

**“DOMESTIC PARTNERSHIP:  
AN IMPORTANT STEP ON THE WAY TO EQUALITY”**

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Call to Gather

*To this day I believe we are here on earth to live, grow, and do what we can to make this world a better place for all people to enjoy freedom. ~Rosa Parks*

Reading #1: Quotation from Early 1900's French Politician, Leon Blum

*The human race had the wisdom to create science and art; why should it not be capable to create a world of justice, brotherliness and peace? The human race has produced Plato, Homer, Shakespeare and Hugo, Michelangelo and Beethoven, Pascal and Newton, all these human heroes whose genius is only the contact with [ ] the innermost essence of the universe. Why then should the same race not produce those leaders capable of leading it to those forms of communal life which [is] closest to the [ ] harmony of the universe?<sup>1</sup>*

Reading #2: “The Way Wings Should” by Rumi

*What will our children do in the morning?  
Will they wake with their hearts wanting to play,  
the way wings should?  
Will they have dreamed the needed flights and gathered  
the strength from the planets that all men and women need to balance  
the wonderful charms of the earth so that her power and beauty  
does not make us forget our own?  
I know all about the ways of the heart - how it wants to be alive.  
Love so needs to love that it will endure almost anything, even abuse,  
just to flicker for a moment. But the sky's mouth is kind,  
its song will never hurt you, for I sing those words.  
What will our children do in the morning  
if they do not see us  
fly?*

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<sup>1</sup> Erich Fromm, *The Sane Society* ( NY: Henry Holt and Company, 1955), preface

## Sermon:

The topic I bring today is very important to me, and to numerous couples in this state. It is also of great importance to all those who support the cause of justice.

I preface my comments by noting the framework through which I speak. After all, we are in a Fellowship building so you probably guessed this, but I just want to be clear. I enter this conversation today not as a journalist, not as a politician, not as an economist, not as a lawyer, or a sociologist. I am none of these; but I am an individual, a citizen and, especially, a minister in our Unitarian Universalist faith. From that vantage point, then, I look at this through the single most important lens I know, the truest measure of all our actions: LOVE. For love is the foundation of our UU faith. Indeed, it is a central truth of all religions. Love, it is said, is the purest manifestation of all that we call holy or divine on this earth.

Our faith – particularly our Universalist heritage - springs from, is bathed in, and is defined by love. Our guiding principle on all social issues is to seek the most loving response. As Unitarian Universalists, we decidedly, emphatically, unapologetically choose to stand on the side of love.

You will be seeing that phrase a lot in upcoming days (“Standing on the Side of Love”) as it is the new rallying cry throughout our UU movement. We join with all people who wish to “Stand on the Side of Love” as we try - with passionate and open hearts - to address our many social ills.

So, with that perspective in mind, I offer you two poignant and true stories. The first occurred about five years ago when I was working as a chaplain. I did my residency at a local hospital and during that time, I was privileged to support many families as they braced themselves to absorb the highest level of tragedy.

I sat with weeping spouses, children, parents, siblings; families huddled in ICU waiting rooms, counting the minutes until some authoritative white-coated person came to let them know whether their loved one had survived or not. Those of you who have experienced these things know all too well the scene I am describing.

Enduring the death of our loved ones is just another part of life, we know that. It is the risk we all take whenever we extend our hearts in love toward another. Any two people who love each other – whether friends, siblings, parents, whatever – any two people who love one another know that one of them is likely going to have to endure the loss of the other at some point in time. But – to the point of this message - there are many people for whom that anguish is made even worse, compounded by the rules and regulations of a biased system. There are times when the healthcare workers (who may be constrained by state law or institutional policies, or their own discriminatory beliefs) actually magnify the pain I am describing rather than providing much needed comfort and support in times of such colossal grief.

One example of this is a case I heard about through another chaplain in this region. Two men, a couple, were sharing dinner together when one went into cardiac arrest. They drove to the nearest Emergency Room and his partner waited frantically for word about his loved one’s status - just as so many spouses before and after him have done. When he was finally informed that despite their best efforts the heart attack was fatal, his sorrow, as you would imagine, was enormous. But his sadness was immeasurably compounded by learning a short time later that the hospital refused to release his partner's body to him since he was not legally "next of kin." Their many years together meant nothing in this case. So

this grieving man had to track down a distant relative with whom the deceased had barely had contact to come and authorize the release of the body. Imagine how that felt!

Let me share another. It is the story of a Florida couple: Joseph Bellamy and Eric Breidenbaugh. Joe was a pilot who passionately loved flying – so much so that he had a dream of building his own small plane one day. He frequently took Eric and other family members up to share his joy as he sailed through the panoramic sky.

Eric and Joe loved their families very much and were fortunate in that their families returned their love in equal measure. One weekend Joe's parents came for a visit and the three of them went up for a ride in his plane. Eric wanted to go too but could not as he had work to do for a client. The plan was set for Joe to give Eric a call when they returned to the airport so that he could meet them for dinner.

When Eric did not hear from Joe at the appropriate time, he grew concerned. He tried not to fret; he knew Joe to be a careful and skilled pilot. Finally, he could wait no longer. He called the airport and inquired about the status of that flight.

The woman he spoke with told him there had been "an incident" but she declined to say anything further. She said, "I'm sorry. Due to policy, since you are not an actual family member, I cannot give you the information."

Eric rushed to turn on his computer and the TV, in a desperate search for local news. There he saw the images he dreaded and heard them report that a plane had gone down with three passengers inside and all three were dead.

This is so wrong, so very sad. Imagine how devastated Eric felt as he saw the pictures of the crumpled, burned plane and, most likely, heard the reporter say something to the effect that names were being withheld, pending notification of the next of kin.

Had these couples been legally registered Domestic Partners these stories would have unfolded differently. The protections afforded same-gender couples under Wisconsin's new Domestic Partner laws are critically important in that they allow couples – who are forbidden to marry - at least a few civil protections to ensure that they may care well for one another, and that they are permitted to respond as a "family member" in the event of a crisis.

No doubt, there is a sea change coming across our nation but it is a slow, arduous process. This is one tiny piece of the whole picture. The journey ahead is long and I am grateful for the many organizations that are fighting – and will keep on fighting - for full marriage equality.

This is quite a hot topic in our state now. Some people want to make this a debate about whether or not the Domestic Partnership statues approved this past summer provide substantially similar benefits to those automatically given when a heterosexual couple weds (which, they contend, would be prohibited by Wisconsin's 2006 Marriage Amendment). Legal cases are winding their way through our court systems right now aggressively disputing both sides of that debate.

But as a person who did legally register on the very first possible date with my life partner, I can tell you that we see these legal provisions as very important civil protections for the safety and stability of our home and our family .... and they do not make us feel "married."

We know that when we are ultimately granted the right to become full, federally recognized legal spouses (and I am absolutely confident that day will eventually come) then we will feel like an enormous weight has lifted off of us. For today, we feel like a portion of our many concerns in this area has been made lighter.

These Domestic Partner laws, while celebrated and needed, are a far, far cry from duplicating the vast protections and rights afforded to married couples. As opposed to the far-reaching tax benefits, pension rights, social security rights, property rights etc., this law gives same-gendered couples who register, a few protections; and most of those are centered on being able to our desire to be legally permitted to care for one another in times of need.

The truth is, this thing we and other registered Domestic Partners have claimed and will fight to retain - our very simple and plain desire - is to be able to be present in a way that represents the truth of our familial relationship. We want the legal right to be there when we are needed by one another, whether in the Emergency Room, the courtroom, or at a time when end of life decisions must be made. Providing these protections for committed couples is the loving thing to do. These are civil rights that should not be denied people who voluntarily put themselves forth to make this kind of legal, mutual commitment.

From my view, this seems to be quite a good thing for our society. We have so many disaffected and unattached people who, because of having no family safety net, end up in shelters or fall under the care of our social services. Doesn't it make sense for society to allow people to legally commit themselves to be treated as "next of kin" rather than refusing - out of homophobia - to recognize the family one chooses for her/himself?

Here is a bit of history to add some personal color to this story: On June 16, 1999, I met Rosie, here at a Fellowship event. A year later, in this very room, Roger officiated at a Commitment Ceremony for us in front of about 100 people. Some few attended reluctantly but Rosie and I are fortunate in that we enjoy deeply loving relationships with both sides of our family, and unbounded support from my three children.

So we met in 1999 and had a beautiful ceremony in 2000 which was very meaningful to us but we knew at the time that it meant nothing to society; and it made not one bit of difference in our legal standing. Neither does our now ten-plus years of absolute devotion to one another. We did see an attorney early on and we have a stack of legal documents that were drawn up, but still we (and so many couples like us) have learned to live with the vulnerability that comes with our inability to assert full civil protections for our relationship.

So, continuing with the markers along our path: on July 31, 2008, while in California for my son's wedding, Rosie and I went to the Santa Barbara County Courthouse. Surrounded by the brilliant gardens there and savoring that California sunshine beating down on us, we were married in the state of California by a very caring UU minister from the Santa Barbara congregation.

Again, that brief ceremony was meaningful for us and the family members who were with us; but we knew it was more symbolic than anything else. It had no impact on our legal standing as a couple here in Wisconsin nor does it carry any federal protections for us.

So Rosie and I have had a few rituals blessing our union. We have committed ourselves and recommitted and recommitted. But I can tell you that as joyful as those prior rituals were for us, the one that has the most material significance has been our trip to the Courthouse here on August 3rd to raise our right hands before the Outagamie County Clerk to become registered Domestic Partners in the state of Wisconsin.

Honestly, we were a bit surprised by the sensations we had as we left the courthouse that day. Why should this feel momentous after all the years we had shared and all the formal and informal things we had done to honor and protect our relationship?

Then we realized that this is the first time that a ceremony had granted actual legal protections in the state of our residence. Our status as Domestic Partners has real, immediate and consequential impact on our lives. This was the first time in our several years together that we finally have the law standing behind us saying we have a family-like relationship, though the law clearly does not see this as a marital relationship, but a relationship nonetheless to be valued within society.

People ask us about what has actually changed, given that we had long ago drawn up our thorough wills and power of attorney forms. In response, first let me first say that Rosie and I were fortunate in that we had the financial wherewithal to pay for that level of legal help. So to gain the *partial* protections that those documents have given us, the cost over the years has been around \$1,000.00. Civil protections should be available to all committed couples, not just those who can afford to pay for legal assistance.

On top of that, despite the fact that we've had such competent legal help, no matter how good one's attorney is, prior to the Domestic Partner Registry, there were no legal documents that could be created to provide us with the right to take time off under the Family Medical Leave Act to care for one another at a time of extreme medical need. We have that now.

Similarly, in the state of Wisconsin, there are rights and protections given to families of crime victims. Our attorneys could not create those rights and protections for us, but we are now included in those statewide provisions.

We are now protected under the legal "privilege" definition so (as with marital spouses) we cannot be forced to testify against one another or share confidential conversations in court. (That's one provision we hope we never need!)

Regarding shared property there are now protections that did not exist before for couples who are joint owners, easing the legal stress on a surviving partner for the transfer of that property during their time of grief.

If employed by the state, a qualified domestic partner can now be considered an eligible "dependent" to receive medical coverage under the state's health plan.

And (this one is so poignant) - years from now, if Rosie and I - as Domestic Partners - are admitted to the same nursing home, we now have the law's backing to share a room as a couple. Previously, that could have been denied us.

Again, these are not rights that could have been obtained through our attorney.

So, you see, the crux of this message is that these provisions are about protecting loving relationships; allowing couples to be there for one another in times of crisis; protecting the home and life they've built together. We support this wholeheartedly because it seems clear that this is surely "Standing on the Side of Love!"

For us this seems obvious and just: to provide protections for persons whose only offense is that they are committed to loving a person of the same gender. In our Unitarian Universalist faith, this is no sin. In fact, for us, it is homophobia that reflects a moral shortcoming.

So, allow me to end by saying just a few words on the topic of full marriage equality. As I have said, domestic partnership is **not** marriage. It is not substantially similar to marriage. In order to be equivalent to marriage, they'd need to add about 160 *more* rights to the forty-three<sup>2</sup> this law provides for Wisconsinites plus they'd have to

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<sup>2</sup> "Representing Gay and Lesbian Clients" by Christopher S. Krimmer, Wisconsin Journal of Family Law, Vol. 29, Page 67

throw in over 1,000 national rights automatically given to couples who are considered married by our federal government.

Those numbers make our forty-or-so Domestic Partner protections sound kind of puny....but it is all we have so we hold them close to our hearts. And, while we embrace those new hard-won protections with gratitude, we also have an unshakeable belief in history's march toward justice, and we know that this is one more small and necessary step.

As you have heard us say from this platform many times before, we believe (and our Unitarian Universalist faith has long proclaimed) that marriage equality is right and just. We will keep pushing for it because it is a civil right for loving couples to marry and it is a societal good for people to commit to live as bonded families. This adds stability to society and, contrary to what some social conservatives claim, it does not diminish in any way what loving heterosexual couples share. In fact, we now have the evidence of time and are able to look at some actual statistics on the subject.

In the state of Massachusetts, where there has been marriage equality for five years now, the divorce rate has actually gone *down*. In a recent report, they are now at pre-World War II rates of divorce. That takes some steam out of that baseless argument, don't you think? And it reminds me of a comment made by actor Eric McCormack – a straight man who played a gay man (quite well, I thought) on the TV show, "Will & Grace." Speaking at a rally after California's Marriage Amendment passed, he said, "I'm here to talk to the people who are maybe watching the news and maybe voted for [Prop.] 8 ... Gays aren't going to ruin marriage. They're gay, so they'll probably spruce it up a bit and make it better!"<sup>3</sup>

Things are changing every day. By recent count, there are six U.S. states with Marriage Equality; four more that honor marriages from other states; one with Civil Unions, five states with broad domestic partnership laws, and four with some legal protections for committed same-gender couples (Wisconsin is in that last category).<sup>4</sup>

You can see the progress move through our nation. As each state grapples with this, more and more are realizing that there is no *civil* reason these rights should be denied. This is a matter of justice and equality. It is the core of what our country stands for.

Like all our social justice movements, like those who endured the uphill struggle to gain women's right to vote, like those who fought (and continue to fight) for full civil rights of persons of color, we know that society does not move easily. It lurches and stumbles, leaps and pushes back; but the march is on and, no doubt, will eventually be won! (As I site those prior examples, I cannot help but note that in the suffragist movement and in the civil rights movements, as today, some of the loudest voices opposed to granting those rights used religious reasons to fortify their positions, just as they do today).

If our society – if our religious leaders - spent more time focusing on teaching *all* couples and families how to love well, rather than trying to limit and redirect whom one may love, I firmly believe we as a people would be far better off.

In this and in all things, may we all, now and always, be among those who are firmly, visibly, resolutely Standing on the Side of Love.

Amen.

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<sup>3</sup> <http://www.fresnobee.com/832/story/1437778.html>

<sup>4</sup> <http://www.ncsl.org/IssuesResearch/HumanServices/SameSexMarriage/tabid/16430/Default.aspx>