

Tied in knots: Vermont churches divided by civil union law

by [Richard Higgins](#) in the [August 28, 2002](#) issue

The political furor over Vermont's two-year-old civil union law has begun to subside, but controversy is still roiling the state's churches. Some disputes have set pastor against congregation.

Of the 4,350 civil unions performed in the state since July 1, 2000, more than 80 percent were for couples from out of state, according to state officials. Two out of three of the people joined in civil unions were women. And, while the state does not tabulate this figure officially, only an estimated 10 percent of civil unions were performed by clergy.

The low number of clergy involved in civil unions reflects the unease in the pews. "Unfortunately, it's been very divisive, and many churches are struggling with it," said Philip Kimball, executive director of the Vermont Ecumenical Council and Bible Society in Burlington. "There are pastors who see it differently from their congregations, and congregations that see it differently from their statewide or national judicatory bodies."

In June the state conference of the United Church of Christ adopted an "open and affirming" policy urging members not merely to tolerate gay and lesbian people but to welcome and affirm them as congregants or clergy. While the policy did not rule specifically on civil unions, the leaders of a UCC church in Jericho that opposes the new law afterward notified UCC conference leaders that it was considering withdrawing from the body.

Peter Anderson, pastor of the Jericho Congregational Church, said his congregation had no problem with being "open" or accepting gay people and their inherent worth before God. But affirming was another matter, he said, as it went beyond accepting the sinner to accepting the sin. "What does it mean to affirm homosexuals," he said. "It seems to give the church stamp of approval to homosexual behavior and lifestyle. If you take scripture seriously that homosexual behavior is sinful, then how

can you affirm it?"

The debate has been the most intense in mainline denominations, such as the United Church of Christ, the state's second largest, that are caught in the middle between religious proponents of the law, such as the state's Unitarian Universalist churches, which tend to regard civil unions as a pastoral ministry to the gay community, and outspoken opponents, mostly from conservative evangelical churches.

Last spring, David Sterzbach, a Baptist pastor from Williston, launched radio ads saying that "homosexual marriage is the moral September 11 for Vermont and the nation" and urging legislators to throw it "on the moral ash heap of history." In fact, the state's Republican-controlled House of Representatives did pass a bill to repeal the law, but it was defeated in the state Senate.

Sterzbach is regarded as an extremist and has few supporters outside the evangelical community, but that does not mean that Vermont church leaders are rushing to embrace the law. And even when individual church leaders or pastors have acted to support the law, they have encountered resistance from their own communities.

Robert Lee, pastor of First Congregational Church in Burlington, on July 1, 2000, performed both the first civil union in the state and the first one to occur in a church. A member of his congregation was one of the women whose lawsuit against the state to obtain marriage privileges led to the December 1999 state Supreme Court ruling that paved the way for passage of the law.

Lee said his 1,000-member church is "neither a marriage mill nor a civil unions mill." He said that he has performed about a dozen civil unions in two years. "This is a pastoral function that our congregation expects our clergy to discharge, using discretion as to whether we think a given couple is faithful and sincere, just as we would in the case of straight people who want to get married," he said.

On a recent Saturday in August, Lee said that he was scheduled to perform a civil union at 2 p.m. and then a marriage at 4 p.m. The liturgies involved would "mirror each other," he said. Lee is proud of his church's stance, but he acknowledged that it has had its costs. "We lost about a dozen families over this, and though some of them returned after a while, most did not. That was very painful. On the other hand, we have also gained people, especially younger people who see us as the kind of

church they want to belong to.”

Elsewhere in Burlington, Rebecca Stader and Michael Brown, the husband-and-wife co-pastors of Christ Church Presbyterian, have taken a position out of step with their national denomination. The 70-member church, which is located on the campus of the University of Vermont, has become a lightning rod for criticism in national Presbyterian circles since its council, or governing body, voiced support for the idea of ordaining gay or lesbian clergy.

On civil unions, however, even this outspoken liberal congregation is somewhat cautious. “We stick close to home,” said Strader, co-pastor since 1989. “We’ve done a handful, usually for church members or participants, and we’ve turned down people we don’t know.”

Vermont’s civil union law created a legal status akin to marriage in order to let same-sex partners join as family members on health insurance plans, collect death benefits on life insurance policies and obtain other practical benefits of marriage, as well as its legal obligations, such as payment of debts. Its passage sparked an uproar in Vermont and led to a political backlash that swept 16 legislators out of office.

Nevertheless, the state’s civil union law has become a national model for gay and lesbian advocates of the right to marry. Similar legislation has been introduced in six states. In response, 35 states have adopted “defense of marriage” laws that define marriage as a union between a man and a woman.

Outside Brattleboro, which has become a center for the gay and lesbian community in Vermont, is the small village of Guilford Center. Its only church is Guilford Community, an historic Congregational church whose 180 members include some whose families have belonged for generations.

Last fall, its new Harvard-educated pastor, Lise Sparrow, asked her congregation for permission to join a gay couple in a civil union. Although there was strong support for the idea, she said, some people were adamantly opposed and “there was some risk they would leave.” So her request was put on indefinite hold while the congregation began a process to achieve a consensus on the issue.

“There’s a minority of people in the church, maybe 20 percent, who lean on the Old Testament and who basically believe that homosexuality is an abomination and that

to permit a civil union in our sanctuary would be a sacrilege,” Sparrow said.

Sparrow said that she takes the “sacrament” of marriage seriously and that, just as she sets high standards for marrying straight people, she would also not take lightly the performing of a civil union. “The place where I get stuck is that they don’t seem to trust my discretion,” she added.

In some churches, the decision has been straightforward. The Roman Catholic bishop of Vermont, Kenneth Angell, early on came out strongly against the civil union law. The Methodist conference has also opposed civil unions. One of the most visible opponents has been Craig Benson of the Burlington Area Evangelical Association. He has said that homosexuals need the same kind of treatment and rehabilitation as alcoholics and that, in his words, “homosexual marriage will always be an oxymoronic phrase.”

The Episcopal Church, whose leaders in Vermont have been cautiously supportive of the law, has no formal policy on it. Of 50 Episcopal congregations in the state, about ten have permitted civil unions in their churches, according to Bishop Thomas Ely. “If a priest’s conscience allows him or her to perform a civil union, we are generally not opposed,” he said. “We simply ask that they not use the Book of Common Prayer, so there is no confusion with the marriage liturgy.”

Richard Neu, pastor of Ascension Lutheran Church in South Burlington, occasionally performs civil unions. The Evangelical Lutheran Church in America has a policy against performing same-sex marriages, for example, but Neu has argued that this ban does not apply to civil unions.

“My council has been supportive, but if I did one a month it might be a different matter,” he said. Neu said that while he respects those who disagree with him, he is sometimes baffled by their reasoning. “Aren’t we, as religious people, trying to encourage people to live in committed relationships, to foster monogamy and to build stable households? Most of us tell our children we don’t want them to live with someone outside of marriage. It just seems like a social-justice issue.”

For others, the “social” issue is defending the institution of marriage. Angell, the Catholic bishop, told legislators when the law was proposed that “the sacredness of marriage and the family as ordered by God is in jeopardy.” With such conflicting views, it is small wonder that most churches in Vermont are addressing civil unions on a case-by-case basis.