

1 The following resolution has been received by the Office of General Minister and President prior
2 to the “Could Not Have Been Anticipated” deadline established by the Standing Rules of the
3 Thirtieth General Synod. Receipt of this resolution should not be considered an indication it will
4 come before delegates to the General Synod. This resolution is now being researched by the
5 Board of Director’s Committee on Disposition and its staff, before consideration by the full
6 Board of Directors on June 25. Any resolution must meet all of the requirements of the Standing
7 Rules (see Standing Rule 12). The Board of Directors will decide on June 25 whether this
8 resolution meets those requirements and make a determination as to its disposition.
9

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

11 **Submitted by the Open and Affirming Coalition of the United Church of Christ** 12 **A Resolution of Witness**

13 **Summary**

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

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

25 In this resolution, General Synod will

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

35 **Biblical, Theological and Historical Grounding**

36 Since 1969, General Synod and other bodies in the UCC’s national setting have advocated for the equal
37 civil rights of LGBT citizens. In 1975, the 10th General Synod adopted a pronouncement supporting “the
38 enactment of legislation at the federal, state and local levels of government that would guarantee the
39 liberties of all persons without discrimination related to affectional or sexual preference.” In 1977, the

40 11th General Synod deplored “the use of scripture to generate hatred, and the violation of civil rights of
41 gay and bisexual persons” and called “upon individual members, local churches, Associations,
42 Conferences, and Instrumentalities to continue to work for the enactment of civil rights legislation at the
43 federal, state and local levels of government.” In 2003, the 24th General Synod encouraged Justice and
44 Witness Ministries “to provide leadership in advocating for the human and civil rights of transgender
45 people.” In 2005, the 25th General Synod affirmed “equal marriage rights for couples regardless of gender
46 [and] equal access to the basic rights, institutional protections and quality of life conferred by the
47 recognition of marriage.” And in 2011, the 28th General Synod urged support for the right of same-sex
48 couples to adopt and raise children in loving families.

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

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

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

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

73 **Mutual Accountability**

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

80 Stakeholders include:

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

91 Evaluation plan:

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

96 **Institutional Capacity**

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

102 **Probability of Influencing Social Change**

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

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

111

112 **Text**

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

116

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

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

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

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

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

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

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

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

138 **FUNDING**

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

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

143 *Submitted June 5, 2015*