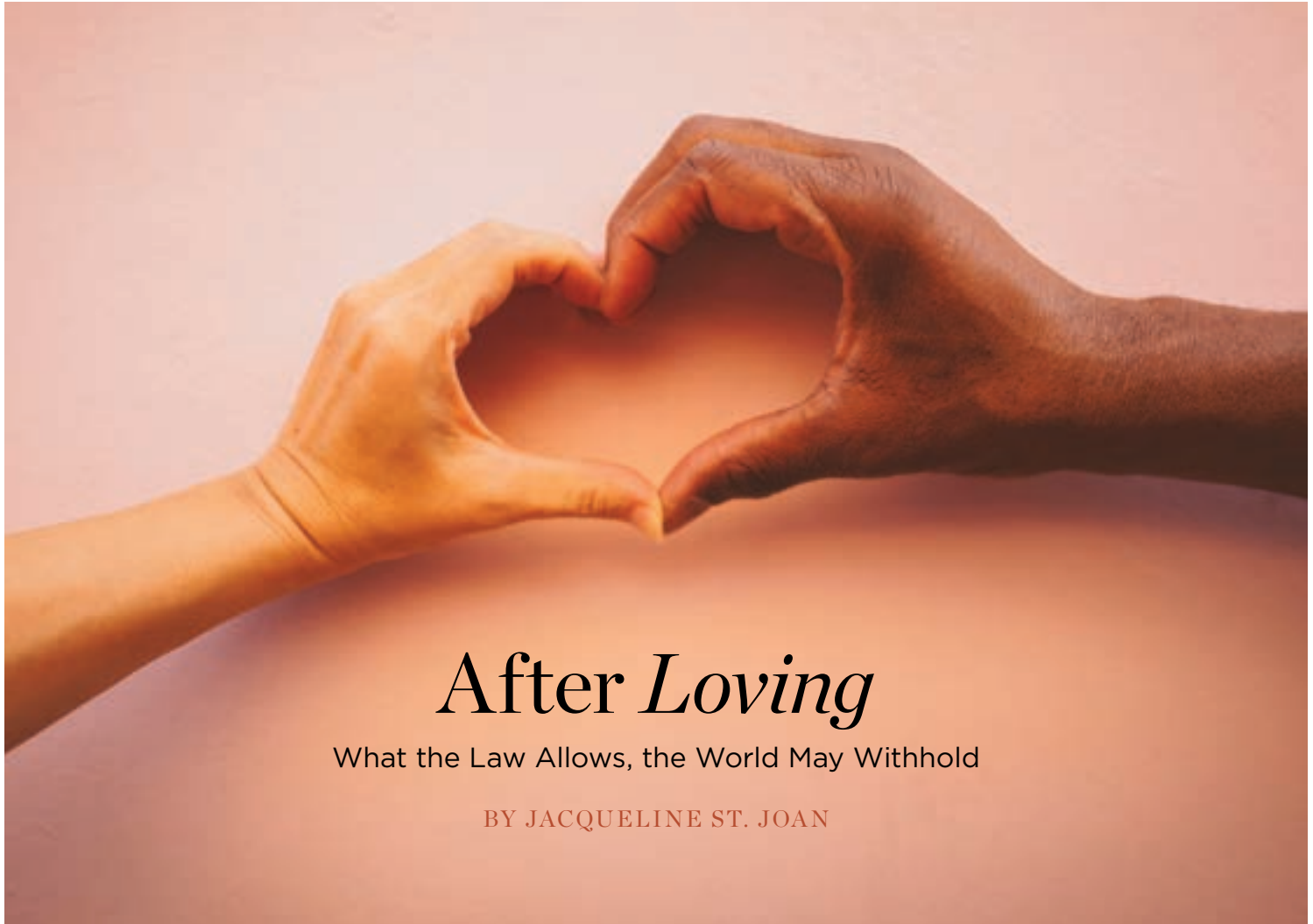




After *Loving*

What the Law Allows, the World May Withhold

BY JACQUELINE ST. JOAN

On June 12, 1967, the US Supreme Court decided *Loving v. Virginia*, striking down laws that prohibited interracial marriage.¹ Four days later, in Virginia, I married across the color line. The courthouse was unremarkable.

Pete called ahead to let the Arlington County Courthouse clerks know when we were coming. The person he spoke with was flustered and said that they were not ready.

"We've not received the Supreme Court's order back from the attorney general yet," the clerk said to him.

"Well, we're coming," Pete replied. "We'll be there Friday, so I guess we'll have to bring a Washington Post reporter with us."

Pete was bluffing, of course, about the reporter, but when we appeared at the courthouse a few

days later, on June 16, no one blinked an eye. The forms asked about our bloodlines, and in the box marked "race," Pete wrote "B" for Black and I wrote "H" for human. The justice of the peace, who told us he was also a Baptist minister, said he was excited to perform the ceremony, not because we were the first interracial couple in Virginia's history to be married legally there (I'm not sure if he even noticed that) but because he had composed what was then something new: an ecumenical wedding service between a Christian and a Jew. He was planning to use that new service the following week, and said he'd like to practice on us. We realized that, having glanced at our marriage license application, he confused our answers for race with our answers for religion, thus concluding that Pete was B for Baptist and I was H for Hebrew!

Ours was a short wedding ceremony in chambers, with four of our friends and a judge prattling on about Adam and Eve and a babbling brook. We suppressed giggles, rolled our eyes, and got out of there as fast as we could.

The next day, we loaded up Pete's taxicab, with its new \$29.99 Earl Scheib aqua blue paint job. Then Pete and I, like thousands of young people that summer, drove to San Francisco, where we lived in Haight-Ashbury. After all, it was 1967—the Summer of Love.²

The legal recognition of our marriage would carry some force of legitimacy into the world beyond the ceremony. However, legitimacy in law is not the same as belonging. My family did not attend. The rupture came quickly and lasted. I lost both the presence of those who had raised me, as well as the sense of continuity

that families provide—life extending from the ancestors forward.

We must acknowledge what the law can and cannot do. The court can declare a right, invalidate a prohibition, and redraw the boundaries of what is permitted. But it cannot compel acceptance or undo the fears and convictions that have been carried, often unquestioned, from one generation to the next.

Eventually I came to understand that we were living in that space between law and culture, a space where change is incomplete and often resisted. There were moments when Pete and I passed without notice, just another couple moving through ordinary life. And there were moments when our difference was unmistakable: the hesitation, the altered tone from those who saw us not as ourselves but as a category. But there were also moments when a warm conversation opened up. Those moments hinted that the world is not entirely fixed and cultures naturally do change.

Richard and Mildred Loving wanted to live their lives freely, without state or cultural interference. Their case challenged the assumption that the state could define the boundaries of intimacy based on race. It insisted that marriage, as one of the most personal aspects of life, could not be restricted by laws rooted in racial hierarchy. What their case did not and could not do was change the deeply held beliefs about who belongs with whom. That cultural, societal, and personal work unfolds more slowly and involves all of us.

Even now, the meaning of interracial marriage depends on who is doing the asking. In the dominant culture, the *Loving* decision is often cited as evidence that the law has done its work. But in many immigrant communities, including among South Asian Americans, it can feel like something else entirely. Writing in *The Washington Post*, Sahaj Kaur Kohli, author of *But What Will People Say?*,³ describes this difference not as a contradiction, but as a matter of history and power.⁴ When white families insist on same-race marriage, she notes, it is often tied to a long history of exclusion and the preservation of dominance. When immigrant families do the same, it may arise from cultural preservation, and the fear of losing it. What

appears, from one perspective, as a restriction on individual choice may, from another, feel like the last remaining thread of identity in the wake of migration. Is this the basis of today's right-wing objections to birthright citizenship of immigrants? The fear of losing "white culture"?

Decades after my marriage, when I sat on the bench as a judge in Denver, I carried that earlier experience with me as a way of understanding what it means to live under the authority of the law in other forms. People came before me seeking protection, recognition, or relief. The law could offer some of those things, but not all. It could issue orders, define rights, and impose consequences, but it could not restore trust or heal relationships. I recognized something of my own past in those limitations, as the law had once intervened in my life in a way that was both liberating in allowing the marriage and yet incomplete, as the law could never secure my parents' acceptance.

Over time, the cultural landscape has shifted. Interracial marriages became more common, more visible, more widely accepted. What had once been unthinkable became, if not ordinary, then at least familiar. It would be tempting to see

this as the fulfillment of *Loving*—as evidence that the law, given enough time, reshapes the culture that resists it. But even now, some of the questions that *Loving* raised remain unsettled. Who belongs? What love will the law recognize? These questions have reappeared in different forms: in debates over immigration, over sexual identity, over the meaning of marriage itself.

When the Supreme Court later extended the right to marry to same-sex couples, it drew on the reasoning of *Loving*.⁵ Marriage, the Court said, is a fundamental right. The state cannot deny it based on characteristics that have no bearing on the capacity to form a committed relationship. And yet, as before, the decision began another chapter in the ongoing negotiation between law and society.

And still, the law matters because it creates space, however contested, for lives that do not conform to inherited expectations. And it matters because, over time, that space can widen, allowing what was once resisted to become, if not fully accepted, then at least possible.

When I think of that day in June 1967, I realize I crossed a threshold, and what awaited me there was another matter entirely. 



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NOTES

1. *Loving v. Virginia*, 388 U.S. 1 (1967).
2. Excerpt from the author's memoir, *Your Verdict: A Judge's Reckoning With Law and Loss* (Golden Antelope Press 2026).
3. Kohli, *But What Will People Say? Navigating Mental Health, Identity, Love, and Family Between Cultures* (Penguin 2024).
4. Kohli, "Ask Sahaj: Isn't It Racist to Insist Your Kids Marry Within Their Race?," *Washington Post* (Apr. 16, 2026), <https://www.washingtonpost.com/advice/2026/04/16/ask-sahaj-marriage-parents-race>.
5. *Obergefell v. Hodges*, 576 U.S. 644 (2015).