

Celebrating Ten Years of Marriage Equality in Iowa—Yes, Iowa

With Varnum v. Brien, Iowa became the third state in America to recognize marriage equality



By Zach Wahls

Today — April 3, 2019 — marks the tenth anniversary of the *Varnum v Brien* decision from Iowa's Supreme Court, which legalized same-sex marriage in our state. We were only the third state in America to recognize marriage equality, and we were the first to do so with a unanimous ruling from our Supreme Court. If you have never read the actual decision from the court, it is worth reading in full and is easy to read, even if, like me, you are not a lawyer.

It feels like the decision was handed down just yesterday — and a lifetime ago. April 3, 2009 was a Friday, sunny and crisp, not unlike today. My moms were in the air, flying to visit family in North Carolina, when the Gazette broke the news that morning. They were both struck by successive feelings of shock, disbelief, and then joy and then relief. At the time, I was a senior in high school. This morning, I was able to share my experience on the floor of the Iowa Senate.

As the son of a same-sex couple, I had grown up with a front-row seat to, and often been directly affected by, the effects of discrimination against LGBTQ people. And because my mother Terry was diagnosed with multiple sclerosis when I was eight years old, I saw first-hand how “intersectionality” — the intersection, in my mother's case, of her disability and her sexual orientation — compounded our family's challenges. In medical situations, my mother Jackie was often overlooked or outright ignored because she was not a male spouse, despite the fact that she both had a medical power of attorney and is herself a highly trained medical professional.

For us, “intersectionality” was not sociological gobbledygook; it was our reality. And the *Varnum* decision made a world of difference — including in ways that we were not expecting.

In April 2009, as most people will also clearly remember, our economy was in tatters. I know many people wondered why our state government was focused on LGBT rights for a small minority group when so many people were still suffering so much economic harm. The lawsuit that led to the *Varnum* decision was sparked in late 2005,

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several years before the Great Recession hit. But I can understand the confusion many non-LGBT people felt about the timing of the decision, because the economic crisis hit our home, too.

Just a few months after the Varnum decision, my mother Jackie was let go from the University of Iowa Hospitals and Clinics as UIHC went through rounds of layoffs to adjust to the shrinking economy. Without the Varnum decision, Jackie would not have been able to access the fringe benefits vis-à-vis my mother Terry's employment that were accessible to and enjoyed by heterosexual couples.

Benefits, of course, are not the point of marriage, but formal recognition of a relationship's worth as they pertain to health insurance can and do make a life or death difference. I have a close friend whose mother came out as a lesbian later in life and who lived in Illinois with her partner. The inability to access the health insurance benefits of her partner cost my friend's mother everything. Without insurance, she was unable to afford the cancer treatments that may have saved her life. Our society failed her, but the Varnum decision helped blaze a trail to ensure that such discrimination was left in our past, where it belongs.

I am proud to live in a state that has led the nation on social progress since our inception, on everything from "the matter of Ralph" in 1839 concerning slavery, to the racial integration of our public schools in 1868 and allowing America's first woman lawyer, Arabella Mansfield, to the Iowa bar in 1869. That proud tradition was continued ten years ago by a group of seven courageous justices who were willing to do the right thing in the pursuit of a more just and equitable society. It is in that spirit that I wish to congratulate my mothers on twenty-three years together. Later this year, they will celebrate their tenth anniversary of marriage.

Congratulations Moms, congratulations Iowa—and thank you, from the bottom of my heart, to everyone who made this celebration possible.

