

**For more information on this resolution, please contact Andy Lang at [ed@openandaffirming.org](mailto:ed@openandaffirming.org) or visit [www.openandaffirming.org/issues/discrimination](http://www.openandaffirming.org/issues/discrimination).**

## **REAFFIRMING OUR COMMITMENT TO FULL EQUALITY FOR LGBT PERSONS**

Resolution for consideration by the 30<sup>th</sup> General Synod of the United Church of Christ

Submitted by the Open and Affirming Coalition of the United Church of Christ

### **Summary**

Since late 2014, proposed laws seeking to establish a broad religious exemption to present or future protections of Lesbian, Gay, Bisexual and Transgender (LGBT) rights—including the right to marry—have been introduced in a growing number of state legislatures. The proposed laws vary from state to state. In some states, legislation aims to deny same-sex couples the right to adopt children. In others, proposed laws could arguably allow state or county officials to opt out of their responsibility to issue marriage licenses to same-sex couples. In others, legislation aims to allow private businesses, property owners and institutions that provide public services to disregard laws protecting LGBTQ persons from discrimination in public accommodations, housing and employment.

In effect, these proposed laws are a backlash to the momentum towards marriage equality in the United States. Through broad religious exemptions, proponents hope to limit the scope of equal marriage rights and undermine other laws protecting equal rights for LGBT persons.

In this resolution, General Synod will

- (1) Reaffirm its commitment to the full legal protection of equal rights for all LGBT persons—including equal access to public accommodations and services and protection against discrimination in housing and employment.
- (2) Urge the United Church of Christ in all of its settings to advocate for federal, state and local laws protecting the civil rights of LGBT persons where they do not yet exist.
- (3) Go on record opposing legislation that aims to limit the enforcement of existing or future laws protecting the equal rights of LGBT persons on the basis of a religious exemption.
- (4) Reaffirm support for religious freedom, including the right of all churches and faith communities to maintain and advocate for their own teachings and practices.

### **Biblical, Theological and Historical Grounding**

Since 1969, General Synod and other bodies in the UCC's national setting have advocated for the equal civil rights of LGBT citizens. In 1975, the 10<sup>th</sup> General Synod adopted a pronouncement supporting "the enactment of legislation at the federal, state and local levels of government that would guarantee the liberties of all persons without discrimination related to affectional or sexual preference." In 1977, the 11<sup>th</sup> General Synod deplored "the use of scripture to generate hatred, and the violation of civil rights of gay and bisexual persons" and called "upon individual members, local churches, Associations, Conferences, and Instrumentalities to continue to work for the enactment of civil rights legislation at the

federal, state and local levels of government.” In 2003, the 24<sup>th</sup> General Synod encouraged Justice and Witness Ministries “to provide leadership in advocating for the human and civil rights of transgender people.” In 2005, the 25<sup>th</sup> General Synod affirmed “equal marriage rights for couples regardless of gender [and] equal access to the basic rights, institutional protections and quality of life conferred by the recognition of marriage.” And in 2011, the 28<sup>th</sup> General Synod urged support for the right of same-sex couples to adopt and raise children in loving families.

These and other actions by General Synod have met with strong support throughout the United Church of Christ in all of its settings. Covenanted Ministries, Conferences, Associations, seminaries, congregations and the Open and Affirming Coalition have advocated in almost all states for the passage of laws protecting the basic rights of LGBT persons—including marriage equality.

At the core of the UCC’s advocacy for the rights of all persons is Jesus’ commandment to “love your neighbor as yourself” (Mark 12:31). The belief that all human beings are created in the “image and likeness of God” (Genesis 1:27) has been foundational for the church’s prophetic witness throughout its history against any laws that limit the right of anyone to participate fully in social, political and economic life. In its 1975 pronouncement on “Civil Liberties without Discrimination Related to Affectional or Sexual Preference,” the 10<sup>th</sup> General Synod declared that “as a child of God, every person is endowed with worth and dignity that human judgment cannot set aside. Denial and violation of the civil liberties of the individual and her or his right to equal protection under the law defames that worth and dignity and is, therefore, morally wrong.” The pronouncement affirmed “a unity under God which transcends our division” because Jesus Christ is “our measure for being human.”

Forty years after this call, the hope for laws protecting the equal dignity of LGBT Americans is still an unfulfilled dream in 28 states and in thousands of communities across the country. Moreover, there is no statutory protection in federal law for LGBT persons in housing or employment. Even where protections exist or might be enacted in the future, proposed laws that seek to establish broad religious exemptions could rob LGBT persons of the security that they will not be denied services, employment or even a place to live on the basis of their sexual orientation, gender identity or expression, or marital relationship.

In this resolution, equal protection under the law and religious liberty are not in conflict. The United Church of Christ is heir to a long legacy of advocacy for freedom of religion. Full protection of the equal rights of LGBT persons does not undermine the freedom of churches and other faith communities to follow their own moral and ethical teachings—a right which this resolution reaffirms.

### **Mutual Accountability**

This resolution supports the following outcome: Participation by congregations, seminaries, Associations, Conferences, the Covenanted Ministries of the national setting and the Open and Affirming Coalition of the United Church of Christ in organized campaigns with ecumenical and interfaith partners to (1) support enactment of laws protecting the equal rights of LGBT citizens in housing, employment and public accommodations in local, state and federal law, and (2) oppose legislation that aims to establish a broad religious exemption to the application of laws protecting the equal rights of LGBT persons.

Stakeholders include:

1. The Open and Affirming Coalition of the United Church of Christ.

2. The Covenanted Ministries of the United Church of Christ.
3. The Welcoming Church programs in other denominations, including the United Methodist Church, Evangelical Lutheran Church in America, Presbyterian Church (USA) and the Christian Church (Disciples of Christ).
4. Conferences, Associations, seminaries and congregations in states where statutory protections for LGBT equal rights do not yet exist, or where laws seeking to establish a religious exemption for private business owners, public officials or providers of public services are under consideration.
5. The faith programs of the National LGBT Task Force, the Human Rights Campaign, the American Civil Liberties Union, and other groups advocating for LGBT equal rights.

Evaluation plan:

The Open and Affirming Coalition and the Office for Health and Wholeness Advocacy of Justice and Witness Ministries will publish a public report in June 2016 on the outcomes of state campaigns against “religious exemption” laws, and thereafter as requested by General Minister and President, the United Church of Christ Board of Directors, or General Synod.

### **Institutional Capacity**

The Evelyn and Walter Haas Jr. Fund is supporting the Open and Affirming Coalition with a \$40,000 grant (covering 2015 and 2016) to resource and organize members of UCC congregations to oppose “religious exemption” laws in target states. The grant requires the Coalition to commit staff capacity to the campaign and to work in collaboration with the UCC’s national setting, Conferences and Associations.

### **Probability of Influencing Social Change**

Because the campaign to establish “religious exemptions” is based on an argument that religious belief can justify discrimination, the United Church of Christ and its faith partners are in a unique position to articulate an alternative vision of religious freedom and civil rights. Experience in similar campaigns—especially the campaign for marriage equality—shows that congregations can have a strong impact on state lawmakers, especially when UCC churches join with congregations of other faith traditions.

A resolution adopted by General Synod will focus public awareness on this issue, motivate congregations and other settings to participate actively in campaigns to protect the equal rights of LGBT persons, and will encourage our ecumenical, interfaith and secular partners in these campaigns.

### **Text**

Whereas, General Synod and other settings of the United Church of Christ have repeatedly advocated for the equal rights and dignity of lesbian, gay, bisexual and transgender persons (LGBT) in the United States and abroad, and

Whereas, the United Church of Christ, in partnership with other churches and faith traditions, has played a key role in the passage of laws protecting the basic civil rights of LGBT persons, including the right to marry, and

Whereas, a new political movement is advocating in many states for legislation that aims to establish broad “religious exemptions” from existing or future laws protecting the equal rights of LGBT persons, and

Whereas, these laws could allow restaurant owners to refuse service to LGBT customers, landlords to refuse leases to LGBT tenants, and other forms of discrimination against LGBT persons,

*Therefore, be it resolved* that the Thirtieth General Synod of the United Church of Christ

reaffirms its commitment to the full legal protection of the civil rights of all citizens regardless of sexual orientation or gender identity and expression,

calls upon congregations and all settings of the United Church of Christ to advocate for enactment of local, state and federal laws protecting lesbian, gay, bisexual and transgender persons (LGBT) persons against discrimination in public accommodations, housing and employment,

calls upon congregations and all settings of the United Church of Christ to advocate on the basis of faith against legislation or executive actions that aim to establish a broad “religious exemption” to existing or future laws protecting the equal rights of LGBT persons, and

reaffirms the historic commitment of this church to religious freedom, to the right of all churches and faith communities to maintain and advocate for their own beliefs and practices, and to respectful dialogue within the United Church of Christ and with other faith communities on issues concerning human sexuality, human dignity and marriage.

#### FUNDING

Funding for the implementation of this Resolution will be made in accordance with the overall mandates of the affected agencies and the funds available.

The Collegium of Officers, in consultation with appropriate ministries or other entities within the United Church of Christ, will determine the implementing body.

*Submitted June 5, 2015*