

## GROUNDS FOR MARRIAGE

SINCE THE JUDGES, THE STATE LEGISLATORS, AND THE MEMBERS OF CONGRESS HAVE BECOME EXPERTS ON THE MARITAL STATE, WITH NEW LAWS GOVERNING WEDDINGS, MARRIAGES, AND DIVORCES, I WOULD LIKE TO TEMPER THEIR MISGUIDED ENTHUSIASM, WITH SOME THOUGHTS FROM DEEP IN THE TRENCHES, WHERE THERE IS NO POSTURING FOR RE-ELECTION, OR PANDERING TO DEEP-SEATED PREJUDICES.

AS A MINISTER, I HAVE OFFICIATED AT NUMEROUS WEDDING CEREMONIES, AND I HAVE NO ILLUSIONS ABOUT THEIR RELIGIOUS SIGNIFICANCE. <sup>AN</sup> SOME WERE CALAMITIES! IN ADDITION TO DISASTERS, MANY WEDDINGS ARE SIMPLY SOCIAL OCCASIONS, WITH THE EMPHASIS ON FOOD, CLOTHING, FLOWERS, PHOTOGRAPHS, AND ISOLATING RUDE RELATIVES. RELIGION IS AN EXCUSE FOR A PARTY.

AFTER THE WEDDING, THERE IS THE MARRIAGE. IT, TOO, IS OFTEN A BEST LAID PLAN THAT GOES ASTRAY. IN WESTERN LITERATURE, IT HAS BEEN VARIOUSLY DESCRIBED AS "AN EVIL," "A CURSE," AND "A DESPERATE THING." ROBERT LOUIS STEVENSON, ESCAPING TO THE SOUTH SEAS, THOUGHT "MARRIAGE IS A FIELD OF BATTLE AND NOT A BED OF ROSES." RICHARD BURTON, WITH A HEAVY DOSE OF BLACK HUMOR, SAID, "MARRIAGE AND HANGING GO BY DESTINY; THE MATCHES ARE MADE IN HEAVEN." AMBROSE BIERCE DEFINED MARRIAGE AS "A COMMUNITY CONSISTING OF A MASTER, A MISTRESS, AND TWO SLAVES, MAKING IN ALL, TWO."

IT IS INCREDIBLE THAT PEOPLE CONTINUE TO TIE THE KNOT, THOUGH IT TURNS INTO A NOOSE HALF THE TIME. PERHAPS SAMUEL JOHNSON EXPLAINED THE REASON, WHEN HE WROTE, "MARRIAGE HAS MANY PAINS, BUT <sup>I</sup>CELBACY HAS NO PLEASURES." OR MAYBE IT IS MORE COMPLICATED <sup>^</sup> THAN THE POPULAR POLITICAL RHETORIC.

CONSEQUENTLY, I HAVE LITTLE PATIENCE WITH THE NEW BREED OF PURITANICAL LAW-MAKERS. LIVING IN A MAKE-BELIEVE WORLD, THEY INISTS ON DEFYING REALITY, ~~BE~~<sup>Y</sup> DEVISING ABSURD PUNISHMENTS. MARRIAGES WILL NOT BE FIXED BY LEGJSLATING A DEFINITION, OR BY PROHIBITING SOME HUMAN BEINGS FROM THE PRACTICE, OR BY REQUIRING COUNSELING IN A FAILED RELATIONSHIP, OR BY EXTENDING WAITING PERIODS BEFORE A DIVORCE, OR BY INTRUDING INTO THE PRIVACY OF A BEDROOM--ALL UNDER THE GUISE OF "PROTECTING THE SANCTITY OF THE INSTITUTION." FEW THINGS ARE MORE DELICATE THAN A MARRIAGE, MORE IN NEED OF SPIRITUAL REPAIR, AND THE HEAVY HAND OF THE STATE IS TOTALLY UNFIT FOR THE TASK. CARPENTERS SHOULD NOT DO SURGERY.

MANY YEAR<sup>S</sup> AGO NOW, I MET WITH A COUPLE FOR PRE-MARITAL COUNSELING. HIGHLY SUCCESSFUL IN <sup>T</sup>THEIR CAREERS, AND WELL PAST MIDDLE AGE, AND SINCE I NEVER INQUIRE INTO IQ'S, RACE, INCOME, OR SIMILAR PERSONAL MATTERS, I WAS HESITANT TO MENTION THE SUBJECT OF GENDER. YET I LEARNED THAT THESE TWO MEN HAD BEEN LIVING TOGETHER FOR SOME 30 YEARS AND WANTED TO MARRY BEFORE THEY DIED.

IT WAS ONE OF THE BEST WEDDINGS I EVER CONDUCTED. FOR HERE WERE TWO HUMAN BEINGS<sup>S</sup>; COMPLETELY DEVOTED, SERIOUS ABOUT THE VOWS, FULLY KNOWING THE HARDSHIPS, UNINTERESTED IN THE TRAPPINGS OF THE CEREMONY, DESIRING A SPIRITUAL CONFIRMATION, AND UNDERSTANDING THE OPPOSITION OF THE STATE AUTHORITIES--BUT NEEDING TO SHARE WITH THEIR FRIENDS AND FAMILY THE PROFOUND FEELINGS IN <sup>E</sup>THEIR HEARTS.

WHAT IS THE GROUND FOR MARRIAGE? IS IT NOT A LOVE RELATIONSHIP? IS IT NOT A MUTUAL SACRIFICE? IS IT NOT A GENUINE COMMITMENT? IT WAS <sup>J</sup>JOHN LYLY WHO PROCLAIMED THAT "MARRIAGES ARE MADE

IN HEAVEN AND CONSUMMATED ON EARTH," AND I WILL ATTEST TO THE SANCTITY OF SAME-SEX UNIONS, DECLARING UNEQUIVOCALLY THAT THE STATE HAS NO BUSINESS INTERFERING WITH THE ~~BOND~~. AS THE ANCIENT SAYING GOES, "THAT WHICH GOD HAS JOINED TOGETHER, LET NO ONE PUT ASUNDER."

YET THE CONGRESS OF THE UNITED STATES HAS PASSED "THE DEFENSE OF MARRIAGE ACT." IT WAS PROMPTED BY AN HAWAII COURT DECISION, WHICH RULED THAT DENYING SAME-SEX COUPLES THE RIGHT TO MARRY VIOLATED THE EQUAL PROTECTION CLAUSE OF THE STATE CONSTITUTION, UNLESS THE STATE COULD PROVE SUCH DISCRIMINATION WAS JUSTIFIED. WHILE THE CASE IS STILL IN LITIGATION, CONGRESS SCURRIED TO PROTECT THE NATION BY CREATING A FEDERAL DEFINITION OF MARRIAGE, AS BETWEEN ONE MAN AND ONE WOMAN, AND GIVING STATES THE RIGHT TO NOT RECOGNIZE SAME-SEX MARRIAGES PERFORMED IN OTHER STATES. IT IS PRE-EMPTIVE LEGISLATION, SUPPORTED BY BOTH MAJOR CANDIDATES FOR THE PRESIDENCY, AND 86% OF THE AMERICAN PEOPLE-- A TYRANNY OF THE MAJORITY.

IN THE HOUSE DEBATES, THE SPECTACLE OF PREJUDICE TOOK CENTER STAGE, AS ALL OF THE INSECURITIES OF SEXUALITY WERE ON DISPLAY. FROM A REPRESENTATIVE IN INDIANA: "THE GOD-GIVEN PRINCIPLE OF THE MARRIAGE INSTITUTION IS UNDER ATTACK." FROM A REPRESENTATIVE IN GEORGIA: "THE FLAMES OF HEDONISM ARE LICKING AT THE FOUNDATIONS OF OUR SOCIETY." FROM A REPRESENTATIVE IN OKLAHOMA: "HOMOSEXUALITY IS IMMORAL, IT IS BASED ON PERVERSION, AND IT IS BASED ON LUST." ON THE OTHER SIDE, REPRESENTATIVE JOHN LEWIS, WHO MARCHED WITH MARTIN LUTHER KING JR. FOR CIVIL RIGHTS BY SAYING, "I HAVE KNOWN RACISM. I HAVE KNOWN BIGOTRY. THIS BILL STINKS OF THE SAME FEAR, HATRED AND INTOLERANCE."

BEYOND THE PREJUDICE, THERE IS NO COMPELLING REASON WHY A MARRIAGE LICENSE SHOULD NOT BE GRANTED TO A SAME-SEX COUPLE. I HAVE HEARD THE OLD, TIRED ARGUMENTS. "IT IS PROHIBITED IN THE SCRIPTURES!"--BUT THE BIBLE ALSO PROHIBITS THE EATING OF SHELL-FISH, THE CUTTING OF HAIR, REMARRYING AFTER A DIVORCE, AND REQUIRES SEXUAL INTERCOURSE WITH THE CHILDLESS WIFE OF A DEAD BROTHER. TAKEN SERIOUSLY, THE LAW OF LOVE IS THE CRUX OF THE SCRIPTURES, AND NOT THE OUTMODED REGULATIONS.

"IT IS PROMOTING NON-PROCREATIVE SEX!"--BUT THE RIGHT TO MARRY IS NOT DENIED TO THOSE WHO ARE INFERTILE, OR TO THOSE WHO DO NOT WANT CHILDREN, OR TO THOSE OVER THE CHILD-BEARING AGE. IF PROCREATION IS THE ONLY PURPOSE OF SEX, THEN MOST OF THE MEMBERS OF CONGRESS SHOULD BE INDICTED FOR UNNATURAL BEHAVIOR.

"IT IS UNDERMINING THE FAMILY UNIT!"--BUT THE CONCEPT OF A FAMILY IS EVER-CHANGING, AND IT IS PRECISELY THE IDEAL THAT GAYS AND LESBIANS HOPE TO ACHIEVE. IN WANTING A LONG-TERM RELATIONSHIP, RECOGNIZED BY LAW, THEY ARE ACTUALLY DOING MORE TO SUSTAIN THE INSTITUTION, THAN THOSE WHO WOULD KEEP THEM AS OUTCASTS.

"IT IS EXTENDING THE RIGHTS OF HOMOSEXUALS!"--BUT THE RIGHTS TO INHERIT PROPERTY, TO RECEIVE PAYMENTS IN INSURANCE, TO ACT FOR AN INCAPACITATED SPOUSE, TO VISITATIONS IN HOSPITALS, TO SUPPORT AND ALIMONY, TO A SINGLE HOUSEHOLD TAX ADVANTAGE, AND TO A HOST OF OTHER BENEFITS ARE NOT EXTENSIONS, BUT THE RIGHTS OF ALL MARRIED COUPLES.

THEN, THERE IS THE COMIC EXAMPLE OF SPECIOUSNESS, BY THE PROSECUTOR AGAINST SAME-SEX MARRIAGES IN HAWAII. HE WILL ARGUE, IN THE CHAMBERS OF THE SUPREME COURT, THAT THE RESULTING RUSH OF

GAY PEOPLE TO THE STATE WOULD DISTORT JOB AND HOUSING MARKETS ON THE ISLANDS. APPARENTLY, AS A SCARE TACTIC, THE POWER OF THE POCKETBOOK HAS REPLACED THE FEAR OF THE BEDROOM. NEXT, THE 50TH STATE WILL SINK!

LOOK...THE LEGAL RIGHT OF GAYS AND LESBIANS TO MARRY IS A SIMPLE MATTER OF JUSTICE. EVERY ATTEMPT TO PROHIBIT SUCH MARRIAGES IS A DENIAL OF HUMANITY, AN ACT OF DISCRIMINATION, AND A RESTRICTION OF FREEDOM. ONLY EIGHTY YEARS AGO, WHEN WOMEN WERE UNEQUAL PARTNERS IN MARRIAGE CONTRACTS, IT WAS SEEN AS A PREJUDICE--AND CHANGED. ONLY THIRTY YEARS AGO, WHEN INTERRACIAL COUPLES COULD NOT BE MARRIED IN MANY STATES, IT WAS SEEN AS A PREJUDICE--AND CHANGED. WELL...IT IS TIME TO CHANGE AGAIN. WHY SHOULD ANY LAW, ANYWHERE, FORBID EQUAL PROTECTION ON THE BASIS OF GENDER? HERE IS THE LEGAL PRINCIPLE: EVERY RIGHT AND RESPONSIBILITY THAT HETEROSEXUALS ENJOY AS PUBLIC CITIZENS SHOULD ~~BE~~ BE GRANTED TO ALL NON-HETEROSEXUALS AS WELL. NOTHING ELSE WILL SUFFICE IN A FREE SOCIETY.

BUT I HAVE NO LAW DEGREE, AND I WOULD LIKE TO GO BACK TO THE ESSENTIAL MEANING OF MARRIAGE. AS FAR AS THE STATE IS CONCERNED, A MARRIAGE IS A LEGAL CONTRACT BETWEEN TWO PEOPLE, WHICH BRINGS CERTAIN ADVANTAGES AND OBLIGATIONS; BUT IT HAS NO INTEREST IN THE SPECIFIC RELIGIOUS BELIEF, OR IN THE DEPTH OF PERSONAL COMMITMENT. THAT IS WHY A JUSTICE OF THE PEACE CAN PERFORM A CEREMONY IN LESS THAN TWENTY SECONDS, SIMPLY BY SIGNING THE MARRIAGE LICENSE. IN THE CIVIC SENSE, IT IS A SECULAR TRANSACTION, AND GENDER SHOULD HAVE NOTHING TO DO WITH IT.

YET WHEN I MARRIED THOSE TWO MEN YEARS AGO AND MANY OTHER GAYS AND LESBIANS THEREAFTER, I WAS ENGAGED IN A SPIRITUAL RITUAL,

WHICH IS DIFFERENT THAN THE LEGAL REQUIREMENTS. CONFRONTING TWO SENSITIVE INDIVIDUALS, WHO WANTED TO STAND BEFORE GOD, IN THE CHURCH OF THEIR CHOICE, TO ANNOUNCE THEIR MUTUAL AFFECTION, I CONFIRMED THE MARRI<sup>iA</sup>~~AGE~~ ALREADY IN THEIR HEARTS. NO DOCUMENT IS NECESSARY FOR THAT TRANSFORMING EXPERIENCE, AND AGAIN, GENDER HAS NOTHING TO DO WITH IT. IF OTHER CLERGY REFUSE TO OFFICIATE AT SAME-SEX UNIONS, THAT IS THEIR PREROGATIVE, BUT IN DISALLOWING THE RELIGIOUS COMPONENT, THE BLESSING OF THE CHURCH, THEY ARE HARDLY THE SERVANTS OF A LOVING GOD.

WHY OPPOSE LOVE? WHEN I INTERVIEW A COUPLE, I REJOICE TO FIND CONSENTING ADULTS, WHO HAVE PUT SOME THOUGHT INTO WHAT IT MEANS TO LOVE EACH OTHER. WHEN I CONDUCT A WEDDING CEREMONY, THE SOLEMNITY OF THE OCCASION IS A WONDERFUL SIGN OF THE DEEP COMMITMENT TO A LIFE OF LOVE. LOVE ALONE IS CAPABLE OF UNITING HUMAN BEINGS IN SUCH A WAY AS TO COMPLETE AND FULFILL THEM. THERE IS NO COMPARABLE CRITERIA FOR A MARRIAGE, AND IT IS ABUNDANT IN THE GAY AND LESBIAN COMMUNITY.

NOW, INEVITABLY, MANY SAME-SEX UNIONS WILL DISSOLVE, FOR THERE IS NO GUARANTEE. MARRIAGE IS A FRAGILE STATE, A DEMANDING CONDITION, AND OFTEN A KIND OF WARFARE. BUT HOMOSEXUALS MUST BE GIVEN THE OPPORTUNITY TO FAIL, OR TO SET AN EXAMPLE OF MARITAL SUCCESS. CERTAINLY, IT COULD BE NO WORSE THAN THE STRAIGHT POPULATION, OR THE RECORD OF LEADING POLITICIANS. I QUESTION THE CREDENTIALS OF THE EXPERTS.

FINALLY, THE HOSTILITY TOWARD HOMOSEXUALS IS UTTERLY CRUEL. OVER THE CENTURIES, IT HAS LED TO TERRIBLE HUMILIATIONS AND TO BLOODY PERSECUTIONS. IN OUR OWN DAY, THE LAWS AGAINST MARRIAGE

ARE MODES OF CONTROL, AND SIGNPOSTS OF INFERIORITY, TO MARK THE BOUNDARIES OF A GHETTO EXISTENCE. THEY HAVE NO PLACE IN A DEMOCRACY.

WHILE I CANNOT SPEAK FOR THE COMMUNITY, I WILL PERSONALLY RESIST THOSE MEASURES: BORN OUT OF IGNORANCE, NURTURED BY HATRED, AND RESULTING IN A CONTINUING OPPRESSION. WHENEVER POSSIBLE, I WILL ATTEMPT TO SPREAD THE BIBLICAL INJUNCTION, "GOD IS LOVE, AND THOSE WHO ABIDE IN LOVE, ABIDE IN GOD, AND GOD ABIDES IN THEM."