



Proposition 8 plaintiffs Kris Perry (left) and Sandy Stier; North Carolina protest against Amendment One, outlawing same-sex marriage

For Better and for Worse

Marriage equality strides forward, despite obstacles

"OUR YOUNGEST CHILDREN were in middle school and now they're getting near the end of high school," says Kris Perry, speaking of the three years that have passed since she became one of the lead plaintiffs seeking to overturn California's Proposition 8 (which made same-sex marriage illegal), a case still wending its way through the courts. "We would like to have this resolved before all of our children are adults and have moved away."

Perry and longtime partner Sandy Stier got one step closer to marriage in February when a three-judge panel of the 9th U.S. Circuit Court of Appeals upheld Judge Vaughn Walker's historic 2010 ruling that Prop. 8, approved by California voters in 2008, is unconstitutional. According to the ruling, the marriage ban "serves no purpose, and has no effect, other than to lessen the status and human dignity of gays and lesbians in California." Before any confetti could be thrown, however, Prop. 8 proponents filed an appeal requesting an en banc hearing with a full panel of 9th Circuit judges.

The traditional wedding vow "for

better or for worse" recognizes that marriages have their ups and downs; so, too, does the struggle for marriage equality. In 2012, the 9th Circuit ruling was an up, as were President Obama's endorsement of gay marriage and the votes by state legislatures in Maryland and Washington to legalize marriage between same-sex couples. Then again, more state same-sex marriage bans—in addition to the 31 that already exist—are heading to the state ballots this year.

North Carolina voters have already passed Amendment One, which bans not only same-sex marriage but all civil unions as well. New Jersey Republican Gov. Chris Christie vetoed his state Legislature's legalization of same-sex marriage and called for a referendum to be placed on the November ballot. Minnesotans, too, will vote in November on a same-sex marriage ban, and opponents of marriage equality in Maryland and Washington are gathering signatures for ballot initiatives to overturn the recent victories.

But there's reason to hope for better times ahead. Gay-rights activists in Maine think the tide has turned since 2009, when their Legislature le-

galized same-sex marriage only to have voters overturn that bill the same year. They've introduced a ballot measure asking voters to state their support for same-sex marriage. Meanwhile, the federal anti-same-sex-marriage Defense of Marriage Act (DOMA) has been on shaky ground since 2010, when a Massachusetts District Court deemed it unconstitutional, and multiple cases threaten to topple it altogether. The Obama Department of Justice has called DOMA discriminatory and refuses to defend it in court.

This spring, the Prop. 8 trial received all-star treatment in Dustin Lance Black's Internet-livestreamed stage play *8*, which featured Christine Lahti and Jamie Lee Curtis playing Perry and Stier. The positive attention the play received buoys the real-life plaintiffs' hopes of one day, finally, being allowed to take those legal wedding vows. Says Stier, "I'm not trying to get gay-married; I'm just trying to get married." She adds, "Even though it's taken so long, and we haven't gotten married yet, we're winning."

—AUDREY BILGER

LEFT: GREG ALLEN; RIGHT: SARA D. DAVIS/GETTY IMAGES