

*God, grant us the courage to come forward when the rules need to change. Remind us that you are always on the side of equality and justice. Amen.*

June 17, 2018 – Numbers 27:1-11

### **“When the Rules Need to Change”**

“Because I said so.” Sometimes that was the response I got from my parents when I would pester them with a barrage of “why” questions. I knew that when I received that response, my mother or father had finally reached their limit. They were just too exhausted to answer any more questions and would simply respond with “because I said so,” indicating that question-and-answer time had just ended.

In this morning’s text, five sisters have their own “why” question for Moses and his leadership team. They wanted to know why they weren’t entitled to receive their father’s inheritance. You see, according to the rules, only sons could inherit land from their father. And if a man died without sons, his property was given to other male members of his family.

And in our story, Zelophehad had died without a male heir. And so we read that his five daughters – Mahlah, Noah, Hoglah, Milcah, and Tirzah – came forward and challenged the rule, asking why they couldn’t inherit their father’s land. I imagine that Moses was tempted to say “because I said so,” but to his credit, he didn’t. Instead, he said, “I’ll get back to you after I’ve had a word with God.”

And probably to the surprise of many folks, God took the side of the five sisters, and said yes, the rules needed to change. When there were no male heirs, the daughters should inherit their father’s land. This was not just an exception to the rule. God made it clear that the rules were now changed to allow all daughters to inherit land if there were no sons.

I want to share another story about a woman who insisted that the rules needed to change. Her name was Edith, Edith Windsor. In the 1960s, Edith fell in love with another woman, whose name was Thea Spyer. And in 1967 Thea proposed to Edith in a restaurant, offering her a pin designed into a circle of diamonds that she could wear instead of a wedding ring.

At the age of 45, Thea was diagnosed with multiple sclerosis and thirty years later her doctors told her she had one year left to live. Having gotten the bad prognosis, she woke up the next morning and asked Edith: “Do you still want to get married?” Edith said, “Yes.” And Thea said: “So do I.” So they flew to Canada and were married in Toronto. Two years later Thea died.

Despite the fact that the marriage was recognized as legal in New York, the law known as DOMA – the Defense of Marriage Act – which had been passed in 1996, barred Edith from receiving the federal tax benefits of marriage, no matter what New York said. Edith was required to pay \$363,053 in federal estate taxes on her inheritance of her wife’s estate. Had federal law recognized the validity of their marriage, or in Edith’s words, had Thea been Theo, Edith would have paid no federal estate tax.

So taking her cue from the sisters in this morning’s scripture reading, Edith came forward and challenged the rules, insisting that they needed to change. Insisting, in fact, until it reached the highest court in the land. And on June 26, 2015, the Supreme Court, in a 5-4 ruling, declared DOMA to be unconstitutional “as a deprivation of the liberty of the person protected by the Fifth Amendment.”

Justice Anthony Kennedy had this to say: “No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family. In forming a marital union, two people become something greater than once they were. As some of the petitioners in these cases demonstrate, marriage embodies a love that may endure even past death. It would misunderstand these men and women to say they disrespect the idea of marriage. Their plea is that they do respect it, respect it so deeply that they seek to find its fulfillment for themselves. Their hope is not to be condemned to live in loneliness, excluded from one of civilization’s oldest institutions. They ask for equal dignity in the eyes of the law. The Constitution grants them that right... It is so ordered.”

Sometimes the rules need to change. And sometimes someone needs to come forward to insist upon that change. But coming forward can be risky. Many people had come forward in the Book of

Numbers with unfortunate results. The Israelites complained that they had no meat, and God struck them with a plague. Moses' siblings, Miriam and Aaron, asked whether God only spoke through Moses, and Miriam was punished with leprosy. When Korah led an uprising against Moses, challenging his leadership, Korah and the rebels, as well as their families, were swallowed up by the ground. Coming forward and questioning authority could be dangerous. But the sisters were strong and courageous. And so was Edith Windsor.

Sometimes the rules need to change. And if they do, someone needs to come forward and advocate for the change. LGBTQ people have been coming forward and advocating for change for years. We have insisted on equality within the church, claiming our place at the table of God's grace. We assert that we are God's miracles, not God's mistakes. We are loved by God because of our sexual orientation and gender identity, not in spite of it. And we will accept nothing less than full inclusion.

These days, some evangelical churches are trying to straddle the fence by claiming to be welcoming, but not affirming. LGBTQ people are welcome to come and worship with them, and sometimes even participate in *some* ministry teams, but because of their sexual orientation or gender identity, they aren't able to participate fully in the life of the congregation. In other words, they are second-class citizens. And there's nothing welcoming about that, no matter how those churches try to market their message. The rules need to change. Say it with me: The rules need to change.

In 2001, the Texas Legislature passed the James Byrd, Jr. Hate Crimes Act, which allows trial courts to impose stiffer penalties for crimes committed due to bias against the victims' real or perceived race, religion, color, sex, disability, sexual preference, age, or national origin. But there are no similar protections available for victims of crimes caused because of bias against the victim's gender identity or expression. The rules need to change.

Texas is among seven states which specifically allow child welfare agencies to discriminate against same-sex couples in adoption and foster care placements. The rules need to change.

Seven states in the U.S. – Texas being one of them – currently have so-called “no promo homo” laws on the books — education laws that explicitly prohibit the positive portrayal of homosexuality in schools. The rules need to change.

Stacy Bailey has been employed as an art teacher at a North Texas elementary school for a decade, but she hasn't been in the classroom since September. Instead, she has been put on leave following complaints from a parent that she was “promoting the ‘homosexual agenda’” by showing her class a photo of her and her now-wife, Julie Vazquez. Unfortunately, she has few legal protections. The rules need to change.

Under Texas law, it's currently legal for LGBTQ individuals to be fired on the basis of sexual orientation, gender identity, and gender expression. The rules need to change.

But the rules won't change unless we are willing to come forward and push for non-discrimination policies in our state. God is on our side, even if the laws of the land aren't. But someone needs to come forward. The five women in today's scripture – Mahlah, Noah, Hoglah, Milcah, and Tirzah – provide a model for us who are seeking change. They provide for us examples of courage in the face of unjust traditions and laws.

So never stop advocating for justice and equality. Hold onto people like Edith Windsor and the daughters of Zelophehad as your examples of courage. And know that God is on your side. God is always on the side of those who stand in the margins. Amen.