

Daily Sundial

County clerk recorder improves same-sex couples' day

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By: Sam Womack

On a day known for its connotations with romance and marriage, Valentine's Day, one county clerk recorder has taken it upon herself to fight what she considers discrimination and gender inequality.

Every Valentine's Day, there is an equality demonstration, the "Freedom to Marry Day," outside the Yolo County clerk's office, where same-sex couples apply for a marriage license. Freddie Oakley, who is in charge of civil marriages in the county, has to personally deny them due to California legislation.

"I don't think it's right, and I don't see the government's interest in this issue," Oakley said. "It's invidious discrimination."

In the U.S., 2.2 million marriages take place annually, with more than 6,000 marriages performed per day. Valentine's Day, according to the U.S. Census Bureau report, is the most popular day for proposals and wedding ceremonies. For more than one million people in the U.S., however, marriage is not an option.

"We hitch up more people on Valentine's Day than any other, and I'm tired of having to say no," Oakley said.

Gay marriage is currently legal in one state - Massachusetts, and only in Massachusetts is the marriage legally recognized. For a gay couple in any other state to make a public profession of their lifetime commitment, their nuptials must be in the form of a civil union, which is not a legally recognized marriage.

There are many controversial issues related to civil union ceremonies and marriages. For example, Speakout.com defines a ceremonial marriage as one that can be "officiated by a church official, or anyone else ... but involve no civil laws and carry no legal benefits or responsibilities."

According to the National Gay and Lesbian Task Force, there are 1,138 federal benefits and protections of marriage that are not available to same-sex, civil union couples. The Gay and Lesbian Task Force findings also report that only by amending more than 1,000 separate laws and regulations will civil unions have federal protection equal to that of married couples.

The NGL Task Force reports that married couples enjoy the right of social security survival and spousal benefits. They also receive spousal insurance benefits through the employer and unpaid leave in order to care for a sick spouse (under the Federal and Medical Leave Act). In a civil union, unless the employer has made arrangements to have the couple sign a Domestic Partnership Affidavit, no matter how long or dedicated the couple has been in the relationship, they will not get any domestic partnership benefits, including medical health and illness benefits.

Another important benefit of marriage is the right not to testify against one's spouse. Same-sex couples would not have the same protection in a legal proceeding.

"I think there are two main things to look at: The rights and benefits that come only with legal marriage, and the symbolic acceptance of gays and lesbian couples in our society," said Geoff Kors, executive director of Equality California.

Same-sex marriage has already been adopted and legally recognized in Canada, Spain, the Netherlands, Belgium and, most recently, South Africa. Recently and in past years, the U.S. has been hearing and denying new legislation that would allow for same-sex couples to be recognized legally at the federal and state levels.

"How are we going to reduce hate crimes and discrimination if the government is giving the message that same sex couples are inferior?" Kors said.

Oakley is protesting that mentality of inferiority in the "Certificate of Inequality," even though she describes the work as an unofficial document meant to simply provoke thought.

As a result of backlash to her decision to protest, Oakley said she had to resign from her church and has received large amounts of hate mail.

As an elected official, Oakley says she hasn't faced any repercussions from her constituency but they have the power to recall her, and her opponents will most likely put up strong opposition in the next election.

At Shepherd of the Hills, a nearby church in Porter Ranch, adult singles Pastor David Macer said although they perform weddings on a regular basis, those do not include same-sex ceremonies.

"Beginning with Adam and Eve, the Bible has made it pretty clear that marriage is between a man and a woman," Macer said.

When asked if he could comment on how the congregation of Shepherd of the Hills feels about the upcoming and ongoing equal marriage legislation, Macer said, "I don't need a legal battle over what the Bible says. I didn't write the Bible, God did."