

Gay marriage a long time coming for widow Edie Windsor

by [Richard Wolf](#)

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NEW YORK (RNS) After a 40-year engagement and 20 short months of marriage, Edie Windsor and her late spouse, Thea Spyer, are getting their day in court. So, too, are hundreds of thousands of gay and lesbian couples.

From now until the Supreme Court decides Windsor's case in late spring or early summer, Americans will come to learn about the lesbian couple's long march toward matrimony, encumbered by Spyer's 30-year battle with multiple sclerosis and culminating in an unlikely wedding trip to Canada in 2007.

Two years later, Spyer was dead, leaving Windsor with a \$363,000 federal estate tax bill that would not have been levied if Thea had been Theo. After recovering from a heart attack that doctors said was triggered by "broken heart syndrome," the petite, 83-year-old widow decided to fight back.

Two lower court victories later, her case is now headed to Washington.

"It's not 'same-sex marriage.' It's marriage. It's marriage equality," Windsor said, surrounded in her eighth-floor Greenwich Village apartment by photos and memorabilia from the couple's marathon courtship and brief nuptials.

"From my fourth-grade civics class," she says, "I somehow trust the Supreme Court to bring justice."

Windsor paid more than a half million dollars in total after Spyer's death, including to New York state, which legalized gay marriage last year. Most of the couple's wealth was in the rising value of the apartment at 2 Fifth Ave. and a small "country house" in Southampton, N.Y., bought for \$35,000 in 1968. Together, the homes are worth more than \$2 million today.

Is it all about the money? "The money matters to me a great deal," Windsor said, both in principle and pocketbook. But Windsor v. United States is about much more.

"The suit is about a marriage," she said – "my marriage to her and her marriage to me."

A diminutive blonde with a Betty White smile, Edie Windsor is an unlikely legal titan. On her bed are two books – "Keeping Faith with the Constitution," by a trio of liberal scholars, and "The Oath," by CNN's Supreme Court analyst, Jeffrey Toobin. She also reads her lawyers' drafts of briefs and sends back comments.

It's a far cry from the early days of covert lesbian liaisons in Greenwich Village, including the one that began a nearly 44-year relationship.

Windsor, who used a master's degree in mathematics from New York University to become a senior computer systems programmer at IBM, and Spyer, whose Jewish family fled the Netherlands long before she became a clinical psychologist with a Ph.D. from Adelphi University, spent most of their lives working, traveling, dancing – and lying.

"All through IBM, I lied about who I was," says Windsor, still sporting the diamond engagement pin Spyer gave her in 1967 because a ring would have prompted unwelcome questions. "I gave Thea a guy's name. I never told the truth in those years – and then I told the truth plenty afterwards."

When multiple sclerosis began to steal Spyer's physical strength in the 1970s, Windsor quit working to help out. She also began volunteering with gay rights organizations; for starters, she computerized all their mailing lists.

Spyer's condition deteriorated over the years, requiring more lifts and ramps and motorized wheelchairs. Near the end, she was quadriplegic, with little physical ability beyond driving her wheelchair and pushing a computer mouse. When doctors gave her a year to live because of a heart condition, she popped the question.

"She got up the next morning after the doctor said that and she said, 'Do you still want to get married?'" Windsor recalls. "And I said, 'yes!' And she said, 'I do, too. Let's go.'"

Their trip to Toronto for a civil ceremony in May 2007, as well as their decades-long devotion, is now chronicled in an award-winning documentary titled "Edie and Thea –

A Very Long Engagement." They had two best men and four best women. And like they first did at the Greenwich Village restaurant Portofino in 1963, they danced, Edie on the arm of Thea's wheelchair.

"People asked, 'What could be different? You've lived together for over 40 years – what could be different about marriage?'" Windsor said. "And it turned out that marriage could be different."

The return flight from Canada was Spyer's last. She died Feb. 5, 2009, with patients scheduled for appointments that day. Now Windsor talks to Thea's photographs.

But the marriage lives on – in court.

"This process right now, she would adore it," Windsor said wistfully. "She'd say, 'Go, girl!'"

On the day of her first court triumph in the Southern District of New York, Windsor happened to find an old note from Spyer reading, "Congratulations, darling. You did it!!"

"It was from something entirely different – probably when I stopped smoking or something," Windsor said. She left it beside an enlargement of Spyer's death notice from The New York Times, propped up prominently in the foyer.

Now, in fragile health herself with an implantable cardioverter-defibrillator but still walking 10,000 steps a day, she is focused on winning her case – and returning to private life as much as possible. The gay rights community – particularly the young people who high-five her during Gay Pride parades – might not allow it.

And if she loses? "I think we've exposed the world to a whole lot and made progress," she said. "If it doesn't happen our year, it will happen in other years. I'm sure of that." —*USA Today*