

The GC/NAD and the Supreme Court's LGBT+ Decision

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On June 15, 2020, the US Supreme Court ruled that gay and transgender workers were protected from discrimination in their workplaces. Justice Gorsuch wrote in the opinion: "An employer who fires an individual merely for being gay or transgender defies the law." The court arguments focused on the Title VII protections written into the 1964 Civil Rights Act, and the decision embraced these. Title VII prohibits discrimination in the terms and conditions of employment, including hiring, compensation, employment benefits, advancement, employment training, assignments, and termination of employment. Harassment and retaliation are also prohibited.

Within a day, a statement was issued jointly by the Adventist General Conference and the North American Division objecting to the decision on grounds of religious liberty. It stated that it supports protections for LGBT people only if they "include robust religious liberty safeguards"; however, "the ability of faith-based institutions to maintain their hiring and conduct standards is now in question." That is, the Church supports LGBT rights when applied to every institution but the church itself: it is saying, in effect, that "discrimination is a bad thing when others do it but not when we do it." It is sad to note that there was no response from the Church when President Trump removed protections for medical care for members of the LGBT community the previous Friday, but it responded immediately when there was the possibility of it facing employment litigation as a result of the SCOTUS decision.

The bottom line is that our Church leaders want to continue to have the right to discriminate against LGBT people in hiring and firing, a demand that is contrary to the essence of the Court's decision. The prospect of the Church finding itself with LGBT employees, whether they be teachers, hospital employees at all levels, janitors, cleaning personnel, office workers, musicians, or pastors (which is already a reality in all categories) is an anathema to them.

Let us place this statement in context. LGBT persons have suffered widespread discrimination at the hands of Church and Society. This has caused them great angst, raising questions such as whether God loves them and accepts them as Christians, and causing vast numbers of them to try to hide their real identities. Consequently, many have experienced rejection by their families, especially Christian families, leaving them abandoned and homeless; they have been subjected to bullying in schools and on the streets ("let us go beat up a 'fag' or a 'tranny'"), and some courts have accepted the defense of "gay panic" for murder; the educational opportunities available to them have been reduced; and many have in desperation killed themselves. They have been punished for who they are, facing imprisonment and, in some times and places, the death penalty. And they have experienced discrimination in employment, housing, and health care. In recent decades, discrimination has been most often promoted by conservative Evangelical Christian churches like the Adventist Church, whose congregations, schools, and hospitals have demonstrated frequently that they do not approve of or accept their LGBT children and members.

Within this misery-causing list, discrimination in employment is very significant. We are all, after all, dependent on our jobs for income and thus the ability to fund our homes, food, clothing, and our occupation is a core ingredient of self-image. Being refused for or fired from a church-related job has overtones also of being rejected by God. These issues are very significant to LGBT Adventists. I know personally pastors who lost career, family, home, and reputation in one fell swoop when they were “discovered”; college faculty summarily dismissed; a medical practitioner and faculty member told to resign if he wished to avoid being fired by Loma Linda University; and several church organists “let go” when their orientation was discovered.

I also learned personally the pain of discrimination based on my sexual orientation. After completing a Ph.D. in Australia I was awarded a Fulbright Travel Grant, which brought me to Columbia University in NYC for two years of post-doctoral experience. In 1973, at the end of my post-doc, I was hired as an untenured assistant professor by the Sociology Department at Hunter College of the City University of New York. Under the contract, I had to be reappointed annually for five years, and if I was reappointed a sixth time that would bring tenure.

I had finally “come out” to myself at the beginning of 1974 (at age 34, after over 15 years of misery as I prayed and struggled to change my attractions). In the Summer of that year I attended my first Annual Meeting of the American Sociological Association, where the first session I chose to attend gave young academics, who were for the first time researching key social aspects of homosexuality, opportunities to share their findings. However, it turned out that the person who had organized the session, who had supposedly been successful in changing his orientation, treated it as an opportunity to attack the new researchers personally. He did far more than chair the session, and it was evident to me that his behavior was unprofessional. I did not know who to turn to, but I felt obliged to act, so I put up several notices announcing that there would be a meeting of the “Sociologists’ Gay Caucus” the next evening in my room. When about 50 people showed up, we had to find a meeting room, where we formed the Caucus and where, much to my surprise, I was elected president. When we brought attention to the travesty that had occurred that morning, the ASA created a committee to examine discrimination within the discipline, and I was chosen as a member of it. I was president of the Caucus for four years.

Meanwhile, my teaching at Hunter College was going well. I enjoyed it, the students enjoyed me, and I was reappointed each year in turn. I was friends with the department chair, but chose not to tell him about my unexpected activism, for I saw him as personally conservative, and feared he might not approve. However, in the Fall of 1976 another friend, a black radical who taught about the Civil Rights Movement, was elected chair, and I figured it was safe to tell him. I did so one Sunday morning while the two of us had brunch together. However, I sensed as soon as I finished my story that I had made an error: he was somber and said almost nothing in response. I discovered months later that he was a closeted homosexual, determined to keep his identity secret from the department and college; he apparently felt threatened to discover that the department had an openly gay member. Both the department committee and the committee of chairs of the social science departments had already voted to reappoint me for the following

year. However, our new chair, determined not to have me around for one reason only, my orientation, asked his fellow chairs, as a personal favor, to reverse their earlier vote, which they did. The Dean of Social Science told me that they did not even ask why! Consequently, my employment at the college ended in June 1977. This presented me with a crisis: I had to remain in NYC because I was leading a large funded study of landlord-tenant conflict there, but the budget assumed that most of my salary would come from a teaching position, so I faced a grim situation—there were few academic positions available in NYC, which had just come through a severe budget crisis, and it was already late in the calendar, for academic hiring usually takes place in the Fall for a year later. However, late in June the Urban Studies Department at Queens College, CUNY, advertised a position that had just been approved, and I was hired at the Associate Professor level, starting in September. I felt God had led me in spite of all the pain and confusion. By 1983 I was a tenured Full Professor, and I spent the rest of my teaching career happily at Queens College. One of my most popular classes there was Religion and Politics, and one of my best-loved seminars compared four religious groups which, after being founded in the US in the nineteenth century, had become global: Mormons, Adventists, Witnesses, and Pentecostals.

It is relevant to add that the reason why I never applied for a position at an Adventist college was my strong sense that as a gay man I would not be welcomed there. Many years later, when I was heavily involved in my study of global Adventism, I talked to the president of an Adventist college about possibly taking leave from Queens College for a semester and teaching there in order to have that Adventist experience first-hand. He seemed eager, but some weeks later he told me that it would be too dicey for the college to attempt that, for Church officials were likely to object because my orientation was known to them.

There is an irony to the GC's response to the Supreme Court decision, where the right of Church entities to fire LGBT personnel is equated with its "religious liberty." Adventists have long been concerned about our own religious liberty, for we have expected to be persecuted, and many members focus especially on an expectation that the US will initiate Sunday sacredness laws in an attempt to force Adventists to observe "the false Sabbath." We have been taught that at that time Sabbath-keepers will be prevented from buying or selling—that is, our livelihoods will be undermined, and many of us will go hungry and be personally endangered. Many live in fear of this, and of the "death decree" that is supposed to follow.

However, the reality is that few Adventists have experienced persecution. Mormons were persecuted severely in the mid-nineteenth century and their prophet was murdered; Jehovah's Witnesses suffered severely during World War I, when their leaders were imprisoned, and much worse during World War II, when many of them were imprisoned for refusing to engage in military service in the US and several other countries; in Nazi Germany many of them died in concentration camps. The persecution of Witnesses continues in some countries, especially Russia and parts of the former Soviet Union. But this has not been the Adventist experience. Indeed, Adventists have worked really hard to toady to governments so that our institutions and members would be safe: in Germany, for example, we praised Hitler and thought of him as

“almost an Adventist” because he was a non-drinker and a vegetarian, we disfellowshipped Jewish converts and changed the name by which we knew the Sabbath in order to escape being confused with Jews, and encouraged our members to work in munitions factories on the Sabbath in order to avoid trouble with the Nazi regime.

When we compare the extent to which Adventists have faced persecution with the experience of LGBT people, there is absolutely no comparison. Indeed, Adventists experienced so little persecution that the focus of the Church shifted from fears of imprisonment and violence to making sure that our institutions and our right to proselytize are protected. With the passage of time, the likelihood that Sunday sacredness laws will be enacted has declined steeply as society has secularized, Sunday has become a day for pleasure, and the denominations that originally sought such a law voted to no longer pursue it. Indeed, there have been several incidents where “religious liberty” has been abused, as Adventists have invoked it to describe situations where they have not obtained what they wanted from governments. The most recent such incident was when the term was used by GC President Ted Wilson to describe the situation in Burundi, where the attempt by the East-Central Africa Division to change the president of the Burundi Union drew the intervention of the state to a situation where the rights and wrongs are contested by local Adventists.

However, Adventists still want to retain the right to discriminate against their LGBT people, a category that has long faced severe limitations of their freedom to work and many other kinds of severe discrimination. This illustrates a fact that should give us all pause: Adventists are more likely to suffer persecution at the hands of their Church than the state. In focusing on the prejudices of Church leaders while mistreating and speaking out against the marginalized, is the Adventist Church following the example of Christ?