

the Office of Communication to publish articles and reports in United Church News and other UCC publications which highlight initiatives made by local churches, conferences, and instrumentalities in support of quality integrated education for all children;

the Office for Church in Society, in collaboration with instrumentalities, conferences, and churches, to advocate for legislation that promotes and strengthens the public schools and the literacy of our general population.

IMPLEMENTING BODY

The Board for Homeland Ministries shall be the body responsible for coordinating and reporting on the development and implementation of strategies and programs of the above directional statements and goals in consultation with other aforementioned bodies.

Subject to the availability of funds.

11. PROPOSED PRONOUNCEMENT "SEXUAL HARASSMENT AND ABUSE IN THE CHURCH"

The Moderator called on Rev. Robert Inglis to give the report of Committee Two. He invited Rev. Robert Witham (NH) to offer a few comments on the importance of the Proposed Pronouncement "Sexual Harassment and Abuse in the Church" to the total church. He said it is a serious problem and must be stopped. After discussion the General Synod acted.

91-GS-59 Voted: The Eighteenth General Synod adopts the Pronouncement "Sexual Harassment and Abuse in the Church."

PRONOUNCEMENT
SEXUAL HARASSMENT AND ABUSE
IN THE CHURCH

SUMMARY

This pronouncement declares that sexual harassment and abuse in every setting of the church must be ended. The community of faith is diminished and the whole church suffers when this behavior occurs or is allowed to continue unchallenged. This pronouncement calls the whole church to practice repentance and justice. It calls the church to be responsible for maintaining a work place free from sexual harassment, a place of safety for all its members, employees and volunteers. It calls the church to maintain the integrity of the pastoral relationship, and asserts that sexual contact or behavior in the pastoral relationship is unethical, unprofessional and abusive and will not be tolerated in the United Church of Christ. It calls for justice in every setting of the church to bring into being the community of faith born out of God's liberating love.

DEFINITIONS

The Legal and Ethical Climate

(Material in this section adapted from Sexual Abuse and Harassment: Definitions, published by the Commission on Women of the Evangelical Lutheran Church in America, November 1990.)

As our church and society struggle to disentangle healthy sex-

ual interaction from coercive and abusive sexuality, it is important for the church to struggle with the increasing number of precise distinctions of law and ethics which are arising for addressing abusive sexuality. These definitions are offered to help the church to be more fully prepared to respond with pastoral compassion and prophetic justice to the situations we encounter.

Sexual Harassment. In 1980 the Equal Employment Opportunity Commission declared sexual harassment to be illegal and issued the following definition:

- (1) unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature, when
- (2) submission to or rejection of that conduct is used as a factor in decisions affecting an individual's employment or education, or
- (3) that conduct has the purpose or effect of substantially interfering with an individual's employment or education, or creating an offensive, hostile or intimidating environment for work or education.

Though sexual harassment often refers to a work or school environment, in some states, sexual harassment codes also include education, housing, public accommodations or public services.

Sexual harassment that falls under part two of the definition is often called "quid pro quo" harassment because inappropriate sexual behavior is requested, expected or demanded in exchange for some benefit, such as a passing grade in a class, keeping a job, receiving a favorable employee appraisal or promotion, or retaining housing.

Part three of the definition, often called "subtle sexual harassment," is often harder to understand. But an offensive, hostile or intimidating environment is no less illegal and no less intolerable.

Sexual Exploitation by a Counseling Professional. This is a relatively new category in our legal and ethical environment. New civil or criminal statutes have been enacted in such states as Minnesota, Wyoming, Colorado, California, Florida, Illinois and North Dakota. It includes any sexual contact between a therapist/counselor and a client, including pastoral counselors and everyone who works in the name of the church. In most of the states whose legal codes now include this abuse, consent is not a defense. A complaint of sexual exploitation must be based on a counseling relationship with the alleged offender.

Regardless of the legal variations, sexual contact between a counselor and a client is a grave breach of professional ethics. The Ethical Standards of the American Psychological Association states that "sexual intimacies with clients are unethical." The code of ethics of the American Association of Pastoral Counselors asserts that "pastoral counselors do not engage in sexual misconduct with their clients."

In this pronouncement, sexual exploitation by a counseling professional is referred to as abuse of the pastoral role, pastoral or professional misconduct or occasionally as sexual misconduct.

Sexual Abuse/Sexual Misconduct/Sexual Malfeasance. These are broad terms, often used to summarize the whole range of

sexual offenses. Whenever possible more precise terminology should be used to describe the assertion of the church that sexual contact or behavior in the pastoral relationship is abusive and unethical.

BACKGROUND

We live in a culture which has been shaped by patriarchal values and assumptions, many rooted in religious belief and practice. Both women and men are exploited by culture values and practices which express power in sexual terms based on patterns of domination and subordination rather than equality. When the church environment is permeated with sexist behavior and sexual harassment and abuse, all members are forced to exist in a climate which is intimidating and hostile. The values and assumptions about gender on which such behavior is based must be challenged.

Although the majority of incidents of sexual harassment or abuse in a sexist society involve men harassing women, any repeated or unwanted attention of a sexual nature directed toward another person may be considered harassment. Offenders or victims can be male or female, any person relating to the church, church members, or church employees (clergy or lay) including non-members. Although offenders may believe their behavior is innocent or unintended, a complaint based upon the victim's perception of being harassed, is sufficient to initiate an investigation. Sexual harassment or abuse is not uncommon in the church or in society. It takes on many forms and is experienced especially by many women in the church. Surveys report nearly 50% of all clergywomen have experienced sexual harassment in the work place. (Sixteenth General Synod Minutes, 1987 - Attachment H, Page 152)

Most incidents of sexual harassment go unreported, or when reported, are treated as trivial and unimportant, with the result that attitudes and behaviors of offenders are unchanged and victims are subjected to further abuse. Survivors live with the effects for the rest of their lives.

We celebrate and affirm our sexuality as a gift from God. The roots of sexual harassment and abuse lie not in sexuality but in the abuse of power. Power over others is experienced in both overt and subtle ways. It may be based on gender, economic status, employment, physical strength, political advantage, legal authority, age, race or ethnicity, emotional strength or vulnerability, religious belief and tradition, or legal codes. When power over others is expressed in sexual activity, behavior, gestures or suggestions, such behavior is sexual harassment and abuse. Care must be taken that power is not used to violate, harass or intimidate.

In the church the relationship between pastor and parishioner is a relationship of unequal power. Sexual harassment and abuse is not limited to the pastoral relationship, however. It can occur in the relationship between counselor and client, employer and employee, supervisor and student, church school teacher and student; camp counselor and camper, or any volunteer leadership in positions of power and authority. All are relationships of unequal power, of power over another. When sexual behavior is demanded, or expected within the context of this relationship of unequal power, it is a violation of trust. This violation of trust is never permissible.

THE IMPACT OF SEXUAL HARASSMENT AND ABUSE OF THE PROFESSIONAL OR PASTORAL RELATIONSHIP IN THE CHURCH

Within the pastoral or professional relationship sexual contact

impairs the ability of the professional to function with dignity and effectiveness. Serious damage is done by each incident of sexual harassment or abuse. Although most church leaders interact appropriately with members of the congregation and staff, it is clear that pastoral or professional misconduct happens too often. The damage can be extensive. For the victim of sexual abuse or harassment by a pastor, counselor or colleague, there may be a serious loss of self esteem and loss of personal or professional credibility because of a "blame-the-victim" response to those making a complaint. The damage may take years to repair.

All forms of sexual harassment or abuse in the church use the power and authority of ministry for exploitation and gratification rather than healing and redemption. In church settings and institutions, sexual harassment or abuse may be perpetrated by clergy, lay members or leadership, volunteers or other employees, crossing the boundaries which establish professional behavior in the work place. When sexual boundaries are crossed, some victims may initially feel flattered by the attention; others may feel intimidated and unable or unwilling to resist the relationship. Crossing these boundaries is never without risk to all those involved as well as to the church itself. Both victims and perpetrators of sexual harassment or abuse are tangled in a web of secrecy, low self esteem, guilt and shame that prevents seeking help and impairs judgement and emotional well being. At the very moment when victims may be most in need of pastoral care and support, they are left without it, and what remains is pain and destructive rage, broken relationships and damaged churches. Sexual misconduct divides churches, destroys trust and creates multiple layers of victims, including the families of both victim and offender.

Sexual misconduct by pastors or others in church leadership involving children mandates immediate reporting to legal and church authorities by anyone suspecting such abuse. Such cases require immediate suspension of the accused as well as long term support for the victims. If the church and its leadership are perceived as unable or unwilling to respond, they are open to legal action.

Sexual harassment and abuse may happen in every setting of the church. In each reported case of pastoral or professional misconduct or sexual harassment, local church, conference and association leadership and staff are called to invest many hours in the effort to bring about healing and justice. To maintain fairness in dealing with a colleague, every effort must be made to guarantee due process to the accused. To act is difficult, but to do nothing is worse; the problem festers. The goal must continue to be maintaining the integrity of the pastoral relationship.

The local church where pastoral misconduct has taken place is hurt in ways that are often not immediately known. The healing process for the church may take years. The families of both the victim and the perpetrator are seriously harmed. The community as a whole may suffer from feelings of betrayal by a leader that it has trusted.

BRINGING ABOUT CHANGE: PREVENTION AND JUSTICE

Both prevention of sexual abuse and justice for the victims must be addressed by the church as it deals with pastoral or professional misconduct by church leaders. Education, screening of candidates for leadership in the church and well articulated policy are necessary parts of the prevention process.

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Prevention and justice also require care in screening volunteers who work with children and youth, and careful supervision of programs, events and activities sponsored or operated by the church.

Justice for the victim is found in the swift response of church leadership to allegations of misconduct. Clear procedures and well prepared Church and Ministry Committees and conference staff are vital for dealing justly with the complainant and the accused. There is an enormous risk in bringing sexual behavior or contact by the pastor or other church professional to the attention of church officials. The complainant may have no personal acquaintance with the church official to whom she or he is reporting the misconduct, while the accused may be well known and respected by that same official. It is vital that church officials understand the complainant's vulnerability.

When any setting of the church is in the midst of addressing a case of professional or pastoral misconduct by a church leader, a conflict may appear to arise between its understanding of itself as a community that is committed to justice and a community that is forgiving. Forgiveness becomes possible when a perpetrator of injustice admits the injustice, repents and accepts disciplinary action that offers some restitution to the victim and some assurance that such behavior will not occur again. Forgiveness that short cuts any of these steps is inappropriate for the Christian community and is a further betrayal of the victim.

Occasionally an offender may need to be removed permanently from leadership in the church. When such action is necessary it may appear that the person is never forgiven by the church. However, such action is not vindictive or unforgiving. It is the acknowledgement of a tragic reality. The appropriate role for the church in such a case is to assist the offender in exploring new vocational choices and to offer emotional support as he or she deals with difficult realities.

WHY SHOULD THE UNITED CHURCH OF CHRIST CARE ABOUT THIS ISSUE?

We have named ourselves a just peace church. We speak out against, and work to end the pain of sexual and domestic violence, but we have only recently begun to recognize and name the sins of sexual harassment and abuse when they invade the relationship between the people in the church. All settings within the life of the church need to be free of harassment and abuse, to be places of safety and security where caring, respect and trust are experienced by all. When sexual harassment or abuse happen within the church, violence is done to the vision of equality and justice to which we have been called in baptism, and which we long to realize.

BIBLICAL AND THEOLOGICAL AND ETHICAL RATIONALE

As Christians we believe all of creation is precious to God. We believe that as persons created in the image of God, women and men are equal. Through our baptism we are called to be co-creators with God of a world where justice, peace and mercy are to be enjoyed by all.

Created in God's image, we are called into the community of faith, the covenant community born out of God's liberating

love, a community called to extend compassion and caring to all of God's children. This community has a special responsibility to those who are most vulnerable, to those most in need of justice and healing. As daughters and sons of God, heirs with Christ Jesus according to the promise given to Abraham and Sarah, we are called to bear witness to the Holy Spirit at work among us in the nature of our relationship to one another.

We believe that faithful reading and hearing of scripture reveals God's Word of justice, love and the equality of all persons. Contrary to such readings, domination, abuse and discrimination directed toward women have often been justified with scriptural citations. Biblical justification has been claimed to support patterns of male supremacy, right of ownership over persons, authority over women and children, and patriarchal superiority. Victims of harassment and abuse have found, or been directed to, particular verses or texts that emphasize submission, unworthiness, inferior status and guilt. Such reading enhances self blame, compounding violence and magnifying pain.

Instead of these distortions, we find in scripture a vision of beloved community, the hallmarks of which are protection for the vulnerable, hope for the oppressed, and love and respect among all of God's people, weak and strong. It is a community in which ultimately "mourning and crying and pain will be no more" (Revelation 21:4). The scripture calls all within the church to "let love be genuine; hate what is evil, hold fast to what is good . . . to do acts of mercy, to extend hospitality which assures safety and mutual respect" (Romans 12:9 ff).

The church has entrusted both special responsibilities and special opportunities to its recognized leaders. The covenantal vows of leaders include the expectation that they will endeavor to embody the good news of the gospel. The scriptures are filled with admonitions to those who are leaders, pastors and teachers, bishops, elders and deacons: to be above reproach, blameless, of unimpeachable character; to be upright, holy and self controlled; to turn away from evil and do right "for the eyes of the Lord are upon the righteous, and God's ears are open to their prayer, but the face of the Lord is against those who do evil" (Psalm 34:15).

The good news of the gospel is clear: in Christ Jesus we are a new creation, neither male nor female, but set free, never again to submit to the yoke of slavery. This is the radical understanding of grace which the early church proclaimed, and the vision of commitment and liberation is held before the church today.

A STATEMENT OF CHRISTIAN CONVICTION

We affirm the Biblical and theological rationale of the Pronouncement "Sexual Harassment and Abuse in the Church," and base our convictions on these key statements:

As Christians we believe all of creation is precious to God. We believe that as persons created in the image of God, women and men are equal. Through our baptism we are called to be co-creators with God of a world where justice, peace, and mercy are to be enjoyed by all.

The good news of the gospel is clear: in Christ Jesus we are a new creation, neither male nor female, but set free, never again to submit to the yoke of slavery. This is the radical understanding of grace which the early church proclaimed,

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and the vision of commitment and liberation held before the church today.

We affirm the direction and power of these words from the United Church of Christ Mission Statement adopted by the Seventeenth General Synod:

“Empowered by the Holy Spirit, we are called and commit ourselves:

- to embody God’s love for all people;
- to praise God, confess our sins, and joyfully accept God’s forgiveness;
- to hear and give voice to Creation’s cry for justice and peace;
- to name and confront the powers of evil within us and among us;
- to repent our silence and complicity with the forces of chaos and death;
- to join oppressed and troubled people in the struggle for liberation;
- to work for justice, healing and wholeness of life.”

In keeping with the Statement, this pronouncement calls the churches, conferences, and other agencies and institutions of the United Church of Christ to exist with integrity as trustworthy settings in which the whole church responds with honesty, sensitivity, firmness and justice to occurrences of abuse to persons within our common life.

We affirm that our actions must be consistent with the nature and mission of the church. We are a community gathered in response to God’s call to justice and reconciliation, in which persons are treated with care and respect — a community where personal and institutional energies are directed toward the elimination of sexual abuse or harassment within the church and in society.

12. PROPOSAL FOR ACTION “SEXUAL HARASSMENT AND ABUSE IN THE CHURCH”

The Moderator invited Mr. Robert Inglis to continue with his report. Mr. Inglis moved on behalf of his committee, the Proposal for Action “Sexual Harassment and Abuse in the Church.” The Rev. Fred Wenner (CAC) moved to amend the proposal for action, and the motion prevailed.

91-GS-60 VOTED: The Eighteenth General Synod amends the Proposal for Action “Sexual Harassment and Abuse in the Church,” by inserting a fifth item under the heading Office for Church Life and Leadership to insert after “sexual misconduct, ”and, encourage and enable church leaders to provide accused offenders with emotional and spiritual support. . . .”

Following this amendment, the Moderator called for action on the proposal for action.

91-GS-61 Voted: The Eighteenth General Synod adopts the Proposal for Action “Sexual Harassment and Abuse in the Church, as amended.”

PROPOSAL FOR ACTION SEXUAL HARASSMENT AND ABUSE IN THE CHURCH

SUMMARY

WHEREAS, the Eighteenth General Synod recognizes with appreciation the many persons and organizations within our church who have provided leadership in responding to the painful, troubling reality of sexual abuse in church and society, especially: (1) curriculum materials developed by the United Church Board for Homeland Ministries; (2) resources developed by the Office of Communication for response by local churches to media inquiries about scandal; (3) special procedures for responding to allegations of pastoral misconduct developed by some seminaries and some conference and association committees on Ministry; (4) resources developed by the Office for Church Life and Leadership for assistance to conference and association staffs and committees on ministry; (5) research and consultation carried out by the Coordinating Center for Women.

WHEREAS, the Eighteenth General Synod recognizes great and pressing needs for continued response and additional action, and

WHEREAS, the Eighteenth General Synod recognizes the obligation of the church to respond to allegations of sexual misconduct, harassment or abuse with pastoral concern:

- for the victim or complainant, without regard to blame or legal consequences;
- for the clergy or lay person accused, assuring full access to due process within the framework of our polity;
- for the families of the victim and the offender;
- for the congregation and community;
- for doing justice within the framework of the Christian community.

THEREFORE, BE IT RESOLVED, the Eighteenth General Synod calls upon United Church of Christ instrumentalities and other bodies, conferences, association, seminaries, educational and health and welfare institutions to respond to sexual harassment and abuse in the following ways:

articulate in policy, educational and programmatic materials, as well as in the example set by recognized leadership, that sexual harassment and abuse and unwelcome or sexually explicit behavior in any setting of the church is unacceptable and will not be tolerated;

develop within the framework of our polity, policies which clearly articulate the issues and set forth procedures for grievance and adjudication of justice;

train staff and volunteers to avoid or eliminate those situations in which sexual harassment or abuse occur;

adopt and implement policies that assure all church employees and volunteers of a workplace free of sexual harassment.

BE IT FURTHER RESOLVED, the Eighteenth General Synod calls upon the conferences and associations to:

develop, adopt, and periodically review guidelines for addressing sexual harassment and pastoral or professional misconduct of a sexual nature.