

"Be the change you wish to see in the world."

**Second Saturdays
June 14, 2008
www.secondsaturday.net**

Equality is a Progressive Value

An estimated 1 in 10 people are lesbian, gay, bi-sexual, or transgendered.

Gays and lesbians are 3 to 7 times more likely to commit suicide.

Every 5 hours, an LGBT teen takes his or her life. For every one who is successful, there are 20 more who try.

In 2006, there were 1,477 victims of hate crimes (as defined by the FBI) based on sexual orientation.

“It’s an Abomination!”

(excerpted from “What The Bible Says – And Doesn’t Say – About Homosexuality” by Reverend Mel White
<http://www.soulforce.org/article/homosexuality-bible-gay-christian>)

“A recent study quoted by Dr. Peter Gomes in The Good Book found that 38 percent of Americans polled were certain the Old Testament was written a few years after Jesus' death. Ten percent believed Joan of Arc was Noah's wife. Many even thought the epistles were the wives of the apostles.

This same kind of biblical ignorance is all too present around the topic of homosexuality. Often people who love and trust God's Word have never given careful and prayerful attention to what the Bible does or doesn't say about homosexuality.

For example, many Christians don't know that:

- Jesus says nothing about same-sex behavior.
- The Jewish prophets are silent about homosexuality.
- Only six or seven of the Bible's one million verses refer to same-sex behavior in any way -- and none of these verses refer to homosexual orientation as it's understood today.

Most people who are certain they know what the Bible says about homosexuality don't know where the verses that reference same-sex behavior can be found. They haven't read them, let alone studied them carefully. They don't know the original meaning of the words in Hebrew or Greek. And they haven't tried to understand the historical context in which those words were written. Yet the assumption that the Bible condemns homosexuality is passed down from generation to generation with very little personal study or research. The consequences of this misinformation are disastrous, not only for God's gay and lesbian children, but for the entire church.”

Equality is a Progressive Value

It's all about context

The following are the texts cited by Christians who claim homosexuality is condemned by the Bible. These are just one of several different translations/interpretations of the text. Different translations of the Bible will read differently.

- Gen. 19:1-14 (The Story of Sodom and Gomorrah...see below)
- Lev. 18:22 -- "You shall not lie with a man as with a woman; it is an abomination."
- Lev. 20:13 -- "If a man lies with a man as with a woman, both of them have committed an abomination; they shall be put to death."
- Rom. 1:26-27 -- "For this cause God gave them up unto vile affections: for even their women did change the natural use into that which is against nature. And likewise also the men, leaving the natural use of the woman, burned in their lust one toward another; men with men working that which is unseemly, and receiving in themselves that recompense of their error which was met."
- 1 Cor. 6:9 -- "Know ye not that the unrighteous shall not inherit the kingdom of God? Be not deceived: neither fornicators, nor idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind."
- 1 Tim 1:10 -- "For whoremongers, for them that defile themselves with mankind, for menstealers, for liars, for perjured persons, and if there be any other thing that is contrary to sound doctrine."

The Sodomites aren't who you think they are

(again excerpted from "What The Bible Says – And Doesn't Say – About Homosexuality" by Reverend Mel White <http://www.soulforce.org/article/homosexuality-bible-gay-christian>)

"Some people say the city of Sodom was destroyed because it was overrun by sexually obsessed homosexuals. In fact, the city of Sodom had been doomed to destruction long before. So what is this passage really about?

Jesus and five Old Testament prophets all speak of the sins that led to the destruction of Sodom -- and not one of them mentions homosexuality. Even Billy Graham doesn't mention homosexuality when he preaches on Sodom.

Listen to what Ezekiel 16:48-49 tell us: "This is the sin of Sodom; she and her suburbs had pride, excess of food, and prosperous ease, but did not help or encourage the poor and needy. They were arrogant and this was abominable in God's eyes."

Today, heterosexuals and homosexuals alike do well to remember that we break God's heart when we spend all we earn on ourselves, when we forget the poor and hungry, when we refuse to do justice or show mercy, when we leave strangers at the gate.

I admit, there are a lot of gay folk who are Sodomites (and a lot of straight folk as well). **Sodomites are rich and don't share what they have with the poor. Sodomites have plenty and want more. While millions are hungry, homeless, and sick, Sodomites rush to build bigger homes, buy bigger cars, and own more property -- putting their trust in safer stock portfolios and more secure retirement accounts.**"

Sexual Freedom and Privacy Affects Us All

(all information and text for cases cited below taken from Wikipedia)

Loving v. Virginia

Loving v. Virginia, 388 U.S. 1 (1967), was a landmark civil rights case in which the United States Supreme Court declared Virginia's anti-miscegenation statute, the "Racial Integrity Act of 1924", unconstitutional, thereby overturning *Pace v. Alabama* (1883) and ending all race-based legal restrictions on marriage in the United States.

The plaintiffs, Mildred Loving (nee Mildred Delores Jeter, a woman of African and Rappahannock Native American descent, 1939 – May 2, 2008)[2][3] and Richard Perry Loving (a white man, October 29, 1933 – June 1975), were residents of the Commonwealth of Virginia who had been married in June 1958 in the District of Columbia, having left Virginia to evade the Racial Integrity Act, a state law banning marriages between any white person and any non-white person. Upon their return to Caroline County, Virginia, they were charged with violation of the ban. Specifically, they were charged under Section 20-58 of the Virginia Code, which prohibited interracial couples from being married out of state and then returning to Virginia, and Section 20-59, which classified "miscegenation" as a felony punishable by a prison sentence of between one and five years. On January 6, 1959, the Lovings pleaded guilty and were sentenced to one year in prison, with the sentence suspended for 25 years on condition that the couple leave the state of Virginia. The trial judge in the case, Leon Bazile, echoing Johann Friedrich Blumenbach's 18th-century interpretation of race, proclaimed that

“Almighty God created the races white, black, yellow, Malay and red, and He placed them on separate continents. And but for the interference with His arrangement there would be no cause for such marriages. The fact that He separated the races shows that He did not intend for the races to mix.”

The Lovings moved to the District of Columbia, and on November 6, 1963 the American Civil Liberties Union filed a motion on their behalf in the state trial court to vacate the judgment and set aside the sentence on the grounds that the violated statutes ran counter to the Fourteenth Amendment. This set in motion a series of lawsuits which ultimately reached the Supreme Court. On October 28, 1964, after their motion still had not been decided, the Lovings began a class action suit in the U.S District Court for the Eastern District of Virginia. On January 22, 1965, the three-judge district court decided to allow the Lovings to present their constitutional claims to the Virginia Supreme Court of Appeals. Virginia Supreme Court Justice Harry L. Carrico (later Chief Justice of the Court) wrote an opinion for the court upholding the constitutionality of the anti-miscegenation statutes and, after modifying the sentence, affirmed the criminal convictions.

NOTE THAT THE ARGUMENTS OFTEN CITED AS REASONS TO PROHIBIT SAME SEX MARRIAGE WERE THE SAME ARGUMENTS USED TO JUSTIFY PROHIBITION OF INTERRACIAL MARRIAGE.

Bowers v. Hardwick (1986)

Bowers v. Hardwick, 478 U.S. 186 (1986), was a United States Supreme Court decision that upheld the constitutionality of a Georgia sodomy law that criminalized oral and anal sex in private between consenting adults. Seventeen years later the Supreme Court directly overruled *Bowers* in *Lawrence v. Texas*, 539 U.S. 558 (2003), and held that such laws are unconstitutional.

Sexual Freedom and Privacy Affects Us All

The Facts of the Case

In August of 1982, police officers entered the bedroom of Hardwick to serve a summons for throwing out a beer bottle which he had thrown in a trash can located directly outside of the gay bar in which he worked. The Police Officer Torick had processed the ticket and had marked out the court date of Tuesday and wrote in Wednesday. When Hardwick didn't show up for his Tuesday courtdate, an arrest warrant was issued personally by officer Torick. The officer then proceeded to Hardwick's apartment to serve the warrant, but he was not home.

When Hardwick arrived home and realized that the officer had been there, he immediately went to the courthouse and paid the ticket. The clerk notified Hardwick that it should have been impossible for Torick to be at his apartment that day because it actually takes 48 hours to process a warrant. Several weeks went by and Officer Torick came to the apartment of Hardwick again to serve the (then recalled) arrest warrant. Hardwick had an overnight guest sleeping on the couch, who opened the door to the officer and allowed him into the apartment. After walking around, Officer Torick observed Hardwick's bedroom door slightly opened and proceeded into the room where Hardwick and a male companion were engaged in mutual, consensual oral sex.

He placed both men under arrest for sodomy, which was defined in Georgia law to include both oral sex and anal sex between members of the same or opposite sex. The local district attorney elected not to present the charge to the grand jury, which would have been a prerequisite to any trial or punishment for the offense. Hardwick then sued Michael Bowers, the attorney general of Georgia, in federal court for a declaration that the state's sodomy law was invalid. He charged that as an active homosexual he was liable to eventually be prosecuted for his activities.

Lawrence v. Texas (2003)

Lawrence v. Texas, 539 U.S. 558 (2003), was a landmark United States Supreme Court case. In the 6-3 ruling, the justices struck down the sodomy law that had criminalized homosexual sex in Texas. The court had previously addressed the same issue in 1986 in Bowers v. Hardwick, where it upheld a challenged Georgia statute, not finding a constitutional protection of sexual privacy.

Lawrence explicitly overruled Bowers, holding that it had viewed the liberty interest too narrowly. The majority held that intimate consensual sexual conduct was part of the liberty protected by substantive due process under the Fourteenth Amendment. Lawrence has the effect of invalidating similar laws throughout the United States that purport to criminalize homosexual activity between consenting adults acting in private. It may also invalidate the application of sodomy laws to heterosexual sex based solely on morality concerns.

The Facts of the Case

The petitioners, medical technologist John Geddes Lawrence, then 55, and Tyron Garner (1967–2006), then 31, were alleged to have been engaging in consensual anal sex in Lawrence's apartment in the outskirts of Houston between 10:30 and 11 p.m. on September 17, 1998 when Harris County sheriff's deputy Joseph Quinn entered the unlocked apartment, with his weapon drawn, arresting the two.

The arrests had stemmed from a false report of a "weapons disturbance" in their home — that because of a domestic disturbance or robbery, there was a man with a gun "going crazy." The person who filed the report, neighbor Robert Royce Eubanks, then 40, had earlier been accused of harassing the plaintiffs. (Despite the false report, probable cause to enter the home was not at issue in the case; Eubanks, with whom Garner was romantically involved at the time of the arrest, later admitted that he was lying, pleaded no contest to charges of filing a false police report, and served 15 days in jail.)

Sexual Freedom and Privacy Affects Us All

Lawrence and Garner were arrested, held overnight in jail, and charged with violating Texas's anti-sodomy statute, the Texas "Homosexual Conduct" law. The law, Chapter 21, Sec. 21.06 of the Texas Penal Code, designated it as a Class C misdemeanor when someone "engages in deviant sexual intercourse with another individual of the same sex" prohibiting anal and oral sex between members of the same sex. They later posted \$200 bail.

Re Marriage Cases (California, 2008)

In re Marriage Cases, (2008) 43 Cal.4th 757, [183 P.3d 384, 76 Cal.Rptr.3d 683], is a California Supreme Court case holding "that the California legislative and initiative measures limiting marriage to opposite-sex couples violate the state constitutional rights of same-sex couples and may not be used to preclude same-sex couples from marrying."

On May 15, 2008, the court ruled in a 4–3 decision that laws directed at gays and lesbians are subject to strict judicial scrutiny and that marriage is a fundamental right under Article 1, Section 7 of the California Constitution, thereby holding unconstitutional the previously existing statutory ban on same-sex marriage known as the "California Defense of Marriage Act." Furthermore, the ruling established that any law discriminating on the basis of sexual orientation is constitutionally suspect, making California the first state in the United States to set such a strict standard. On June 4, 2008 the court denied the request for rehearing by the same 4-3 majority while unanimously denying a petition for a stay, affirming that the decision would take effect as scheduled.

The Limit on Marriage Amendment initiative is an attempt to overrule the court's decision by amending the state's constitution. The initiative defines marriage as a union between a man and a woman and will almost certainly be approved as a ballot measure by the California Secretary of State. It is likely to be voted upon in the November 2008 election. However, it is noteworthy that the Court, at footnote 41 indicated that "the right to marry is not properly viewed simply as a benefit or privilege that a government may establish or abolish as it sees fit, but rather that the right constitutes a basic civil or human right of all people." In light of that, at least one legal scholar has raised doubts as to whether the initiative process can amend the constitution and whether any change in this fundamental right has to occur through a constitutional revision which is also provided for in the California Constitution.

The California Supreme Court joins the Massachusetts Supreme Judicial Court as only the second state to have its highest court rule prohibitions on same-sex marriage unconstitutional.

Full Faith and Credit Clause of the U.S. Constitution

Article IV, Section 1: Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

**“The arc of the moral universe is long, But it bends
toward justice.”**

-- Theodore Parker.

Mandatory Reading & Other Resources

Links:

- **For The Bible Tells Me So** – the official movie website (<http://www.forthetellmeso.org/>)
- **Soulforce** – resistance to oppression and prejudice of lesbian, gay, bi-sexual, and transgendered people (<http://www.soulforce.org/>)
- **Matthew Shepard Foundation** – “the campaign to erase hate”, in memory of Matthew Shepard (<http://www.matthewshepard.org/>)
- **Talk 2 Action** – resource dedicated to “reclaiming citizenship, history, and spirituality” from religious dogmatism (<http://www.talk2action.org/>)
- **Tolerance.org** – educating and teach tolerance and acceptance (<http://www.tolerance.org/>)
- **GLAAD (Gay and Lesbian Alliance Against Defamation)** – advocating and lobbying for social change and policy reform to establish equality (<http://www.glaad.org/>)
- **Human Rights Campaign** – working for gay, lesbian, bisexual and transgender equal rights (<http://www.hrc.org/>)

Books:

- *What The Bible Says - And Doesn't Say - About Homosexuality* by Reverend Mel White
- *Rescuing the Bible from Fundamentalism: A Bishop Rethinks the Meaning of Scripture* by Bishop John Shelby Spong
- *The Sins of Scripture: Exposing the Bible's Texts of Hate to Reveal the God of Love* by Bishop John Shelby Spong
- *Jesus, the Bible, and Homosexuality: Explode the Myths, Heal the Church* by Jack Rogers