

Evan Wolfson is an attorney, constitutional scholar and, perhaps, the greatest visionary working today in the gay rights movement. Ever since 1983, when he wrote his Harvard Law School thesis on the subject (it was titled "Same-Sex Marriage and Morality: The Human Rights Vision of the Constitution"), he has focused his laserlike intellect on the issue of marriage equality.

Ten years after his thesis, Wolfson was co-counsel when the Hawaii Supreme Court required the state to show a compelling reason why gays and lesbians should not marry. (At the time he was working as the marriage project director for Lambda Legal Defense and Education Fund.) He also lent his expertise to the historic legal efforts in Vermont and Massachusetts that led to civil unions and marriages in those states.

Wolfson left Lambda in early 2003 to become executive director of the Freedom to Marry Coalition, a think tank dedicated to bringing "new resources and a renewed context of urgency and opportunity to this social justice movement." Now he has written *Why Marriage Matters: America, Equality and Gay People's Right to Marry*, a logical and compelling look at the arguments for and against marriage equality.

Just Out sat down with Wolfson earlier this month while he was in Portland promoting the book.

Floyd Sklaver: How did you become involved in the marriage equality issue?

Evan Wolfson: Why I wrote [my thesis] paper was a book that changed my life, and that was John Boswell's *Christianity, Social Tolerance and Homosexuality*. It's a major work by an eminent, openly gay historian. The main point is that the way in which Western society treats gay people today is not the way it always was and it can change. That had the effect of turning my personal experience to something political.

FS: You were a visionary back in 1983 because no one was speaking about marriage equality then.

EW: I was certainly not the first person to come up with this. In fact, since the dawn of the gay civil rights movement in 1969, there were cases filed by couples seeking the freedom to marry. Within two years of Stonewall there were at least three cases making their way up through the courts of various states.... When those cases were filed and those people stepped forward to challenge the exclusion, this society truly wasn't ready for it. We hadn't bro-

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A conversation with Evan Wolfson by Floyd Sklaver

ken the silence about gay people's lives. Obviously a lot has changed [including] the AIDS epidemic, which transformed a lot of people's thinking about who gay people are and how the denial of the protections for families harms us.

FS: In June you were quoted as saying, "We are winning" the fight for marriage equality. Do you still think we are?

EW: Let me be clear. Winning doesn't mean that we win every battle; winning doesn't mean that we are not going to take hits. Right now there's an organized political camp against us [by] those who oppose equality...and they're mounting attacks on at least a dozen states. We are going to lose many, if not most, of those first-wave attacks. But it's also true that any year in which you win marriage in Massachusetts, and have couples marry in Oregon and Canada and elsewhere, and come home to begin role modeling for their neighbors the realities so that people's hearts and minds can begin to open...is a winning year.

FS: Missouri passed a constitutional amendment Aug. 3 banning same-sex marriage by an overwhelming 74 percent. What lessons do we need to learn from the defeat?

EW: Number one, start now because this is a long-term conversation which involves a sustained, reasoned discussion, outreach and personal asking, and personal storytelling. Number two, we have to engage the middle. My mantra running around the country for years has been "There's no marriage without engagement." We're engaging the reachable, but not yet reached, middle of the public—the people who, on the one hand, are uncomfortable with this but, on the other hand, want to be fair.... They need to hear [our] stories.... And with the mix of stories, we add in one more truth and that is: It is wrong, discriminatory and un-American to deny people equality—particularly when it would hurt no one to do so. Gays are not going to use up all the marriage licenses. There's enough equality to share.

FS: What do you say to gay people who argue that we are moving too fast and are concerned about a potential backlash?

EW: Think back to the first couple that got married in San Francisco, Del Martin and Phyllis Lyon, two days short of their 51st anniversary. How much longer do they have to wait?

FS: What strategies should we be taking here in Oregon?

EW: I think it's important to acknowledge fair-minded people's discomfort but that they...owe it to themselves and this state to have the conversation and not shut it down in something they'll regret for all time.... We need to get those stories of real neighbors and family members here...and we need to get them in front of people and we need to build a coalition of nongay and gay organizations who can reach to various parts of the state. We need to reach out to women. We need to mobilize younger people who overwhelmingly support us here. We need to make sure that our people turn out to vote.

FS: Why isn't the same thing going to happen here as in Missouri?

EW: I think the people in Oregon have much more experience fighting these types of measures. You've seen this enemy before, you've defeated them before, you know how to build a coalition, and you start with a more receptive public.

FS: Do you think it's important that we end up with the word marriage and, if so, why?

EW: I think it's important that we end up with equality. One of the main protections that comes with marriage is the word. When you say I'm married, everyone knows who you are in relationship to the primary person in your life.... There is no substitute for the clarity, security, dignity and equality that comes with marriage.... Let me put it another way: If civil union or domestic partnership, or whatever anyone wants to call it other than marriage, were the same as marriage, then why do we need two lines at the clerk's office?

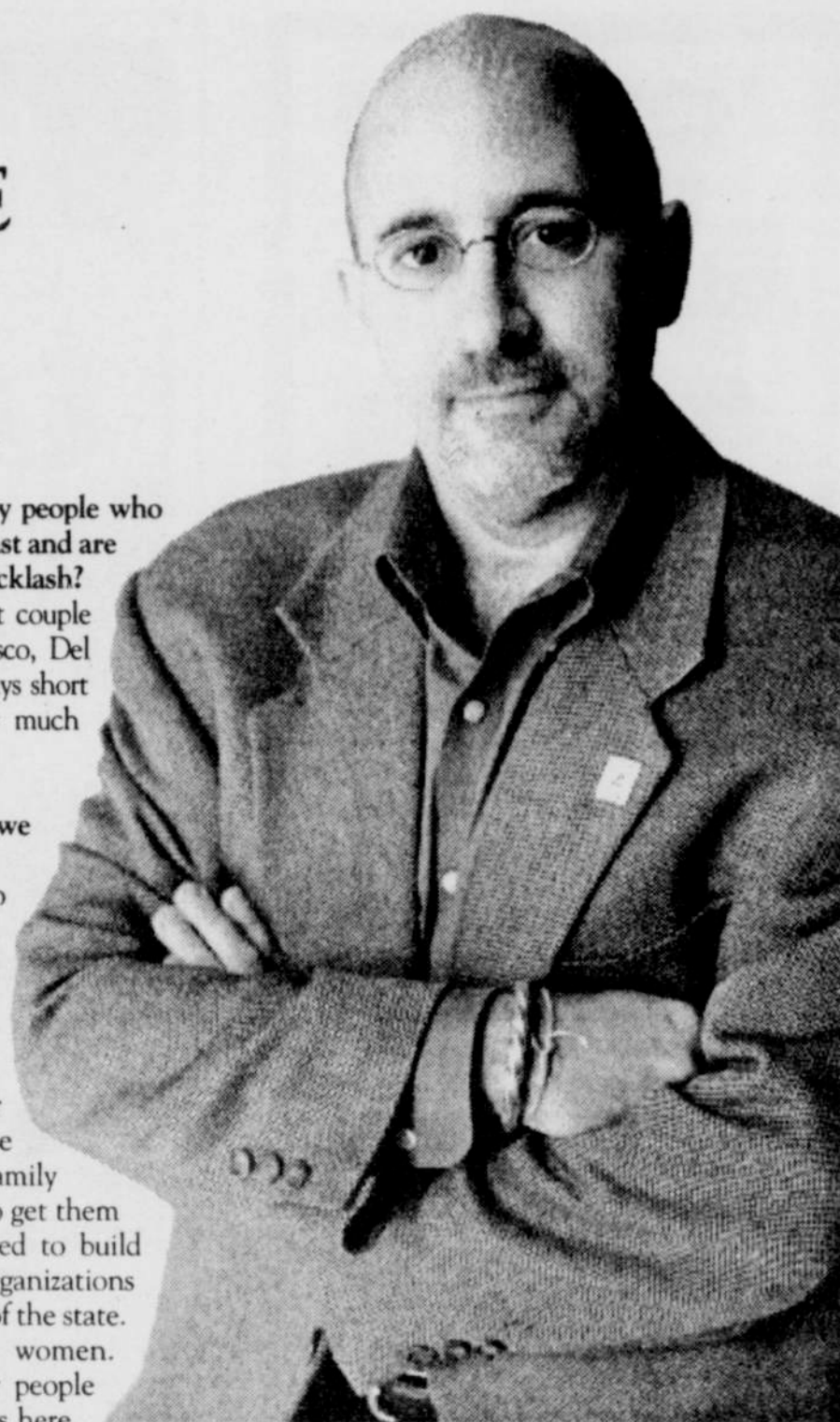
FS: So for you, civil unions would be an unacceptable alternative.

EW: Civil union exists in one state. It's not as if there are two equally beautiful systems out there and one is simply being asked to step over to the right rather than the left. The system that protects people in every area of life, in every area of law and in every state is called marriage.

FS: How does it feel to be included on *Time* magazine's list of 100 Most Influential People in the World?

EW: Well, of course on one level it was very gratifying and exciting but also in all honesty felt very overstated and overwhelming. I really see it as less about me and more a statement by *Time* magazine that marriage equality for gay people is a civil rights question whose time has come. ■

FLOYD SKLAVER is a Portland free-lance journalist.



Evan Wolfson came to Portland earlier this month to promote his new book, *Why Marriage Matters*



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