CHAPTER 22

Sexual and Gender Identity (I)

Few social issues have so occupied the public consciousness in general in the twenty-first century as has the debate over same-sex marriage. Few social issues have so shaken the evangelical college community in particular in the second decade of the twenty-first century as the religious, economic, and political challenge of same-sex marriage.

The polling data of the Pew Forum on Religion and Public Life has carefully traced the change in public thinking on this issue. Whereas in 2001 Americans opposed same-sex marriage by 57 to 35 percent, only a decade later, in 2013, they supported the idea 50 to 43 percent. Even more significant was the fact that two-thirds of the young people—the wave of the future—favored same-sex marriage. Also of note is the finding that by religion categories the unaffiliated were most supportive (up from 61 to 74 percent over the decade) while the white evangelical Protestants showed the least approval (up from 13 to 23 percent). Still the increase of evangelical support by over 75 percent during the decade is remarkable and parallels the evolving conversation on the Christian college campuses.1

The 2011 comprehensive Baylor Religion Study, funded by the National Science Foundation and the John M. Templeton Foundation and using polling data supplied by the Gallup Organization, produced results showing somewhat more support for same-sex marriage than did the Pew Forum data. The Baylor/Gallup results identified 53 percent overall agreeing with same-sex marriage. The support among those unaffiliated with religion was 88 percent while all religious groups showed less than 50 percent support. The figure for evangelical Protestants was 37 percent. By comparison, the support for civil unions showed all major religious categories at about the 50 percent level (59 percent for evangelicals). A more nuanced analysis of the Baylor data on evangelicals showed 41 percent as “gay rights opponents,” 35 percent as “cultural progressives” (correlating closely with the 37 percent

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above who support same-sex unions), and 24 percent in the “messy middle” who support civil unions but not gay marriage.\footnote{2}

The difference between the Pew and the Baylor/Gallup data in accessing evangelical support for same-sex marriage (37 and 23 percent) is significant. A recent 2013 study by Richard Powell, a University of Maine political scientist, claims that polls may understate by 5–7 percent the extent of opposition to same-sex marriage. He bases his conclusions on his research comparing pre-election polling data with Election Day results when same-sex marriage measures were on the ballot.\footnote{3}

Governmental action since 2000, like popular opinion, shows a marked movement toward greater support for same-sex marriage. In 2003 Massachusetts became the first state to legalize same-sex marriage; by 2014 thirty-six states had done so. In 2012 President Obama announced his support for gay marriage. On a single day in 2013, the Supreme Court issued two major decisions. In United States v. Windsor it declared unconstitutional the Defense of Marriage Act (1996) which had blocked federal benefits including Social Security survivor benefits to gay couples who had been legally married in their states. Second in Hollingsworth v. Perry it chose to leave intact a lower court ruling to allow gay marriage to proceed in California. The effect on lower courts of the Windsor case has been swift and dramatic. Within 13 months the same-sex marriage forces won over two-dozen victories with no losses in the lower courts. Lawrence Tribe, a constitutional law scholar at Harvard, noted, “I can’t think of any Supreme Court decision in history that has ever created so rapid and so broad a lower-court groundswell in a single direction as Windsor’s.”\footnote{4}

Meanwhile the American churches were debating, sometimes intensely, the gay marriage issue. The America Baptist Convention (ABC) experienced the secession of its Pacific Southwest Division in dissent from the denomination’s reluctance to discipline congregations that welcomed gay members. The Baptist tradition of congregational autonomy called for such a hands-off approach, the ABC leaders explained. Other major denominations also have allowed for local decision-making—the Episcopalians by bishops, the Evangelical Lutheran Church in America (ELCA) by congregations, and the Presbyterians by ministers. By contrast the United Church of Christ (UCC) endorsed gay marriage from the top (the General Synod) even while not mandating that position to local congregations. Few evangelical denominations or congregations provide for same-sex marriage.\footnote{5}

Lesbians, gay men, bisexuals, and transgender adults (LGBT) tend to be wary of the organized church, thinking it is usually not friendly toward them. The 2013 Pew poll found that nearly half (48 percent) claim no religious