

## EQUAL MARRIAGE RIGHTS FOR SAME-SEX COUPLES

[Voted by the Directorate of the UCC Office for Church in Society, November 16, 1996<sup>1</sup>]

### Background

Ideas about marriage have shifted and changed dramatically throughout human history, and such change continues even today. At different points marriage has been defined in response to economic realities, by the primacy of procreation and by societal understandings of the role of men and women. In the Gospel we find ground for a definition of marriage and family relationships based on affirmation of the full humanity of each other, lived out in mutual care and respect for one another. For Christians, marriage has never been a static, unchanging institution. Scripture itself, along with the global human experience, offers many different views of family and how family is to be defined. This unfolding revelation and understanding needs to be weighed carefully by people of faith considering the issue of same-sex marriage. We note, for example, that Jesus radically challenged his traditional cultural roles and concepts of family life. Jesus boldly declares members of the household/family of God to be whoever hears and follows the will of God. History reflects the reality that the church has changed in its understanding of marriage and committed relationships. Research by Yale historian John Boswell suggests that the medieval church celebrated same-sex marriages [John Boswell; *Same-Sex Unions in Premodern Europe*; Random House/New York; 1994].

Initiatives to ban same-sex marriages present a significant challenge to people of faith. Theologian James Nelson observes, “[for the church] to urge a course of action, fully-committed relationships, and then to deny communal and ritual support to those very relationships is to engage in a humanly destructive contradiction” [James B. Nelson; *Embodiment: An Approach to Sexuality and Christian Theology*; Augsburg Publishing/Minneapolis; 1978]. Gays and lesbians are doubly burdened by the message sent by measures such as the *Defense of Marriage Act*. On the one hand, gays and lesbians are often stereotyped and characterized as being unable to have long-term, committed relationships based on mutual caring, love and respect. On the other hand,

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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).

the church and secular institutions have consistently refused to support and sanction gay and lesbian committed relationships. Without such recognition, gays and lesbians are faced with a painful dissonance.

The United Church of Christ has long supported civil protections for gays and lesbians, doing so powerfully in the General Synod 10 pronouncement “Civil Liberties Without Discrimination Related to Affectional or Sexual Preference.” The pronouncement affirms the “Christian conviction that all persons are entitled to full civil liberties under the law,” recognizing that to deny institutional access and protection against discrimination is to deny the full humanity of those excluded. General Synod 10 calls us to recognize the God-given worth and dignity of every person, and to resist the forces that rob people of their full humanity.

At present, the federal government recognizes all marriages performed in states. Those seeking to be married follow state laws—there is no “federal marriage license.” Similarly, states maintain authority to administer divorce and adoption laws. In September 1996, Congress passed the *Defense of Marriage Act*. The measure would allow the federal government and any state to refuse to recognize same-sex marriages recognized by another state. Same-sex marriages are not currently legal in any state. Even in Hawaii, the state closest to legalizing same-sex marriages, a long court process remains ahead. Of the 34 states that have addressed the issue, 17 states have decided not to move forward with legislation banning same-sex marriages.

The significant consequences of denying civil recognition of same-sex relationships are often not fully understood. The Human Rights Campaign has documented a number of cases in which such lack of recognition has led to painful realities for gay and lesbian couples. The right to visit one’s sick or injured spouse in the hospital, often taken for granted by married couples, is still denied to gay and lesbian couples. The case of Sharon Kowalski and Karen Thompson is one of the most publicized cases. When Sharon was seriously injured in a car accident, Karen was not allowed to make any treatment decisions about her partner, nor was she given any information about Sharon’s condition. Karen was forced to pursue a court battle for over nine years to win the right to visit and care for her partner.

The issue of same-sex marriage challenges all of us as people of faith to think seriously about what it means for the church to bless, sanction and support human relationships. As a faith community, what is our obligation and responsibility with regard to such relationships? Missing in the current public debate about same-sex marriages is a fundamental question for people of faith: Do our decisions and actions, including decisions about sexual expression and relationships, reflect a love for God that is at the center of one's life? And if we believe that question to be essential, are we willing to evaluate all relationships, heterosexual or homosexual, on that basis.

### **TEXT OF RESOLUTION**

*Whereas*, the Bible affirms and celebrates human expressions of love and partnership, calling us to live out fully that gift of God in responsible, faithful, committed relationships that recognize and respect the image of God in all people; and

*Whereas*, the United Church of Christ is committed to sustaining and supporting family life, recognizing its diversity and ever emerging realities, as in the General Synod 11 "Resolution on Family Life"; and

*Whereas*, General Synod 15 calls on UCC congregations to declare themselves open and affirming, welcoming gay and lesbian members into the full life and leadership of the church; and

*Whereas*, such inclusion leads us to pursue a policy and practice of non-discrimination in all areas of congregational life and to "advocate the concerns of lesbian, gay and bisexual people in our Church and society"; and

*Whereas*, many UCC pastors and congregations have held gay and lesbian commitment services for some time, consistent with the call to loving, long-term committed relationships and to nurture family life; and

**Whereas**, General Synod 10 calls us to advocate for the entitlement of all persons to “full civil liberties under the law”; and

**Whereas**, recognition of marriage carries with it significant access to institutional support, rights and benefits; and

**Whereas**, efforts to ban recognition of same-sex marriages, as reflected in the recently passed *Defense of Marriage Act* further undermine the civil liberties of gay and lesbian couples; and

**Whereas**, legislation such as the *Defense of Marriage Act* and the recent debate over same-sex marriage in the political arena have only served to undercut serious, faithful discussion among people of faith for the sake of gaining political advantage; and

**Whereas**, such legislation contributes to a climate of misunderstanding and polarization, increasing hostility against gays and lesbians; and

**Whereas**, the narrow focus on same-sex marriage distracts from naming and addressing profound threats to family life such as access to health care, affordable child care, quality education for all, and safe homes and streets; and

**Whereas**, in the rush to ban same-sex marriages or abridging existing marriages, the reality of discrimination and the lack of basic civil protections experienced by gays, lesbians, bisexual and transgendered persons continues to go unremedied; and

**Whereas**, same-sex marriage is an issue deserving of serious, faithful discussion by people of faith, taking into consideration the long, complex history of marriage and family life, layered as it is with cultural practices, economic realities, political dynamics, religious history and biblical interpretation;

***Therefore, be it resolved,*** that the Board of Directors of the United Church of Christ Office for Church in Society affirms equal marriage rights for same sex couples and declares that the State should not interfere with same sex couples who choose to marry and share fully and equally in the rights, responsibilities and commitment of legally recognized marriage; and

***Further,*** affirms equal access to the basic rights, institutional protections and quality of life conferred by the recognition of marriage; and

***Further,*** calls upon UCC conferences, associations, congregations and individuals to engage in serious, respectful, responsible discussion of same-sex marriage in an overall context of addressing family life issues; and

***Further,*** calls for the collaborative efforts of a UCC interagency team to provide leadership in developing educational resources, study aids and social policy analysis for use by UCC members and congregations in addressing the issue of same-sex marriage, being consistent in the offering of benefits, encouraging discussion in a broader context of a faith understanding of all human relationships; and

***Further,*** calls for an end to rhetoric which fuels hostility, misunderstanding, fear and hatred expressed toward gay lesbian persons.