



Milwaukee LGBT History Project, Inc.

**Donna Burkett
and
Manonia Evans:
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On October 1, 1971, Donna Burkett and Manonia Evans, an African-American lesbian couple, walked into the Office of the Milwaukee County Clerk to apply for a marriage license. Milwaukee County Clerk Thomas Zablocki refused to accept their application, saying that Wisconsin statutes prohibited the marriage of persons of the same sex. Burkett and Evans then filed a lawsuit in the U.S. District Court for the Eastern District of Wisconsin, charging that Zablocki’s refusal deprived them of

due process and equal protection of the law under the U.S. Constitution. “The law should protect us and help us the way it does any two straight people who love each other and want to live together,” Burkett told GPU News, the news magazine of the Milwaukee gay and lesbian community. “That’s our civil rights; that’s what this is all about.” The lawsuit attracted national attention and was covered by Jet and The Advocate. District Judge Myron L. Gordon dismissed the case on January 10, 1972, when the women’s attorney failed to submit a brief outlining their arguments.

Burkett and Evans married on Christmas Day, 1971 in a ceremony officiated by Rev. Joseph Feldhausen and attended by 250 friends and family members. Burkett wore a black Edwardian tuxedo and Evans, a white floor-length gown with lace sleeves, a flowered scalloped cap, and an extended train.

Thanks to Burkett and Evans, Wisconsin was among a handful of states that took part in the first wave of same-sex marriage lawsuits in the early 1970s. All tried to secure the legal recognition of committed same-sex relationships as sufficiently similar to heterosexual ones in relevant respects. All were unsuccessful. Courts upheld traditional definitions of marriage as involving two persons of the opposite sex joined in a union to procreate and raise children. Following these defeats, gay men and lesbians lowered their sights from the state to the municipal levels, and from full marriage rights to a few rights associated with a new institution, domestic partnerships. It wasn’t until the mid-1990s that the legal struggle for marriage equality would be resumed in earnest.