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WOMEN'S HISTORY MONTH

Cherokee Nation Upholds Lesbian Marriage

Last December, the highest court of the Cherokee Nation upheld the marriage of a lesbian couple for the second time in two years, stating the marriage had harmed no one and therefore could not be invalidated.

Dawn McKinley and Kathy Reynolds, a same-sex couple who had been together for several years, obtained a marriage license from the Cherokee Nation in May of 2004. The couple from Owasso married in a ceremony shortly thereafter. Both members of the Cherokee Nation, the couple applied for the license following a medical emergency in which Dawn was refused the right to visit Kathy in a hospital because they were not related. Another member of the Nation then filed a petition to invalidate the marriage. The National Center

for Lesbian Rights (NCLR) defended the couple before the Judicial Appeals Tribunal of the Cherokee Nation which dismissed the challenge last August. It was determined that the marriage had not harmed the person bringing the lawsuit and therefore there was no reason to deny legal union to McKinley and Reynolds.

Members of the nation's Tribal Council later filed another petition to invalidate the marriage. The NCLR sided with McKinley and Reynolds again before the tribunal. On December 22, 2005, the court for the second time upheld the marriage.

Prof. Brian Gilley, an assistant professor of anthropology at UVM and of Cherokee ancestry, told the court that there was "overwhelming evidence" of the historical

presence of same-sex relationships among most Native North American tribes, including the Cherokee, and that those relationships "historically shared in the institution of marriage."

According to Lena Ayoub, the NCLR staff attorney who represented McKinley and Reynolds, the ruling sets a precedent for any future same-sex Cherokee couple seeking the right to marry.

According to a *Workers World* article by Stephanie Hedgecoke, Indigenous First Nations recognized by the U.S. have the legal status of "domestic dependent sovereigns." As such, members of these First Nations are under federal jurisdiction but not subject to state or local laws. Currently in the U.S., state law determines the conditions of marriage. ▼

WOMEN'S HISTORY MONTH

Another First for Martin and Lyon

Del Martin and Phyllis Lyon made history – again – when they became the nation's first same-sex couple to wed in San Francisco on February 12, 2004. Their marriage was revoked a few months later, along with the nearly 4,000 others performed for same-sex couples in San Francisco. The lesbian couple had been together for 51 years when they were, briefly, married.

Del Martin and Phyllis Lyon count many "firsts" among their accomplishments. Both were young journalists when they met in 1950 at a Seattle publishing house where they both worked. They became friends and later became romantically involved, moving together to San Francisco in 1952.

Along with several other lesbian couples, Martin and Lyon were founders of the Daughters of Bilitis, established in 1955 as the country's first organization to work specifically for lesbians' social and political rights. The DOB was somewhat discreetly named after "Songs of Bilitis," a book by Pierre Louy that included lesbian love poems. Membership in the DOB, at least at first, was secret.

The couple later founded "The Ladder," the first nationwide lesbian newsletter in the U.S. Lyon, using a pseudonym, first edited *The Ladder*, and was later suc-



Del Martin and Phyllis Lyon had been together 51 years when they married in 2004.

ceeded in that role by Martin.

Lyon and Martin joined the National Organization for Women in the 1960's. However, the couple left NOW, an organization of mostly heterosexual women, in the late 1970's over "homophobic concerns." They rejoined NOW in 1988, at which time they received a warmer welcome from their straight sisters.

In 1972, Lyon and Martin were primary organizers of the Alice B. Toklas Memorial Democratic Club, established in order to help lesbians get elected to public office. In 1973, Lyon and Martin published their book "Lesbian

Love and Liberation." They also wrote "Lesbian/Woman" together, and Martin later wrote "Battered Wives."

In their later years, Martin and Lyon (born in 1921 and 1924 respectively) have worked on issues related to aging. They were named as delegates to the White House Conference on Aging in 1995.

In 2003, filmmaker Joan E. Biren released a documentary film called "No Secret Anymore – The Times of Del Martin and Phyllis Lyon." The couple was also honored when the Lyon-Martin Women's Health Services in San Francisco was named after them. ▼