

# THE "SEALED KNOT": A PRELIMINARY BIBLIOGRAPHY OF "COVENANT MARRIAGE"

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The term "sealed knot"<sup>1</sup> seems particularly appropriate when applied to the concept of "covenant marriage," encompassing not only the idea of this union as a linkage of two separate lifelines,<sup>2</sup> but also emphasizing the importance and permanence given such weddings.<sup>3</sup>

The following preliminary bibliography is an attempt to include a representative sampling<sup>4</sup> of available materials that deal with the

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<sup>1</sup> English Civil War aficionados, of course, are aware that the Sealed Knot was a secret Royalist society in the 1650s. See <<http://www.axident.clara.net/Sealed.htm>>. Today the Sealed Knot, Ltd., is a registered charity involved with English Civil War re-enactments. See *id.*, <<http://www.sealedknot.org/help.htm>>.

<sup>2</sup> 1 JOHN S. FARMER, A DICTIONARY OF SLANG 130 (1987) notes use of the verb "knot" with the meaning "to copulate." See also Eric Partridge, A Dictionary Of Slang And Unconventional English: Colloquialisms And Catch-Phrases Solecisms And Catachreses, Nicknames, Vulgarisms, And Such Americanisms As Have Been Naturalized 462 (1982). Similarly, the colloquial phrase, "to tie a knot with the tongue that cannot be untied with the teeth," means "to get married," *id.* 463; JOHN S. FARMER, *supra*, at 130; WILLIAM GEORGE SMITH, THE OXFORD DICTIONARY OF ENGLISH PROVERBS 821-22 (1970); A DICTIONARY OF AMERICAN PROVERBS 351 (Wolfgang Mieder et al. eds., 1992).

<sup>3</sup> For connection of the word "seal" with the male sex organs and with pregnancy, see ERIC PARTRIDGE, *supra* note 2, at 741; 2 JOHN S. FARMER, *supra* note 2, at 137. Additionally, "[I]n Mormon phraseology, all wives taken after the first are called spiritual wives, and are said to be SEALED to the husband . . . under the solemn sanction of the church, and in all respects, in the same relation to the man as the wife that was first married." *Id.* (quoting Stansbury, *Salt Lake Exp.* 136 (1850-51)).

<sup>4</sup> This work is partially based on computerized searches of LEXIS (to May, 1999) and WL (to May, 1999) databases, using the search phrase "covenant! w/5 marriage!". References to the "covenant of marriage" as well as "covenant marriage" have thus been included. There is also a *representative* sampling of internet sites, generated through the

subject of "covenant marriage," without regard to how that concept is defined. By not imposing a pre-determined criteria "covenant marriage," it is hoped that interested scholars will be encouraged to base their analyses on a wide range of potentially relevant material. While the term "covenant marriage" has come to mean a more formal state-sanctioned union for which divorce is concomitantly more difficult to obtain, "marriage-enriched," if you will, this is far from the only usage given the term. A computer-generated review of "covenant marriage" articles shows instances in which the term refers to community considering programs,<sup>5</sup> to traditional *religiously*-sanctioned unions,<sup>6</sup> or

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use of several search engines, including AltaVista, Electric Library, Excite, Infoseek, Lycos, MetaCrawler, Snap, and Yahoo.

<sup>5</sup> See Lori Holly, *County to Give Couples Marriage Tips Those Who Obtain Licenses Will Get Pamphlet as Part of Effort to Reduce Divorce Rate*, MILWAUKEE-JOURNAL SENTINEL, Jan. 29, 1999, at 1 (noting that "community marriage covenants" are "an idea that is getting much more thought . . . (Wisconsin)").

The covenants are guidelines signed by clergy of all denominations throughout a community aimed at cutting divorce rates. The covenants require couples to go through intense counseling before marriage and follow-up counseling six months or a year after the wedding.

*Id.* (going on to differentiate the concept from covenant marriage legislation). See also Amy L. Stewart, *Covenant Marriage: Legislating Family Values*, 32 IND. L. REV. 509, 532-33 (1999).

<sup>6</sup> See, e.g., Jon Lemoreaux, *Apostle Bolsters Stand Against Abortion*. In BYU speech, he warns against delusion of 'diversity,' praises the family unit, SALT LAKE TRIBUNE (Salt Lake City, Utah), Feb. 10, 1999, at C-3; Zack Van Eyck, *LDS Join in Call to Affirm 'Natural Family'*, DESERET NEWS (Deseret, Utah), Nov. 22, 1998, at B-1; Donald C. Smith, *Clinton Represents the Times*, TIMES-PICAYUNE, Sept. 23, 1998, at B-6; Scott Beidler, *Letters to the Editor: . . . Clinton Should Go*, POST AND COURIER, Sept. 17, 1998, at 10; Nigel McCulloch, *Homophobia Is Wrong, and The Church Knows It*, TIMES (London), Sept. 12, 1998; Waveny Ann Moore, *Bishop: Church Could Go Conservative*, ST. PETERSBURG TIMES (Fla.), Aug. 29, 1998, at 1; James D. Davis, *Church Court: Gay Elder Stays; Presbyterian Ruling Calls Ordination "Irregular" But Valid*, SUN-SENTINEL (Ft. Lauderdale, Fla.), Aug. 19, 1998, at 1A; Laura Schlessinger, *Keep that Cruel Stepmom at Arm's Length*, STAR TRIBUNE (Minneapolis-St. Paul, Minn.), Aug. 16, 1998, at 6E; Kim Sue Lan Perks, *Methodist Court Backs Ban on Marrying Gays; Critics Worry Churches Will Elevate Other Social Principles to Legal Status*, AUSTIN AMERICAN-STATESMAN, Aug. 12, 1998, at A-1; Mike Miller, *Catholic Bishop Enters Flap Over St. Coletta Sex Policy*, CAPITAL TIMES (Madison, Wis.), Feb. 13, 1997, at 2A; anon., *Teen-Agers, Single Adults Invited to Rally, Concert*, SATURDAY OKLAHOMAN (Oklahoma City, Okla.), Feb. 8, 1997, at 17; Cody Lowe, *Churches Consider Controversial Issue*, ROANOKE TIMES & WORLD NEWS, Feb. 2, 1997, at A-1; anon., *Marriage Contract or Covenant?* (wire report) PR NEWSWIRE, Oct. 18, 1996, available in NEXIS; anon., *Church Arbitration*, CHARLESTON DAILY MAIL, Sept. 7, 1996, at 4A; Laura Long, *Gays Seek What Church Cannot Give*, ASHEVILLE CITIZEN-TIMES (Asheville, N.C.), Aug. 4, 1996, at E-5; *Religious News Service, Presbyterian Leader Denied New Term; Policy: Refusal by Church's Council to Authorize a Second Term Mirrors the Growing Disaffection With the Denomination's National Leadership on Such Issues as Ordination of Gays*, LOS ANGELES TIMES, July 13, 1996, at B-4; Jim W. Jones, *Marriage Fosters Growth, Healing, Counselor Says; 700 Gather for Enrichment Conference*, FORT WORTH STAR-TELEGRAM, May 25, 1996, at 3; *Religious News Service, 4 Churches Expelled for Outreach to Gays; Doctrine: Baptists Vote to Sever Ties With Bay Area Congregations for*

even to non-traditional sexual/economic contracts, such as homosexual "marriage."<sup>7</sup>

This work is divided into seven sections. The first includes books and monographs, the second, articles, notes and comments found in legal journals and law reviews, the third comprises general periodical sources, the fourth, articles, editorials and letters appearing in newspapers or on the wire services, the fifth consists of broadcast typescripts, the sixth refers to bills, statutes and public laws, while the seventh gives relevant internet locations. Titles with particular relevance for the study of state-sanctioned covenant marriages are marked with an asterisk (\*). The increasing discussion in many states of "covenant marriage," both as regards statutes in place and projected legislation, strongly suggests that this list will not remain comprehensive for long. At the same time, it is hoped that this bibliography will serve as a central source for the very articles and discussions that will eventually render it dated.

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