

NINIA BAEHR & GENORA DANCEL

MARRIAGE EQUALITY PIONEERS

“Maybe I was living in fantasyland, but when you want to marry someone, that’s all you think about.” - Genora Dancel

Ninia Baehr and Genora Dancel were plaintiffs in the first major marriage equality lawsuit in America. Initiated in Hawaii in 1990, *Baehr v. Lewin (Miike)* launched a 23-year battle for marriage equality in the state and laid the foundation for nationwide legalization of same-sex marriage in 2015.

Genora Dancel was the first female broadcast engineer at Hawaii Public Television. Her boss introduced her to her daughter, Ninia Baehr, who was the co-director of the University of Hawaii Women’s Center. Baehr and Dancel fell in love, and Dancel soon proposed.

As residents of Hawaii, Dancel and Baehr applied for a marriage license, but the state immediately denied it. They resigned themselves to the injustice until Baehr, who was uninsured, developed a serious ear infection. If married, Dancel could have extended her health insurance to her spouse.

Eager to find a solution, Baehr and Dancel sought information about domestic partnerships from the Lesbian and Gay Center of Honolulu, but hit another roadblock. The center’s executive director urged them to join a marriage-equality lawsuit he was organizing.

At a time when same-sex marriage was illegal throughout the world, Dancel feared the publicity might upend their lives. She and Baehr hired a civil rights attorney and bravely moved forward anyway. In December 1990, Baehr, Dancel and two other couples walked into the Department of Health to apply for marriage licenses. They were denied, and the couples sued.

The case made its way through the system to the state’s highest court. In 1993 the Hawaii Supreme Court ruled that same-sex couples had the right to marry unless “compelling state interest” could prove otherwise. The case was remanded back to the lower courts. About this time, Baehr and Dancel moved to Baltimore to escape the spotlight and angry backlash.

The Hawaii Supreme Court decision opened constitutional questions, prompting the federal Defense of Marriage Act (DOMA) in 1996, which limited the right to marry to heterosexual couples exclusively. In 1998 Hawaii voters approved an amendment to the state constitution banning same-sex marriage, and the *Baehr* case was dismissed.

Baehr and Dancel split amicably in 1997. Dancel moved back to Hawaii in 2006 and married Kathryn Dennis in 2013, a month after the state eventually legalized same-sex marriage. Baehr married Lori Hiris in Montana in 2014.

Baehr and Dancel remain friends. In 2015 when the Supreme Court decision in *Obergefell v. Hodges* legalized same-sex marriage in all 50 states, they celebrated the victory over the phone.

Their attempt to obtain a marriage license helped spark a nationwide movement to legalize same-sex marriage.

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