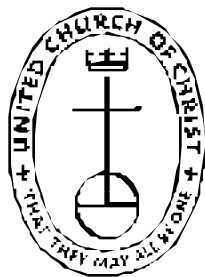


IT'S ABOUT COMMITMENT

By the Rev. K. Scott Kirk

Equal Marital Rights #8

This is an Equal Marital Rights for Same Gender Couples educational/advocacy resource of the United Church of Christ, Wider Church and Justice and Witness Ministries. United Church of Christ congregations have permission to reproduce this resource for use in the local church.



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One Saturday morning, two men in hunting clothes came into the church office. “We’re here to get married,” one said. His buddy nodded.

I was puzzled. “Who wants to get married?”

The buddy gestured to his friend, “Oh, he and his fiancée. She’s out in the car.”

The eager groom spoke again. “We’d like to be married right now, if possible. My buddy here drove me and my fiancée across the state line.”

“I can’t help you today,” I replied. “I always sit down with couples for pre-marital counseling. Have you applied for a marriage license yet?”

“Oh, we’re from Michigan,” the groom responded evenly. “You mean we need a marriage license?”

I got a lot of mileage out of that true story. Later on, I began to think: What if a fiancée hadn’t been waiting in the car? What would I have said if two men had wanted to be united in a same-sex union? Indeed, no marriage license would have been required. The law does not provide for recognition of lesbian and gay relationships.

Over a century ago, the law also did not recognize the marriage of a woman and a man—if that couple were slaves. According to the Louisiana Slave Code of 1824, “Slaves cannot marry without the consent of their masters, and their marriages do not produce any of the civil effects which result from such contract.” Historian Stanley M. Elkins, in his book, *Slavery: A Problem in American Institutional and Intellectual Life*, quotes a North Carolina judge, writing in 1858 that “...the relation between slaves is essentially different from that of man and wife joined in lawful wedlock.”

Nevertheless, slaves devised their own wedding rituals to seal their marriages to one another. Authors Albert J. Raboteau and Herbert Gutman, among others, describe an act called “jumping the broomstick.” Gutman notes that the ritual “...transformed a ‘free’ slave union into a legitimate slave marriage.” (Cited in Paul Finkelman, ed., *Women and the Family in a Slave Society*.)

Eventually, white ministers began to conduct church weddings for slaves. Historian John Blassingame notes that from 1841 to 1860, half of the marriages in South Carolina’s Episcopal churches were slave marriages. These ministers wanted to see slaves “...united under the laws of God, even if their marriages were not recognized by the laws of man.” (Finkelman)

There are many who will argue today that long-term, homosexual commitments are not “real marriages.” Yet lesbian and gay couples have found their own ways of “jumping the broomstick” to formalize their commitments. Domestic partnerships and religious ceremonies are two forms of registry and support for gay folk. As of this writing, no legal sanction exists for same-sex unions. Hawaii and Alaska recently have joined other states in prohibiting same-sex marriages.

However, people are beginning to question this ban. According to *USA Today's* November 4th (1998) election returns, Hawaii had 117,827 votes from those who did not want to prohibit same-sex marriages—29% of those who had voted. Alaska had 60,973 votes from people who did not want such a ban—about 32%.

Given such statistics, United Church of Christ churches cannot postpone discussion on the recognition of lesbian and gay commitments, no matter how challenging such discussions might be for our congregations. Homosexual people are already developing their own rituals to seal their relationships, sans the approval of those heterosexual people and institutions who would seek to be their “masters.”

Now, back to those guys from Michigan. Would I have united them, had they asked for a same-sex union? Absolutely. How about two women? Again, yes. I have the highest respect for couples who choose to make lifelong commitments. I will not add to the roadblocks in front of homosexual people by refusing the Church's blessing. On the contrary, I want to remove the barriers.

Nothing could be closer to the laws of God, as revealed through Jesus Christ, than fidelity and commitment. Sometimes it just takes a little longer for humans to accept what God has already joined together.

The Rev. K. Scott Kirk is formerly Associate Pastor of Pilgrim Church, United Church of Christ in Toledo, Ohio. This article first appeared in the Ohio Conference UCC wrap-around issue of *United Church News* (December 1998). It is reprinted with the permission of the author.