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**A CHURCH DIVIDED OVER MARRIAGE EQUALITY**

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A father and son are at the center of the Christian faith, so when the Methodist Church started putting fathers on trial for participating in the weddings of their sons, the faithful took notice. In December, the Reverend Frank Schaefer, a pastor in Lebanon, Pennsylvania, was defrocked for officiating his son’s wedding. Earlier this month, the Reverend Dr. Thomas Ogletree, a retired minister and professor emeritus at Yale Divinity School, was charged for officiating his son’s wedding, and will face an ecclesiastical trial, on March 10th, in Stamford, Connecticut. Pastors often preside at the weddings of their children. But Schaefer and Ogletree married their sons to other men.

The Church’s rules against homosexuality have divided Methodists for forty years. Attempts to abolish or even soften these rules have failed at every General Conference, the quadrennial meeting of the denomination, since they were first added, in 1972, to the Book of Discipline, which contains the Church’s laws and doctrine. At last year’s General Conference, delegates voted to affirm the [long-standing positions](http://www.umc.org/site/apps/nlnet/content3.aspx?c=lwL4KnN1LtH&b=4746363&ct=3169111) in the Book of Discipline: homosexual acts are “incompatible with Christian teaching”; “self-avowed practicing homosexuals” cannot serve as ministers; and marriage is “the union of one man and one woman,” so clergy are barred from marrying gay couples. These passages appear alongside the Methodist Church’s plea for tolerance: “We implore families and churches not to reject or condemn lesbian and gay members and friends.”

Frank Schaefer saw no tension in these portions of the Book of Discipline when he was ordained as a deacon, in 1996. He followed them faithfully for years, until his oldest son, Tim, came out. “He was just a teen-ager, but he realized the Church was saying he was a freak,” Schaefer told me. “He prayed to God to change, and when that didn’t happen he felt it would be easier for me, his father, the pastor, if he were just gone. He actually thought about suicide because of what the Church was saying.”

Schaefer officiated his son’s wedding, on April 28, 2007, but he wasn’t charged until last spring, when a member of his own congregation filed a complaint. “I remember being shocked,” Schaefer said. “I hadn’t heard anything about it for six years.”

His trial took place, last November, in Spring City, Pennsylvania. He was charged with violating the prohibition against clergy officiating same-sex unions and disobeying the order and discipline of the Church; on November 18th, a jury of thirteen pastors found him guilty on both counts. At his sentencing hearing, the next day, Schaefer wore a rainbow stole. The jury suspended him for thirty days and stated that he would lose his credentials if he would not agree to uphold the entirety of the Book of Discipline. After his sentence was announced, Schaefer’s supporters tipped over the chairs in the cinder-block gymnasium that served as a courtroom—a symbolic reference to the Gospel story of the Cleansing of the Temple, in which Jesus cast out the money changers and overturned their tables.

“This all started with the choice between my love for my son and my love for the Church,” Schaefer told me. “So how could they still expect me to choose the doctrine of the Church over the love of my son?”

When Schaefer’s thirty-day suspension came to an end, he said that he would refuse to uphold the Book of Discipline, and went even further by describing the Church’s teachings on homosexuality as discriminatory. His son had changed Schaefer’s faith, and the trial convinced him that tolerance could not coexist with discrimination. He was [stripped of his clerical credentials](http://www.nytimes.com/2013/12/20/us/methodist-pastor-defrocked-over-gay-marriage-service.html) on December 19th, even though, he said, church leaders had assured him that he had nothing to fear. “Everybody said to me, ‘Look, Frank, it won’t be a big deal. It’ll be a slap on the hand.’ Even my bishop and my district superintendent were saying that.”

But ecclesiastical trials like Schaefer’s and the one awaiting Ogletree in March reveal less about the politics of the Methodist Church than about the nature of its polity. Most Protestant churches have quasi-democratic models of governance. They may lack a hierarchy with a central figure like the Pope, but they rely on regional authorities: presbyteries in the Presbyterian Church, synods in the Lutheran Church, dioceses in the Episcopal Church, and annual conferences in the Methodist Church.

If the eight million American Methodists are like citizens, the Church’s hierarchy—what the Methodists call their connectional system—goes something like this: cities and towns (local churches, led by pastors) are organized into counties (districts, led by supervisors appointed by bishops), states (about fifty-five conferences, led by fifty bishops elected by lay and clerical delegates), regions (five jurisdictions, composed of lay and clerical delegates), and the nation (the General Conference, which takes place every four years, when almost a thousand voting clergy and lay members from around the world convene to set denominational budgets, approve policy changes, and revise the Book of Discipline).

Any one of the more than twelve million members of the global Church can file a complaint against a clergyperson: Schaefer was reported by one of his parishioners, Ogletree by another pastor. Complainants may be motivated by their faithfulness to Church teaching, including the prohibitions against homosexuality, but also by their desire for discipline within the connectional system, the enforcement of rules, and the punishment of clergy whose activism could divide the church.

Whatever the motivation, a complaint is filed with the pastor’s bishop, who can dismiss the accusation of misconduct, seek a “just resolution” through meditation, or refer the complaint to counsel to see whether it merits an administrative or judicial charge. Mediation was initially pursued in Schaefer and Ogletree’s cases, but both refused to agree never to officiate same-sex weddings again.

The Reverend Dr. Thomas Frank, a professor of American religious history at Wake Forest University, testified as an expert witness at Schaefer’s hearing last fall. The author of “Polity, Practice, and the Mission of the United Methodist Church,” Frank noted that Methodists have historically not been litigious. “We’re not a Church of trials,” he said. “Rarely do things go to trial, especially not anything about beliefs, doctrines, or teachings. There might have been an odd case here and there, but these trials are reserved for clergy misconduct.”

Until very recently, few Methodists would even have known about the Church’s judicial process. The first trial of a pastor for violating the Church’s teachings on homosexuality took place in 1998; the defendant, Jimmy Creech, had been a pastor for almost thirty years when he was charged. “I’d heard of Church trials, but I’d never known somebody involved in one,” Creech told me. “They’re extremely rare.”

Creech had been an advocate for L.G.B.T. inclusion since one of his parishioners came out to him in 1984. He considered marriage an essential part of his ministry to the gay community, so he presided over the covenant ceremony of two women in 1997. “This was long before gay marriage. Way before Vermont or any state, I was offering blessings for folks in committed relationships,” he said.

Creech was acquitted in his first trial, when there was not yet a formal rule—only a guideline—against presiding over such ceremonies. But he was found guilty, two years later, after the guideline was made into an official prohibition, and he refused to stop officiating same-sex weddings. He said that being defrocked only deepened his commitment to the Methodist Church: “Part of my ministry is changing the Church. We changed our minds on race and the role of women, but those changes took people staying and advocating for change.”

Many in the movement for L.G.B.T. inclusion share Creech’s conviction that the Methodist Church has changed and will continue to change. While those opposed to amending the Book of Discipline emphasize scripture and tradition, reformers point to the nearly century-long split in the Church over the issue of slavery, the decades of racial segregation that followed its reunification in 1939, and the delay in awarding full clerical rights to women. It took place in 1956, even though women had been leading churches for decades.

The Methodist Church, like most mainline churches, considers scripture indispensable, but not infallible. One of the reasons that recent years have held significant victories for gay rights within those churches is the continued reassessment of the seven scriptural mentions of homosexuality. In 2003, the Episcopal Church consecrated its first openly gay bishop; in 2005, the United Church of Christ became the first mainline denomination to support marriage equality with a general synod resolution; in 2009, the Evangelical Lutheran Church in America voted to allow the ordination of non-celibate gays and to write liturgies for the blessing of same-sex unions; and, in 2010, the Presbyterian Church (U.S.A.) did the same.

For many mainline Christians, the scriptural prohibitions against homosexuality, like those barring women from speaking in church, represent historical prejudices embedded in holy scriptures; studying the context of these passages renders them less prejudicial, and the discernment of the community guides how they are applied to the contemporary Church. One way of parsing American Christianity is through the division between evangelicals and ecumenists. Although the Methodist Church would seem to belong with the ecumenists, on the issue of homosexuality it remains aligned with evangelicals. The Methodist Church, which long ago shed a literal view of scripture, hasn’t joined the Congregationalists, Episcopalians, Lutherans, and Presbyterians in ordaining gay clergy and recognizing same-sex marriage.

Many expected the Methodists to change their position last summer at the General Conference, but reformers lost that vote, sixty-one per cent to thirty-nine per cent, a defeat they attributed to the changing demographics of the global Church, namely the growing influence of Methodist conferences in Africa and Asia. But that failure, Schaefer’s case, and the anticipated publicity surrounding Ogletree’s trial have only further emboldened reformers.

Ecclesiastical disobedience is on the rise: in November, more than thirty United Methodist clergy jointly blessed the wedding of two men at a church in Philadelphia to show their solidarity; in December, the Seattle district superintendent married two lesbian Methodist pastors in Washington; and thousands of United Methodist clergy around the country have declared publicly that they will officiate such weddings. There are almost as many clergy now facing charges for engaging in same-sex relationships and participating in same-sex weddings as have been brought to trial in the history of the United Methodist Church.

“It wasn’t my intention to encourage charges,” said the Reverend Steve Heiss, an upstate New York pastor awaiting trial. “But part of the strategy is overwhelming the Church with so many cases that they’ll have to do something.” Heiss blessed his own daughter’s same-sex union, in 2002, and when marriage equality became legal in New York, in 2011, he started presiding over more and more same-sex weddings. Heiss, like Creech, sees marriage as an essential part of ministry, so much so that he wrote to his bishop to describe the same-sex ceremonies he was officiating, and to ask for the bishop’s blessing. The blessing never came and, on June 27th of last year, he received a certified letter from his bishop informing him that a complaint had been filed. Heiss told me that his trial has been delayed because of the press surrounding Schaefer’s case.

Michael Klarman, a professor at Harvard Law School and the author of “From the Closet to the Altar: Courts, Backlash, and the Struggle for Same-Sex Marriage,” said that trials have been fundamental to the success of the gay-rights movement. “In general, court decisions are good at generating debate and producing backlash,” he told me. Klarman noted that there are pronounced differences between secular and ecclesiastical courts, but said that “even Church courts can produce focussed decisions with which people can agree or disagree.”

That may be why both sides seem so committed to judicial confrontation. Complainants want more clergy defrocked to discourage disobedience; gay-rights activists want more trials to rally public support to their cause. Having failed so many times to amend the Book of Discipline, reformers are hoping that these trials will force the Methodist Church to change. But the earliest that the Book of Discipline can be revised is 2016, when the church next convenes for a General Conference.

The next two years could be punctuated by trials unless a compromise is reached, but the Methodist Church’s polity doesn’t allow for the regional variations in doctrine that have helped to maintain unity in other denominations. “Methodists have been historically very reluctant to allow for local options on major issues,” Frank said. “Other Protestant denominations can compromise and let different presbyteries or conferences or synods do different things, but we’ve never been agreeable to those kinds of division.”

Unlike the long split within the Church over slavery, there are not clear regional divisions among Methodists on the issue of homosexuality. Conferences don’t agree, and even individual churches are divided. Schaefer has appealed his case to the Church’s Northeast jurisdiction, equivalent to an appellate court, which will likely rule this spring. The Judicial Council, equivalent to the denomination’s Supreme Court, is [scheduled to review](http://unitedmethodistreporter.com/2014/01/24/judicial-council-continue-deliberations-sexuality-issues-april/) several cases in April, involving an openly gay candidate for ministry, a bishop’s decision to allow a resolution in support of same-sex marriage to come to a vote, and spousal benefits for same-sex partners of Church employees.

A judicial solution is unlikely, but Frank argued that there is another way for the Church to avoid a schism. First, he said, bishops must decline to send these cases to trials, which have huge financial and administrative costs for the Church and the pastors. Last November, he [wrote an open letter](http://unitedmethodistreporter.com/2013/11/13/um-polity-expert-asks-council-bishops-stop-trials/) to the Council of Bishops arguing that bishops have the power to forgo the judicial process. While bishops cannot change the Book of Discipline, Frank contends that they are still bound to maintain the unity of the Church, which many fear is threatened by the continuation of these trials.

The denomination, Frank suggested, should take its own [position on reproductive choice](http://www.umc.org/site/c.lwL4KnN1LtH/b.2239163/k.A82E/Abortion_Overview.htm) as a guide. “There’s a classic, middle-of-the-road statement on abortion saying it may be necessary, but is a grave matter of Christian conscience,” he said. “The same thing could be worked out for the gay issue: we don’t have to defrock or throw out everybody who disagrees.”

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*Photograph of Frank Schaefer by Matt Rourke/AP.*