

## **EQUAL MARRIAGE RIGHTS FOR SAME GENDER COUPLES**

[Adopted by the Board of Directors of the United Church Board for Homeland Ministries,  
meeting in New Orleans, Louisiana on November 4, 1996.<sup>1</sup>]

**Whereas**, in 1993, the Hawaii Supreme Court, in a presumptive ruling, declared unequal marriage rights for same gender couples to be unconstitutional under that state's laws prohibiting discrimination based on sex; and

**Whereas**, a final ruling on equal marriage rights from the Hawaii Supreme Court is expected by mid 1998; and

**Whereas**, under the "full faith and credit" Article of the United States Constitution,<sup>2</sup> marriages recognized by one state must be recognized by all other states; and

**Whereas**, 16 state legislatures have enacted pre-emptive laws designed to prevent recognition of equal marriage rights for same gender couples; such measures were withdrawn, defeated or killed in 21 states<sup>3</sup>; and

**Whereas**, such pre-emptive laws, driven by homophobia and religious and social intolerance, homophobia and heterosexism are reminiscent of miscegenational marriage laws which banned inter-racial marriage in some states until 1967; and

**Whereas**, the United Church of Christ General Synod 10, in its Pronouncement entitled, "Civil Liberties Without Discrimination Related to Affectional or Sexual Preference,"

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<sup>1</sup> UCBHM Board of Directors Vote UCBHM-96-77 upon recommendation by the UCBHM Corporate (Vote UCBHM-96-11).

<sup>2</sup> Article 4 of the U.S. Constitution states: "Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state."

<sup>3</sup> As of November 1, 1996.

recognized that “a person’s affectional or sexual preference is not legitimate grounds on which to deny her or his civil liberties,” and proclaimed “the Christian conviction that all persons are entitled to full civil liberties and equal protection under the law”; and

**Whereas**, the UCC General Synod 11, in its Resolution on Family Life [77-GS-85] recognized “the diverse life styles in our nation and church” and called upon UCBHM “to join all UCC bodies in addressing the issues of family life from the biblical-theological perspectives of covenantal relationships; and

**Whereas**, General Synod 11 also received the report, “Human Sexuality: A Preliminary Study” and adopted its recommendations [77-GS-64] which:

- encouraged the congregations of the UCC, assisted by conferences and Instrumentalities, to study and experiment with liturgical rites to celebrate important events and passages in human experience (transitions, anniversaries, separations and reunions) and relationships of commitment between persons. (Recommendation #6); and
- urged that States legislatively recognize that traditional marriage is not the only stable living unit which is entitled to legal protection in regards to socio-economic rights and responsibilities (Recommendation #17); and

**Whereas**, General Synod 15 adopted the Family Life Priority [85-GS-30], which included the goals of:

- identifying and sharing a variety of resources which will enable all families to be ministered to creatively and all persons, regardless of their family patterns, to be affirmed and supported in the life of the Church, manifesting our unity as a family in Christ; and

- providing networks of support to encourage and celebrate faithfulness, love and justice for all families; and
- addressing social, economic and political conditions and policies which both positively and adversely affect family life; and

**Whereas**, General Synod 15 also adopted a Resolution calling on UCC Congregations to Declare Themselves Open and Affirming [85-GS-76] which encouraged a policy of non-discrimination in employment, volunteer service and membership policies with regard to sexual orientation; encouraged “associations, conferences and all related organizations to adopt a similar policy;” and encouraged “the congregations of the United Church of Christ to adopt a non-discrimination policy and a Covenant of Openness and Affirmation of persons of lesbian, gay and bisexual orientation within the community of faith.” Further, the Resolution included a suggested policy and covenant establishing non-discrimination in “use of facility” and “provision of services” on the basis of (among other categories) sexual orientation, and calls on congregations “to address the needs and advocate the concerns of lesbian, gay and bisexual people in our Church and in society”; and

**Whereas**, the United Church Board for Homeland Ministries and the United Church of Christ have long advocated the expansion of our understanding of family and the inclusion of lesbian, gay and bisexual people and their families in the life and ministry of the church, and;

**Whereas**, marriage is an institution that encourages family relationships characterized by stability, fidelity, mutuality, trust and justice; and

**Whereas**, the biblical witness attests to the significance of covenant as an essential part of our fulfillment as human beings and the biblical ethic of love is made manifest in the sanctifying of such covenantal relationships; and

**Whereas**, same gender couples living in loving, committed relationships are a significant constituency among the active membership of the United Church of Christ; and

**Whereas**, many United Church of Christ clergy persons, with freedom of conscience and biblical and theological integrity, have officiated at covenanting ceremonies for same gender couples; and

**Whereas**, the freedom to enter into a legally recognized marriage entails myriad benefits (including tax exemptions and legal inheritance), rights (including hospital visitation and adoption eligibility), and responsibilities as well as social recognition and affirmation;

**Now, therefore, be it resolved**, that the United Church Board for Homeland Ministries affirms equal marriage rights for same gender couples and declares that the Federal and state governments should not interfere with same gender couples who choose to marry and share fully and equally in the rights, responsibilities and commitment of civil marriage; and

**Further**, resolves that marriage is a basic human right and a personal relational commitment not to be entered into unadvisedly or without consciousness of its seriousness, regardless of the sex or gender identity of the persons involved; and

**Further**, affirms the actions of United church of Christ General Synods 10, 11 and 15 regarding civil liberties, recognition of committed relationships and enhancement of and advocacy on behalf of families, including same-gender families; and

**Further**, commits the United Church Board for Homeland Ministries to expanding opportunities for our United Church of Christ constituency to become more knowledgeable regarding this timely and important justice issue.