionality of Proposition 8, and the relationship rights of millions of Americans hang in the balance.

"It was amazing to become a plaintiff in a major lawsuit against the state of Massachusetts," David commented as he looked back on the historic case. "Part of the decision to be part of the case was to talk with my family. My dad wasn't sure. All of a sudden his only son is going to become this prominent, out, gay black man. So, I talked with Dad about some of the issues. A couple of hours later Dad said, 'You're doing the right thing.'"

"[On the day of our wedding, Dad] was in the front row when we walked down the aisle. Both his arms were in the air. He was 89 at that point. And he didn't see it just for gay people, he saw it for all people that had been discriminated against. And, his whole life he had been discriminated against. So, I think, for Dad, it was just a victory that he could be a part of. He could not have been more proud. It was a great day."