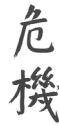


**Gregg L. DesElms,**  
Principal Consultant

Suite 319  
895 Jackson Street  
Napa, California 94559-1321



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**Toll-free 1-877-383-5148**  
**FAX (206) 984-1288**  
*e-mail: [gregg@greggdeselms.com](mailto:gregg@greggdeselms.com)*

## **At the Nationwide Protest Against Proposition 8 On the steps of City Hall in Napa, California Saturday, November 15, 2008 at 10:30 AM PST**

Peace and Blessings to you all. My name is Gregg DesElms. Though I live in Napa, I am a sworn Deputy Commissioner of Civil Ceremonies for Santa Clara County, down in San Jose. And let me just get this out of the way up front: It's a character flaw, I realize, but I am proudly heterosexual. So, for the next few minutes, if it's okay with all of you, I'd like to talk about how being party to the same-sex marriage experience in the way that I have has affected *this* particular heterosexual.

On May 16th, the night after the California Supreme Court made same-sex marriage legal in this state, the CBS channel 5 TV news reported that the Santa Clara county clerk-recorder, Gina Alcomendras, feared an onslaught of both same sex marriage applications, and same-sex marriage ceremonies in the county building's tiny wedding chapel. So she was looking for volunteers. Expecting perhaps 50 people to respond, she told me later that she had to stop taking applications when the number hit 120. About a week before lawful same-sex weddings began on June 16th, all 120 of us were sworn-in in the county council chambers in San Jose in the witness of cameras from all the local newspapers and television stations. (SEE: <http://tinyurl.com/6rrccn>)

Today, perhaps a dozen or so of us are left... enough that we are each rotated into the chapel just a time or two or three per month, some of us for just the morning or the afternoon; and others of us all day. Because I must drive nearly 90 miles each way whenever I'm scheduled, I'm always there all day... marrying 17 or 18 couples per day, couple after couple after couple. I can say the words in my sleep, now... actually, according to my wife, I have.

I've married well over two hundred couples in that little chapel since June 16th... a bit more than a quarter of them — perhaps as many as a third... I've lost count, now — same sex couples. I was there just yesterday, in fact, all day. Seventeen couples... no, wait... 16... there was one no-show.

I signed-up because, though I am a heterosexual, I am also a lifelong progressive Democrat who has had no trouble whatsoever understanding throughout his life the simple fact that same sex marriage is a civil rights issue, plain and simple. With the California Supreme Court's having opened what I somehow instinctively knew from the start would be only a small window of opportunity for same sex couples to do, lawfully, what many of them tried and failed in San Francisco in 2004, I wanted to do my very small part to ensure that none of them would be turned away or delayed.

As a frustrated, never-quite-finished-law-school, wanna-be lawyer who loves the law and, according to my lawyer friends, knows it almost as well as many lawyers they know, I knew that by the Supreme Court's having carefully declared in its May 15th ruling that the LGBT community is a "suspect class" (a term which has special meaning in the law, and which would force any subsequent review of laws directly affecting said class to be pursuant to a far higher level of constitutional scrutiny) the Court would ensure that even if Prop 8 passed, our nation's constitutional disdain for things *ex post facto* would likely make any attempts by those on the right to invalidate the marriages that I and others like me would solemnize between June 16th and election day an unconstitutional deprivation of substantive due process, and so would fail. Mark my words, it may take time but, ultimately, those same-sex marriages which we have performed these past four and a half months will be, to

use the vernacular, “until death” — or perhaps, of course, divorce — “do us part.”

So I wanted to be there, right in the thick of it... on the very first day that the law permitted us to marry same sex couples on June 16th, right straight through to the very last day, on November 4th... both days, because of the press’s fascination with the subject, amidst a throng of cameras and reporters.

On election day, with the polls telling us that Prop 8 had an uncomfortably decent chance of passage, there were so many couples trying to get in under the wire before the polls closed that there were more of them than there were timeslots in the chapel. So I conducted a mass wedding at the end of the day, less than three hours before the polls closed, up in the county council chambers, in order to ensure that they would all make it. To the bitter end, we worked to help any same sex partners who wished to avail themselves of the same simple and blessed right to marry as their opposite-sex counterparts could so do. At the end of the day, we prayed that Prop 8 would not pass, and that we had done all we could do if it did.

And, of course, Prop 8 *did* pass. By election night’s end, I knew I had done my small part to help create an unusually special new class of persons who were able to enjoy rights that others like them who came before, and who would come after, could not... at least not until this now-very-messy legal situation is finally resolved. And as I watched the election results trickle in, the percentage of voters in favor of Prop 8 rising with the percentage of precincts reporting, I realized that what we had done, as good as it was, still wasn’t quite enough.

So now I am here. It is only a small thing, I know, but like becoming a wedding commissioner in the first place, I am hoping it will help. I am here because Einstein was right when he said that the world is a dangerous place not because of the people in it who do evil, but because of the people in it who stand by and let it happen. I am here because Dante said, in that same vein, that the hottest places in hell are reserved for those who, in times of great moral crisis, maintain their neutrality.

I am here because if my work and study continues as it has been, I will be ordained to ministry in the not too awfully distant future, and that ministry demands of me that I point out to anyone who will hear it that those who cite the bible as justification for the repugnance of their vote in favor of Prop 8 on November 4th are ignorant and obviously haven’t actually *read* the bible; that when the bible thumpers who have so co-opted Christianity in the years since Ronald Reagan was elected talk about biblical prohibitions against homosexuality in such as the oft-cited and therefore infamous Romans chapter 1, or the story of Sodom and Gomorrah in Genesis 19, or Levitical Law, or the shrine prostitutes in Deuteronomy 23, or “strange flesh” in Jude 1... I’m here to tell them and anyone who will listen that the bible simply doesn’t *say* that! The very presence of the word “homosexual” — a word which wasn’t even coined in English until the 19th century and so could not possibly have ever appeared in the original biblical texts — the very presence of that word in such as the New International Version (NIV) of the bible so oft cited by those who voted for Prop 8 less than two weeks ago is not merely a shoddy translation of the biblical languages, but is a socio-political abomination... the mean-spirited agenda of America’s religious right to deprive, by its lies, the most basic constitutional rights of its citizens.

I’m here because I want those who can hear me today, or who may read this speech as a PDF file on my or some other web site, to know something else; to hear from a heterosexual that those whom I have been marrying these past months, and those who demonstrate today in cities across this great nation, are children of God, no less than they. To them I say that these Americans whom you have so casually deprived of their most basic constitutional rights on election day are our friends, our families, our co-workers; persons with whom we attend PTA meetings, or sit next to in the City Council chamber gallery. They are the pleasant strangers with whom we chat while standing in the grocery line, the party at the next table in our favorite restaurant, the ones to



whom we turn in church to share the peace after the collection of the offering. To deny these good people the very same right to know the joy of matrimony — be it holy or otherwise — that *we* so take for granted flies in the face of both the spirit and the letter of the only two commandments that Christ ever gave us in the 22nd chapter of Matthew: To love God, and to love neighbor. Same-sex couples who seek to know that joy are the very neighbors about whom Christ was speaking in those greatest of the commandments upon which he said “hang all the law and the prophets.”

I signed-up to be a wedding commissioner because I wanted to help; but, as it has turned out, I got an unexpected surprise. Even those of us in the heterosexual community who may proudly boast a veritable lifetime of empathy for the plight of those in the LGBT community; and who understand fully, though probably only intellectually, that membership therein is by orientation and not personal choice, nevertheless find mystery in the nature of its attraction... a mystery we find, perhaps also, because of how the baggage of our own orientation limits our abilities to truly identify with our hearts as well as with our heads when it comes to same-sex couples.

For such as we who are heterosexual, the personal witness of a same-sex couple joining hands in marriage has the potential to surprise us with its normality; to astonish us with its sameness as heterosexual unions with which we are inescapably more familiar (and perhaps secretly more comfortable); and to intrigue us with its inherent beauty and the palpable lack of strangeness we expected to feel at the sight of a same-sex couple's vow-sealing kiss after having been pronounced, as I have so many times now pronounced them, “married under the laws of the State of California”. The personal witness of such a moment can help to demystify that which we who have long been sympathetic to the cause previously understood perhaps only intellectually, thereby expanding our insight from beyond just our heads down to our hearts as well. That has been *my* experience... my epiphany. My own understanding has now moved from my head, where it so comfortably lived before, down to my heart, where it's charting new territory. Moreover, no heterosexual who has also been witness to it in that little chapel — and who, admittedly, may have been a little queasy about the whole thing *beforehand* — has denied having essentially the same sort of experience. It is transformative.

In a time when the heterosexual supporters of Prop 8 are experiencing a divorce rate in excess of 50%, and statistics show that two out of three heterosexual marriages in California fail within seven years, most of the now more than six-dozen same-sex couples who have presented before me for solemnization of their vows are boasting numbers of years together that are well in excess of 10 to 15 or even 20. On only my third day on the job, a lesbian couple presented before me who had been together for 32 years.

Worthiest of note among nearly all of them is the overwhelming sense of indescribable joy and gratefulness they feel for their new-found right to marry... at last. Palpable is their profound sense of relief upon meeting me in my black pulpit robe with my rainbow stole, looking sort of pastorly. At that moment, as they realize that I will be their officiant, one can see a sense of calm waft across their faces.

The reason, as many of the couples have shared with me, is that as they drove to the county building on their wedding day, they were nearly overcome with dread at the expectation of being married by a deputy who is really only doing it because it is his or her job; and who secretly — or perhaps not so secretly — disagrees, philosophically or theologically, with same-sex marriages, and so would effectively ruin the most special day of their lives by telegraphing that bias in the manner in which the ceremony is conducted.

So, then, when I begin their ceremony with a brief personal commentary of the general sort I am making now, throwing-in my earlier-stated observations about the longevity of same-sex relationships as compared with



opposite-sex ones; when I thank them for choosing this day and this time to be married so that I would have the honor of solemnizing it for them; and, finally, when I ask them if I may add my blessing or wish that “whom we join together here today, let no November ballot put asunder,” there is, invariably, a roar of applause from the witnesses assembled, and the first of what end-up being torrents of deeply-felt and highly emotional tears of gratefulness and joy.

And therein lay my unexpected surprise. I am a heterosexual whose intellectual understanding of same-sex marriage has been irrevocably and positively changed by his unlikely experience of performing same-sex weddings in the little chapel in the lower level of the county building in San Jose. I have been witness to an embodiment of love which would surprise the religious right... a religious right which, if I had my way, would be *required* to spend a day in that little chapel with me.

Bishop Fulton Sheen once wrote that love is a sign, a symbol, a messenger, a telltale of the Divine saying that every human affection, and every ecstasy of love are sparks from the great flame that is God. In the same-sex weddings I have performed in the little chapel in San Jose, I have been touched by the sparks of that great flame. I signed-up to be a wedding commissioner back in June just to help out... as what I thought of as something akin to a philanthropic act, believing it quite likely that I would be giving far more than I'd ever be getting from the experience.

So, imagine my surprise, then, when it turned out to be the other way around.

One warm summer day, after I had just completed a same sex ceremony and the little chapel, filled to capacity, was exploding with joy and congratulations, a woman standing next to me leaned in and said, “So... this ain't such a bad gig, eh? I mean, you're feelin' the love, right?”

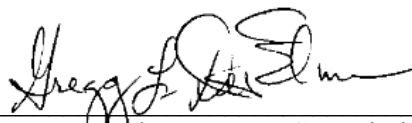
Leaning back in her direction, I replied: “If you only knew.”

In the four-and-a-half months leading-up to election day, I could recall only once when, just by chance, there didn't happen to be any same-sex couples, conspicuous by their absence, among the dozen and a half that I married that day. Driving home, I was surprised by how I had missed that higher level of joy and gratefulness which seems to characterize most of the same-sex weddings ever-so-slightly more than most of the opposite-sex ceremonies. But, alas, I did not despair, confident in the knowledge that there would be more on future days.

My day in the little chapel yesterday was the first time that the clerk-recorder's office had scheduled me since election day. There were no same-sex weddings. There will be none next time. Or the time after. Or the time after that.

So maybe what I'm really here for is to ask you to get out there and fight. Don't let them take this from you! Give me more same-sex weddings to which I may look forward.

Thank you for hearing my story. Good luck to you all... and God bless.



Gregg L. DesElms, Deputy Commissioner  
of Civil Ceremonies, Santa Clara County, CA

(SEE PHOTO ON NEXT PAGE)





Gregg DesElms, Santa Clara County, California Deputy Commissioner of Civil Ceremonies speaks to the crowd on the steps of City Hall in Napa, California, where he lives, as part of the National Day of Protest Against Proposition 8 on Saturday, November 15, 2008.

PHOTO BY RICK TURKO ([www.rickturko.com](http://www.rickturko.com))

