

## Loving Days: Images of Marriage Equality Then and Now

STUART GAFFNEY AND KEN TANABE

*Ideas of interracial marriages, mixed race identity, and same-sex marriages have all been constructed with a reliance on visual images. These images have had an impact on laws relevant to interracial and same-sex couples; the status of these marriages in the eyes of society and in the eyes of the law have also affected the identity formations of people of mixed heritage. An analysis of past and present-day visual portrayals of interracial marriages reveals the way in which attitudes toward such relationships have changed—and in some cases have remained the same—thus providing an important context for understanding the larger effects of antimiscegenation laws and anti-same-sex marriage laws. This conversation between STUART GAFFNEY, of the Marriage Equality movement, and KEN TANABE, founder and president of Loving Day, explores these issues from their perspectives as artist-activists engaged with contemporary movements for social justice around marriage equality and the valuing of all kinds of families.*

Gaffney has been making films and videos about his Asian, Eurasian, and gay identities since 1994. He and his partner since 1987, John Lewis, were plaintiffs in the California lawsuit for equal marriage rights and legally married in 2008 after the California Supreme Court ruled in favor of the case.

Named after *Loving v. Virginia*, the June 12, 1967, Supreme Court decision that legalized interracial marriage in the United States, Loving Day was founded in 2004 as a global day of celebration and education that focuses on the multiethnic-multicultural community. Along with the June 12 Loving Day Flagship Celebration in New York, Loving Day is celebrated by thousands of people in the United States and around the world and has been featured in major media, including *Time* magazine, National Public Radio, and BBC World.

What started as a series of e-mail exchanges in summer and fall 2010 culminated in a roundtable discussion on November 6, 2010, facilitated by Wei Ming Dariotis, at the inaugural Critical Mixed Race Studies Conference in Chicago. The following is an edited compilation of these conversations.

KEN TANABE: We are both artists, Stuart a filmmaker and myself a designer, telling stories through visual media. These are very powerful and useful tools, especially when they are combined with the ability to share things online. A lot of our conversation had to do with questions like “How do you represent these communities? How do you represent the marriage equality movement? How do you represent the multi-ethnic community? What’s the best way to do that?” That was the launching-off point. Both of us in our work have sought to represent those communities in a way that is compelling, tells a story, is accurate, and captures their energy.

STUART GAFFNEY: And it’s been a way for us to connect with some of our personal stories that are involved in this project as well.

KT: Race is a complex topic, and representing a diverse community is not easy. Even as a full-time art director who teaches at Parsons The New School for Design in New York, I still think it’s a challenge to create these images. I’ve seen the multiracial community portrayed using a wide range of images. Some were so beautiful that they changed my life. Others are stunningly cheesy. Many people—including my former self—use well-worn themes that focus on black-white contrast.

For example, in 1864, one L. Seaman wrote a pamphlet titled “What Miscegenation Is! and What We Are to Expect Now that Mr. Lincoln is Re-elected” (fig. 32.1). On the cover, an engraving of a Black man kissing a white woman was clearly meant to shock. Fast-forward to June 4, 2010, on *ABC World News*: Diane Sawyer cited a Pew Research Center study that found that one in seven new marriages in the United States is interracial.<sup>1</sup> The image behind Sawyer was of a Black man with a white woman. Little has changed about the most common visual representations of multiracial community. We need to develop a better visual mixed heritage literacy that considers larger historical and social contexts. Those producing such images include Kip Fulbeck, author of *Part Asian, 100% Hapa* and *Mixed*, and Willie Davis, who has taken photos at the Loving Day Flagship Celebration in New York for three years.<sup>2</sup>

When people ask me how I was inspired to start Loving Day, I think they expect to hear a story about racial slurs on the playground. Did the other kids call me names? Yes. Did I feel like I didn’t fit in sometimes? Yes. However, I wouldn’t credit any of the above as the primary reason I got involved in the community.

As a teenager, I discovered the D.C. punk rock scene and cut my hair into a mohawk, much to my parents’ dismay. Despite appearances, the scene was socially progressive, as most of the best concerts were also benefits for charities, even at three dollars to five dollars a ticket. From this, I learned that one could make a difference with minimal resources and lots of creative energy.

In 2002, I started my MFA at Parsons The New School for Design. Thanks to an accidental Google search result, I discovered *Loving v. Virginia*, the Supreme Court



# WHAT MISCEGENATION IS!

—AND—



## WHAT WE ARE TO EXPECT

Now that Mr. Lincoln is Re-elected.

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By L. SEAMAN, LL. D.

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WALLER & WILLETTS, PUBLISHERS,  
NEW YORK.

Fig. 32.1. "What Miscegenation Is!: and What We Are to Expect Now that Mr. Lincoln is Re-elected," by L. Seaman, LL.D, 1864. Prints and Photographs Division, Library of Congress, LC-USZ62-32501.



case that legalized interracial marriage in the United States in 1967. I was inspired to use it as the core of my thesis. I wanted to teach the world about this civil rights milestone—but how? A film? A website? Martin Luther King, Jr., has a day. Black history has a month. Rosa Parks has a compelling story. Juneteenth, the oldest nationally celebrated commemoration of the ending of slavery in the United States, is not officially recognized but has brought thousands of people together for many years. The multi-ethnic community needed something like that. That’s how Loving Day was born.

In 1868, the Fourteenth Amendment to the United States Constitution guaranteed “equal protection” under the law. It took ninety-nine years for the Supreme Court to grant that protection to Richard and Mildred Loving’s marriage in *Loving v. Virginia*. When Richard and Mildred Loving, a white man and a Black woman, got married in 1958, a Gallup poll found that 94 percent of Americans disapproved of marriage between “whites and non-whites.” Only 4 percent approved. That was the gut instinct in 1958.

SG: My parents met and married at the University of California, Berkeley, in 1952. My mother, who is Chinese American, was able to marry my father, who is English and Irish American, only because in 1948 California became the first state in the nation to overturn a ban on interracial couples marrying. After growing up in Hawai‘i, my mom entered Berkeley at a time when it would have been illegal for her to marry my dad. My mother still remembers the day when one of her friends in the Chinese Students Club had to leave the state to marry her white fiancé a few years before the court’s ruling. My mom’s friend literally had to run from the law to marry the person she loved.

The marriage equality movement’s visual depictions are as diverse as are couples hoping to get married, yet they share a basic commonality. When I look back at photographs and the words of Mildred and Richard Loving, I am struck by their earnestness. I believe this earnestness has its roots in the simplicity of a couple in love standing up for who they are, for each other, and for their family together. I see this same trait in the plaintiff couples in today’s marriage equality lawsuits. These images might include two women with their children who want their kids to grow up with married moms or the surviving husband of a member of Congress who is denied pension and Social Security benefits because he married a man.

The visual portrayal of activism in opposition to both interracial marriages and contemporary marriage equality is strikingly similar. For example, a photograph of a Little Rock protest in 1959, where protesters were carrying American flags and signs reading “Race Mixing is Communism” and “Stop the Race Mixing March of the Anti-Christ,” (fig. 32.2) is similar to photographs showing signs against marriage equality today: “Judge Mocks Christ” and “A Moral Wrong Cannot Be a Civil Right.” Ulti-





Fig. 32.2. Little Rock, Arkansas, August 20, 1959. Rally at state capitol, protesting the integration of Central High School. Protesters carry U.S. flags and signs reading "Race Mixing Is Communism" and "Stop the Race Mixing March of the Anti-Christ." Library of Congress, U.S. News & World Report Magazine Photograph Collection.

mately, the construction of mixed race marriages and same-sex marriages as both illegal and immoral through visual imagery also constructs mixed heritage people, queer folks, and their families as being outside social norms.

I know best how my own identity has been constructed. I grew up eating bratwurst and butterburgers in Whitefish Bay, Wisconsin, which people there jokingly refer to as "White Folks Bay." I was one of only three folks of color in my class, so I grew up thinking I looked incredibly Chinese—my classmates identified me as looking 100 percent Chinese. When I was little, my family flew from our home in Wisconsin to visit my mother's family in Hawai'i. Honolulu was a world away, and through a child's eyes, everything was different, strange and wonderful. The fact that my Chi-



nese cousins referred to my brother, sister, and me as “hapa” was just part of the landscape. They thought we looked pretty white, but they got that we were mixed. So it came as quite a shock to me when my mom and I moved to California, where I finished high school in the Central Valley, and my classmates there had no idea or didn’t care what my race was. When it came up in conversation, they would guess random things like Mediterranean, Middle Eastern, mixed Latino, or other mixes. For the first time in my life, I had the experience of somebody calling me a liar when I said my mom was Chinese, which I couldn’t fathom at first. They thought I was joking and I thought they were joking, but it was the beginning of the readjustment of my idea about what I must actually look like. I realized that history of being seen as Other was actually about Whitefish Bay, Wisconsin; it wasn’t about me.

Many years later, my partner and I were thumbing through the catalog of the San Francisco Asian American Film Festival and saw a program of shorts titled *Don’t Worry, Be Hapa*. As we watched the program with my family, I realized for the first time that stories like this mattered. These stories had a place, an audience, a community.

Sitting in that audience, I also realized that I could play a role on both sides of the screen. This is the first time I thought I could make art that mattered. By giving these stories a home, the film festival had also created community and identity—and possibilities.

KT: Mixed heritage identity begins with realizing that it is an option, because it’s hard to choose something you’ve never heard of. Although Stuart heard the word “hapa” when he was a kid, I didn’t hear it until I was in my mid-twenties.

I also feel that many are unwilling to choose something that others will not accept. For that reason, I feel that it is especially important for us to make sure that mixed heritage identity is an option for multiethnic individuals and for parents of multiethnic children. Perhaps things are a little easier now that we can point to the president of the United States as an example. In *The Audacity of Hope*, Barack Obama says, “I can’t help but view the American experience through the lens of a Black man of mixed heritage, forever mindful of how generations of people who looked like me were subjugated and stigmatized, and the subtle and not so subtle ways that race and class continue to shape our lives.”<sup>3</sup>

SG: My brother, sister, and I were born in three different states, and all of our birth certificates reflect our races differently. My brother was born first, in Oregon, and his birth certificate says his father is white, his mother is Chinese—and my brother is listed as “White-Chinese.” Then my sister was born in North Carolina, and her birth certificate says she is the white child of two white parents (because in North Carolina at the time, “white” really meant “not Black”). Later, when I was born, in Wisconsin,



my birth certificate had no race indicated at all. Three children, one family—but our birth certificates tell three completely different stories. After my brother and sister were born, my parents moved to Missouri. Looking for a house, they were informed that their marriage was illegal in Missouri, where the law declared that “all marriages between whites and Negroes, and white and Mongolians are . . . absolutely void.”<sup>4</sup> My father’s first reaction was to say, “But I’m not married to a Mongolian!”

Attending summer camp in Wisconsin, I was immediately identified by the other boys in my cabin as “Chinese Stuart,” despite being only half Chinese. I was used to this from my schoolmates, who were predominantly German and Polish American. Interestingly, they also started calling my bunkmate, Tom, who was Mexican American, “Chinese Tom.” It was then that I realized that the word “Chinese” was being used to mean “outsider” and could come and go at will. Later, when the other boys decided I was cool, they dropped the “Chinese” and simply called me Stuart, while Tom remained an outsider and thus “Chinese Tom” until the end.<sup>5</sup>

KT: I can certainly relate to Stuart’s story about being racially categorized. My mother registered me for kindergarten in a public school just outside of Washington, D.C. A woman asked questions about me, writing the answers on a standard form. Name? Age? Race? My mother, who was very far ahead of her time, said, “I am from Belgium and his father is from Japan, so that would make him Eurasian.” The lady looked at me, looked at my mother, and said, “He looks pretty white to me” and marked “white” on the form. I thought of my mom—and of that lady—when I was finally able to check more than one box on the census form in 2000. I considered making use of the blank space labeled “some other race” to write in “Eurasian.”

SG: John and I were on the steps of San Francisco City Hall on February 12, 2004, to attend a rally for Freedom to Marry Day. We had been together for seventeen years at that point and were becoming increasingly aware of the inequalities we faced growing older together without the rights and responsibilities that marriage provides. Then someone told us there was no need for a rally that day—instead, we could walk right through the doors of City Hall and get married! Mayor Gavin Newsom, in one of his first acts as mayor, had ordered the county clerk to stop discriminating in the provision of marriage licenses and give them to all loving couples regardless of race, gender, or sexual orientation. To get married, you just had to be two people. When John and I exchanged vows and heard the words “By virtue of the authority vested in me by the state of California, I now pronounce you spouses for life,” it was the first time we felt our government was treating us as equal human beings, entitled to full citizenship under the law.

I began filmmaking as a personal response to stories I was hearing from friends with HIV/AIDS who were facing issues of death and dying at very young ages. It was



hard to know what to do with these heartbreaking and soul-searching stories, so I learned to make film and video in order to preserve and memorialize their thoughts and their lives. Later, I began addressing Asian American, queer, and mixed race identities in my work, and finally these themes intersect in a single film, *Muni to the Marriage* [2004] (fig. 32.3), which tells the parallel family stories of the marriage equality struggles faced by two generations in our family: that of my parents in the 1950s, and that of John and me today.

KT: Visualizing the many dimensions of mixed heritage experience is one of the important components of this art and activism. Loving Day contributes to this for the multiracial community. Megumi Nishikura, whose experience includes making films for the United Nations and codirecting, with Lana Perez Takagi, a feature film, *Hafu* [2011], filmed the Loving Day Celebration in New York in 2009. The production of strong visual media in a competitive visual landscape is important for the viability of the organization. Loving Day shares this work through every available channel: LovingDay.org, social networks, public exhibitions, and more.

Design is another important part of visually representing the community. The Legal Map on LovingDay.org visually summarizes hundreds of years of interracial marriage bans in a single interactive graphic. The map is far simpler than piles of legal documentation, so teachers can use the Legal Map as a teaching tool in their classrooms. The Loving Day logo (fig. 32.4) has been frosted on cakes and tattooed on a person, which signals the logo's success as a visual representation of an important idea: multiethnic community is important and valuable, and is personal to interracial couples and families and multiethnic individuals.

In 2009, Loving Day received the National Awareness Award from the Multiracial Americans of Southern California [MASC]. This was especially meaningful because MASC has been around since 1986. MASC, iPride, the Association of MultiEthnic Americans, MAVIN, Hapa Issues Forum, and other organizations inspired Loving Day. Today, they support Loving Day and host their own Loving Day Celebrations. They also contributed to the updated 2000 census, which allowed people to select more than one racial category, or write in their own, for the first time. This was one of the most visible signs of multiracial community progress.

Despite advances, the multiethnic community has yet to achieve major political influence. I believe this can be accomplished by building a more unified multiracial-multicultural community; Loving Day is an instrumental part of that process. Beyond building community, Loving Day educates about the history of interracial marriage as a crucial part of basic civil rights education. These efforts are especially relevant in the context of the marriage equality movement.

SG: In 1987, I met the man of my dreams but didn't dream we would ever be able



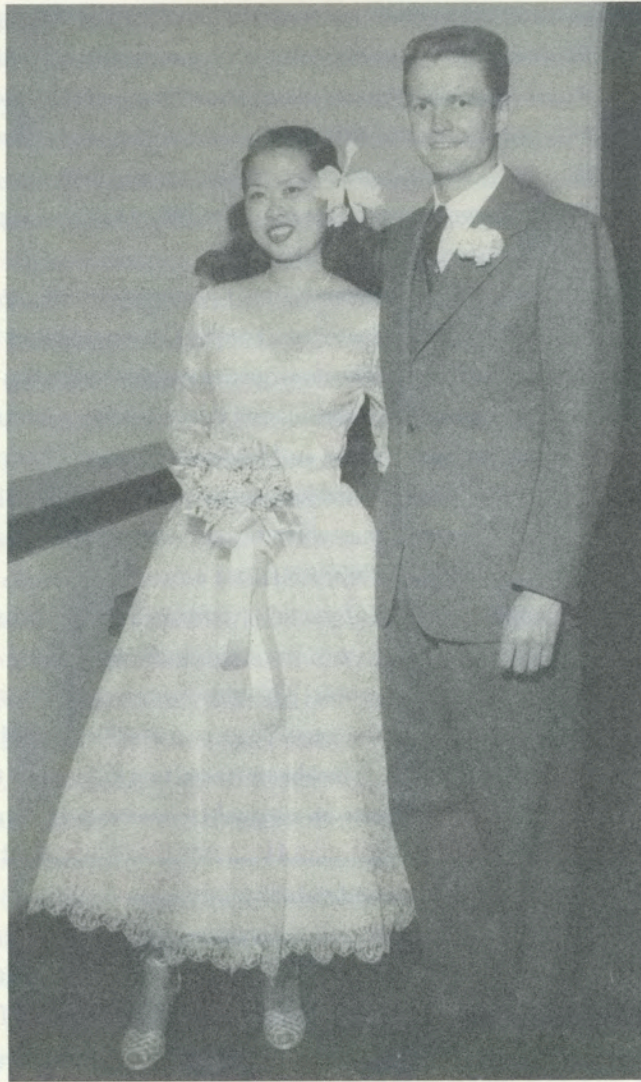


Fig. 32.3. Stuart Gaffney's parents, Mason Gaffney and Estelle Lau, on their wedding day in 1952. Video still from *Muni to the Marriage* (2004). Courtesy of the artist.

Synopsis: February 12, 2004, the day San Francisco made marriage history. A short ride to city hall suddenly turns partners of seventeen years into newlyweds. During the ride, the filmmaker reflects on the difficulties experienced more than fifty years ago by his Chinese American mother and white father, who were able to marry only when California's law against interracial marriage was overturned.





Fig. 32.4. Loving Day logo designed by Ken Tanabe in 2002. Photograph by Mauro Clerici; courtesy of Ken Tanabe.

to have a legal domestic partnership or civil union, much less full marriage equality. After all, the U.S. Supreme Court had upheld the constitutionality of sodomy laws one year earlier.

In 2004, John and I first exchanged vows in San Francisco City Hall during San Francisco's Winter of Love. Along with more than four thousand other newlyweds, we were pronounced "spouses for life" and told six months later that our marriage was legally null and void. This was an experience I never wanted to have in common with my parents—being told we had an illegal marriage. Along with other couples and organizations, we sued for equal marriage rights and began a four-year legal journey as one of the plaintiff couples in California's case for marriage equality.

In 2008, the California Supreme Court ruled in our favor. Surrounded by our friends and family, we exchanged vows once again and were legally married (fig. 32.5). My parents were present to witness the next generation in their family achieving marriage equality under the law.

In 2011, we celebrated our third wedding anniversary and toasted the first same-sex couple to legally marry in New York State—making history by exchanging vows before Niagara Falls illuminated in rainbow colors. Ten years from now, I hope this chapter of American history will be closed, and the time when some Americans could marry while others could not will be a relic of a bygone era to be studied in the history books.



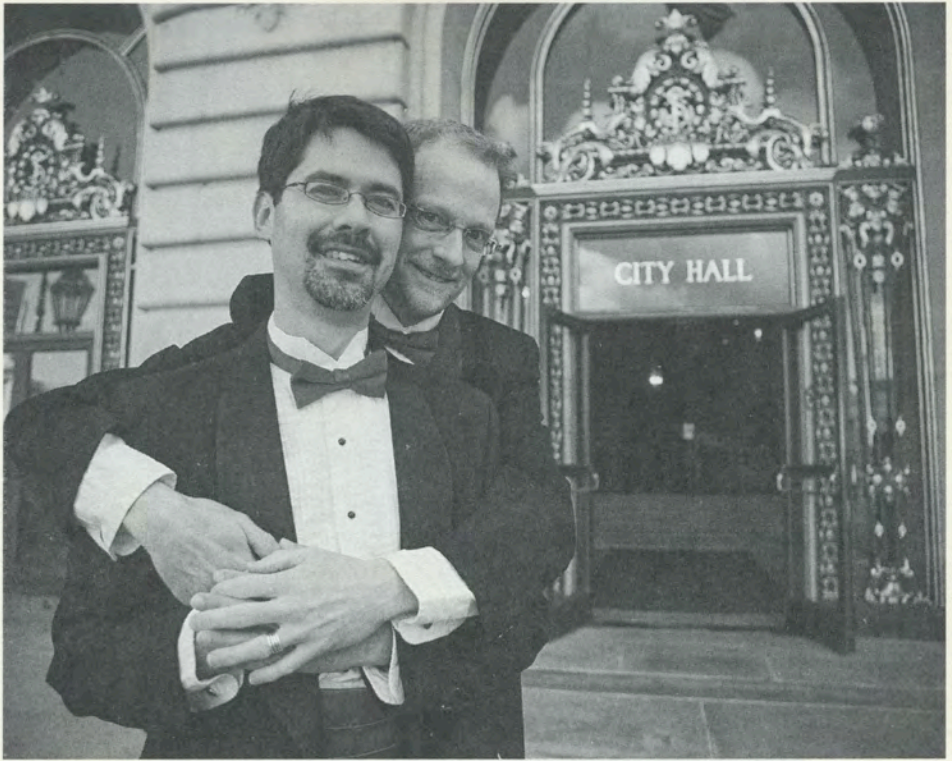


Fig. 32.5. After a four-year legal odyssey, Stuart and John legally married at San Francisco City Hall on June 15, 2008, after the California Supreme Court affirmed the right of same-sex couples to marry. Bella Pictures, courtesy of Stuart Gaffney and John Lewis.

KT: We should work to remember this history so that future instances of prejudice can be avoided. A much larger and more self-aware multiethnic community, commonly represented everywhere from popular media to official forms, should be part of this future vision. Ultimately, race is a social construct with no scientific basis. I believe that some of us see the world like this already. However, I believe that significant work must be accomplished before this idea becomes as familiar as the monoracial categories to which we are currently accustomed.

In the past seven years, Loving Day has connected diverse community groups and individuals, even across great distances. I hope that in the next ten years, Loving Day becomes a common, well-known annual tradition that is enjoyed by families, passed down between generations, shared among friends, and celebrated globally.

SG: On Loving Day in 2007, John and I flew with my mother to attend ceremonies in Washington, D.C., commemorating the fortieth anniversary of *Loving v. Virginia*.



The greatest anniversary gift of all came from Mildred Loving herself, who issued the following statement, titled “Loving for All”:

My generation was bitterly divided over something that should have been so clear and right. The majority believed what the judge said, that it was God’s plan to keep people apart, and that government should discriminate against people in love. The older generation’s fears and prejudice have given way, and today’s young people realize that if someone loves someone they have a right to marry. I believe all Americans, no matter their race, no matter their sex, no matter their sexual orientation, should have that same freedom to marry.

That the woman whose name is synonymous with the struggle for interracial couples to achieve marriage equality could see the connections between her fight and that of same-sex couples is profoundly moving. Mildred Loving advocates that we move beyond bitterness and division toward freedom to marry as a fundamental right. Perhaps her words will help us conceive a new image—one that is no longer of only one couple standing together but rather of a whole community standing shoulder to shoulder fighting for social and legal justice in the context of marriage equality.<sup>6</sup>

### Resources

Dariotis, Wei Ming. “‘My Race, Too, Is Queer’: Queer Mixed Heritage Chinese Americans Fight for Marriage Equality.” *Chinese America: History and Perspectives—The Journal of the Chinese Historical Society of America*, 2007.

Dumesnil, Cheryl. *Hitched!: Wedding Stories from San Francisco City Hall*. Cambridge, MA: Da Capo Press, 2005.

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