

## **RESOLUTION ON HOMOSEXUALS AND THE LAW**

[Adopted by the Council for Christian Social Action, United Church of Christ, April 12, 1969]

### **Preface**

Christian love for God and our neighbor in God impels us to cherish the life and liberty of all men. Even while we proclaim a unity under God which transcends our division, and while we find in Christ our measure for being human, we still honor variations among men in their political loyalties, lifestyles, and sexual preferences. Love is meaningless which does not cherish in others the freedom to be different from ourselves. Faith in the sovereign God is likewise betrayed when it does not accord to Him rather than ourselves the ultimate judgment of the moral limits of human variation. This is our Christian warrant for championing the fullest civil as well as religious liberties.

In no other dimension of life is such liberality more difficult or more important than in attitudes towards sex. The weight of Christian tradition, while commending chastity as a vocation, has clearly stressed faithfully monogamous, heterosexual marriage as the normal context for personal growth, sexual fulfillment, procreation, and the rearing of children. Sexual intimacy in any other context still tends to be viewed by the church as a substitute for marriage or a lapse from it, but as reprehensible in any case.

Such a Christian ideal, worthy as it is, should not blind us to variations and limitations which may preclude that ideal for many. Nor should it lead Christians to a rigid and graceless moralism which proscribes and persecutes those unable by constitution or circumstance to fulfill their Christian hope. We believe that the Church, which has long honored both chastity and marriage as vocations, must also learn to cherish, and not merely to condemn, those whose sexual need and loneliness may prove importunate—though unmarried, unmarriageable, widowed, or homosexual.

Among these conditions, homosexuality has proved by far the most difficult for most of us to accept and to accord respect and freedom either in the church or in public life. Fortunately, new

insights is available. For example, modern Bible scholarship suggests that, while homosexuality is condemned in the Old and New Testaments, its seriousness has been exaggerated by wrenching scriptural verses out of context. As elsewhere, e.g., Ephesians 6:5, “Slaves be obedient to those who are your earthly masters,” censorious and self-righteous selection and use of Scripture has further obscured the truth as well as betraying canons of Christian charity.

Again, while even medical specialists are divided on the nature and the irreversibility of homosexuality, its causes are now better understood, its extent more accurately assessed, and cruel cultural myths alleging danger to society from homosexual persons have been dispelled. We also now understand that sexual differences in personality and preference constitute a continuum of variation rather than an absolute polarity.

According to the most conservative estimates, at least one out of every twenty men and women are predominately homosexual in orientation. The United States, Germany and Austria remain the only countries in the Western world still proscribing homosexual practices as a criminal violation. In our nations known homosexuals are excluded from civil as well as military service, widely denied jobs and residence, and socially ostracized. Those not known are forced into a clandestine double life of dishonesty and subterfuge, with constant risk of blackmail, unemployment, and criminal prosecution as well in all states except Illinois.

The Council for Christian Social Action believes that the time is long overdue for our churches to be enlisted in the cause of justice and compassion for homosexual persons as well as for other socially rejected minorities. Clearly there are profound pastoral responsibilities unmet by most churches for homosexual persons in their own midst. Yet our particular concern as a Council is for the legal establishment of civil liberties—for whose denial we in the church bear substantial blame.

The members of our Council commend traditional Christian ideals of sex, marriage, and family life. Yet we believe that legal prohibition of sexual behavior should be limited to protecting men and women from sexual coercion, children from sexual exploitation, and society from offensive public display of sexual behavior.

In light of these considerations, we have adopted the following resolution:

### **Resolution**

*Whereas*, homosexual practices between consenting adults in private endanger none of the properly protective functions of civil law; and

*Whereas*, laws against consensual homosexual practices between adults in private violate the right of privacy and are virtually unenforceable, except through the abhorrent practices of police entrapment and enticement; and

*Whereas*, such laws have no effect on the degree of homosexuality (as indicated by various studies abroad showing that homosexuality exists to no greater extent in countries without such laws than in the United States); and

*Whereas*, present laws and government practices regarding employment and military service of homosexuals are based on false assumptions about the nature of homosexuality in general and the danger of homosexuals to society in particular;

*Therefore*, the Council for Christian Social Action (CCSA) hereby declares its opposition to all laws which make private homosexual relations between consenting adults a crime and thus urges their repeal; and

Expresses its opposition to the total exclusion of homosexuals from public employment and from enlistment and induction into the armed forces, especially the dismissal of less than honorable discharges from the armed forces for homosexual practices with consenting adults in private. The CCSA supports dismissal of homosexuals from public employment and from the armed forces and their prosecution under the law when they have been found guilty of homosexual practices in public, against children or minors, or where force is used; and

Opposes, where they exist, police practices of entrapment and enticement in their attempts to enforce laws against homosexual practices and solicitation; and

Encourages the United Church of Christ Conferences, Associations, and local churches to hold seminars, consultations, conferences, etc. for honest and open discussion of the nature of homosexuality in our society.