

## THE RADICAL ACT OF LOVING: HOW THE ORDINARY BECOMES EXTRAORDINARY

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It has been nearly fifty years since the United States Supreme Court handed down the *Loving v. Virginia*<sup>1</sup> decision, which banned state anti-miscegenation laws. With this important anniversary comes increased focus on the couple behind the decision, Richard and Mildred Loving. While many have struggled with the way the couple has been represented, not as civil rights crusaders, but as simple hard working people who wanted to live close to their families, I argue it was exactly their commitment to each other and their family that led to constitutional change. In this essay, I reflect on the ordinary actions that people have taken over time that have resulted in drastic changes altering the fabric of our society. I end with a reflection on how we can continue to challenge systems of injustice through everyday actions.

It has been nearly fifty years since the United States Supreme Court released its opinion on *Loving v. Virginia* effectively redefining marriage in the remaining sixteen states that had anti-miscegenation laws at the time of the decision. Not only would this decision allow the Loving family to live in Virginia, but it enabled countless others to live openly (even where resistance to the decision remained strong) and gave rights to the children of these marriages. In the current political and cultural climate, the *Loving v. Virginia* decision seems particularly relevant and as June 12, or Loving Day, draws nearer, I find myself reflecting on the *Loving* legacy and what it means for those working toward social justice, equality, diversity, and inclusion. For me, the Lovings are inspiring not because they achieved a major victory in the Civil Rights Movement (although that must be celebrated as well), but because they offer an example of how we can interact with the people around us in a way that normalizes inclusion and celebrates difference.

As audience members of the film *Loving* might have observed, Richard and Mildred Loving did not set out to be Civil Rights champions. Indeed, to the surprise or irritation of some, the Lovings are por-

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1. 388 U.S. 1 (1967).

trayed as simple people trying to get back to Virginia to be closer to their families. However, real life accounts of the Lovings support this portrayal. In an article in *Life Magazine*, the Lovings described the motivation behind the case as “purely personal.”<sup>2</sup> In the same article, Richard stated, “We have thought about the other people, but we are not doing this just because somebody had to do it and we wanted to be the ones. We are doing it for us, because we want to live here.” On the 40th anniversary of the *Loving v. Virginia* decision, Mildred released a statement that both acknowledged the importance of the decision, but also reaffirmed the personal motivation behind the case.

When my late husband, Richard, and I got married in Washington, D.C. in 1958, it was not to make a political statement or start a fight. We were in love, and we wanted to be married. Not a day goes by that I don't think of Richard and our love, and how much it meant to me to have that freedom to marry the person precious to me, even if others thought he was the “wrong kind of person” for me 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. I am proud that Richard's and my name are on a court case that can help reinforce the love, the commitment, the fairness, and the family that so many people, black or white, young or old, gay or straight, seek in life. I support the freedom to marry for all. That's what *Loving*, and loving, are all about.<sup>3</sup>

This continued hesitancy to situate themselves in the larger Civil Rights Movement might be surprising, but for me it makes the *Loving* decision that much more compelling—and powerful. The Lovings' commitment to each other and their families led to the infamous United States Supreme Court decision, resulting in extraordinary social change and paving the way for future generations of couples and their children to be visible in United States society. This is not to down play the important role that leaders such as Rev. Dr. Martin Luther King, Jr. played in ushering social change, but rather the acknowledgement that the simplest actions can also have extraordinary ramifications.

The true legacy of the Lovings is shared by the countless others that have engaged in ordinary actions that led to extraordinary results. While not all reach the level of notoriety as the Lovings have in the United States, their stories are as poignant. In perhaps the most

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2. *The Crime of Being Married*, TIME, Mar. 18, 1966, at 85, 91.

3. See Mildred's statement on the 40th anniversary of *Loving v. Virginia* here <https://www.theatlantic.com/daily-dish/archive/2007/06/mildred-loving-40-years-later/227582/>.

globally recognized case, Malala Yousafzai risked her life to pursue her education in Pakistan after a Taliban order barred women and girls from education. On October 9, 2012 Malala followed her usual routine and boarded a bus to go home after school, but instead of arriving safely to her destination, she was shot in the head. Not only did Malala survive, but she has since become a global leader advocating for freedom of speech and education, earning a Nobel Peace Prize along the way. In post-dictatorship Argentina, after a dirty war that led to the disappearance of up to 30,000 people, one grandmother's search for her missing grandson resulted in the establishment of Abuelas de Plaza de Mayo (Grandmothers of the Plaza de Mayo). The group has identified over 100 children of those who went missing during the war and driven scientific advancements in DNA identification.<sup>4</sup> Closer to home, United States public support of marriage equality emerged after dozens of individual couples pursued the same legal rights as heterosexual couples, culminating in the dismantling of the Defense of Marriage Act and the military policy of "Don't Ask, Don't Tell," and leading to the *Obergefell v. Hodges*<sup>5</sup> decision. Some of the couples, including Jim Obergefell and John Arthur, John Baker and James McConnell, and Karen Thompson and Sharon Kowalsi, pursued their cases in court and, like the Lovings, had to cope with difficult legal circumstances prior to the landmark Supreme Court decision. One final example may be found in Father Flanagan, who aimed to help young boys so that they could grow into productive citizens by opening a home that eventually became the widely acclaimed Boys Town in Omaha, Nebraska.

These stories represent an array of actions that any person would or could undertake in similar circumstances. They share the common theme of individuals pursuing something deeply personal and in their quest, inspiring something much greater. The legacy of the Lovings lives on today, not only because of the legal precedent established by the *Loving v. Virginia* decision, but because the Lovings themselves were people who just wanted to live the way those around them lived, in their own home with their children, and close to family and friends. They normalized what at the time was considered by some to be anything but normal, and in so doing, paved the way for all sorts of relationships to follow. For me, Loving Day is so much more than a celebration of the United States Supreme Court decision; it is a validation of relationships that cross socially constructed barriers, including ethnicity, gender, religion, sexual identity, and so on. It is about nor-

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4. Erin Blakemore, *Argentinian Grandmothers Are Using DNA to Track Down Stolen Children*, SMITHSONIAN.COM (Sept. 3, 2015).

5. 135 S. Ct. 2584 (2015).

malizing and celebrating that we are all individuals, and that surface level identity is only one piece of the kaleidoscope that makes up a person.