

immigrated from Ireland, undoubtedly hoping, like my mother, that it would be better for the next generation of their family. They lived at 361 Middle Street in Fall River, a town in southeastern Mass. Their son Eugene had been born on April 19, 1897.

Seven weeks later, fifteen miles east of where Mr. Cummings was born, my grandfather, Marlitt Jennings was born on June 7, 1897 in New Bedford, Massachusetts. And when I looked at Mr. Cummings' death certificate in the archives today, it struck me that he could have been my grandfather. As it happens, this grandfather had a brother-in-law, my great uncle, Michael Joseph Carmel, who was the brother of my grandmother, Merlida Carmel Jennings. Uncle Mickey, as he was known, was the "special" uncle in our family, the one who never married, but who always made sure that my impoverished mill-working family had Christmas gifts for his nieces and nephews. As my father grew older and had kids of his own, Uncle Mickey made sure his great nieces and nephews had gifts too. I would never meet my great uncle Mickey because he died in Allston, five miles from here, in April 1969, of cirrhosis of the liver, brought on by a lifetime of alcoholism, of trying to live as a gay man at

a time when he could not find acceptance from other people or from himself. He died two months before the Stonewall Riots took place in New York, in June 1969.

As we sit here tonight, I want us all to remember that we sit with the ghosts of Eugene Cummings and my Uncle Mickey, men who lived in a time when the freedoms we enjoy, and even a gathering like this, were unthinkable. We must never take those freedoms for granted, because they were not given to us but won by our gay forefathers who fought and sometimes died so that we could be freer than they. We must, through organizations like Mass Equality and GLSEN, fight to preserve that freedom. And we must believe even more strongly that it is our job to make sure that the next generation has it better than we had it, and that each of us must never quit demanding equality for the next generation, so that we can say thank you to Eugene Cummings and the Uncle Mickeys of the past, and make sure that their descendents today know that legacy, know they have a history to be proud of, and know that this injustice is part of history and not part of the America in which they live, which once and for all will be a land where there is liberty and justice for all citizens.

## GUEST OPINION

# Marriage Is Here to Stay in Massachusetts

JO ANN CITRON

*"In a couple of years they have built/ A home sweet home/ With a couple of kids running in the yard." — The Beatles, "Ob-la-di, Ob-la-da"*

On May 1, 1991, three same-sex couples in Hawaii asked the court to strike down that state's marriage licensing law on the grounds that it discriminated against them in violation of the state constitution. They prevailed in the courts but it became an empty victory when the people amended the Constitution to define marriage as the union of a man and a woman.

That was then; this is now: on June 14, 2007, the Massachusetts General Court sitting in constitutional convention handily defeated a proposed constitutional amendment that would, had it passed as a ballot measure in the 2008 election, have eviscerated *Goodridge*. Same-sex marriage is here to stay, at least in the Commonwealth of Massachusetts. Its opponents have been arguing hysterically for years that authorizing gay marriage would mean the end of civilization as we know it. Well, it's been three years, almost 10,000 gay marriages have been performed in Massachusetts, and the last time I looked up the sky was right where it's always been.

Some gay strategists, most prominently William Eskridge, argued that using the courts was risky because a political backlash often follows unpopular judicial decisions. GLBT people should accept civil union for the time being, Eskridge argued. Let's not get everyone upset right at the outset. Let's work slowly and build, if not a consensus, then at least a tolerant majority. Others, notably Evan Wolfson, disagreed, arguing that civil unions were not the same as marriage and should not be our main objective.

The experience here in Massachusetts makes it hard to argue for the marriage-by-increment strategy. No one thinks that the

legislature that defeated the constitutional amendment would have ever passed a statute authorizing gay marriage on its own. We needed the judicial branch to construe the issue as one of civil rights, and we were fortunate in the make-up of our high court, whose justices—even those in the *Goodridge* minority—were men and women of courage, intellectual honesty, and good will. There is no question but that proponents benefited from the war in Iraq, which helped to elect a Democrat as governor, and from the sexual abuse scandal involving priests and minors here in Massachusetts, a humiliation that dislodged the Catholic Church from the moral high ground. What happened then was that enough time passed as the political process labored forward, allowing everyone to see same-sex marriage in operation for themselves—and what they saw was the ordinariness of it all.

The survival of gay marriage in the Commonwealth was a triumph of the everyday over the apocalyptic. Press coverage emphasized the unremarkable changes in the make-up of the legislature due to retirements, defeats, and resignations, which resulted in nine gay marriage opponents returning to private life. Meanwhile, citizens who had formerly supported the amendment found themselves living next door to married gay couples who looked to all the world like their straight counterparts. The shift in attitude among the electorate was captured perfectly by the elderly woman who wrote to her legislator that "this lovely couple, these two men, moved in next door to me, and they have a couple of children and they're married, and they help me with my lawn" (*Boston Globe*, 6/15/2007).

Ob-la-di, ob-la-da, life goes on.