

SAME-SEX MARRIAGE IN THE RCA:
A Resource for Pastors & Consistories
July, 2011

Same-sex marriage is now legal in six states in the United States (Massachusetts, Connecticut, Iowa, New Hampshire, Vermont, New York) and in the District of Columbia, and it became legal in Canada in 2005. There are over 200 RCA congregations in New York State, another 100+ in Iowa, and 41 in Canada, which means that roughly one-third of the total congregations in the RCA are located in a state or province where same-sex marriage is legal—a reality that is increasingly on the minds of pastors, consistories and classes in the RCA.

In a desire to respond to the questions that have come our way on this subject, Room for All offers this document as a resource for consideration. This is NOT intended to be an official “policy statement,” although we should be clear that Room for All’s stated mission of full inclusion for LGBT persons in the RCA implies support for all those who wish to enter the covenant of marriage (see below).

As we approached various pastors and theologians throughout the denomination for their input on this resource, it quickly became clear that we would not come up with a one-size-fits-all statement. Responses vary from pastor to pastor, classis to classis. Therefore, we have decided to simply share various public statements and votes, along with individual questions and opinions (guarding the anonymity of those who have “unofficially” responded). We would encourage those seeking further counsel to discuss this matter fully with your Board of Elders and refer to your congregation’s already-existing marriage policies, keeping in mind the precedent (if any) of your classis.

As backdrop: The General Synod has considered the subject of homosexuality at various times since 1978. The Synod’s most recent (2009) statement is:

In 2009, the General Synod voted to "affirm the value of continued dialogue and discernment on the topic of homosexuality within the church, to state that [our dialogical and discerning work](#) is not done, and that legislative and judicial steps are not a preferred course of action at this time." The 2009 synod also asked the General Synod Council to monitor how the assemblies of the church are dealing with this issue and report back to the 2011 synod. Finally, the 2009 synod recommended that "officeholders and ministers avoid actions in violation of the policies of the earlier statements of General Synod on ordination and relevant state laws on marriage, with sensitivity to the pastoral needs of all involved."

For earlier General Synod statements on homosexuality, see <https://www.rca.org/sslpage.aspx?pid=501>.

FREQUENTLY ASKED QUESTIONS:

Q: Does Room for All advocate same-sex marriage for anyone who wants to be married in a Reformed Church?

We believe that Christ calls all persons to covenant relationships, based on mutual love, honor and faithfulness. When that loving relationship is expressed sexually, the same holds true for those who are biologically attracted to the opposite sex or to their own. The standard is covenant, not sexual orientation or gender identity. If a couple meets that standard and wants to commit to the sacred calling of living it out in Christian marriage, that is something not only to be affirmed, but celebrated, blessed and consecrated. However, RCA pastors and congregations already have certain guidelines and policies in place regarding requests for marriage in their church, and Room for All believes those standards should be applied to all couples, gay or straight, who seek to be married in that church.

Q: What might result if an ordained RCA pastor were to agree to perform a same-sex wedding in a state where such marriage is legal?

“All Ministers of Word and Sacrament installed by their classis vow to “accept the church's order and governance, submitting to ecclesiastical discipline should [they] become delinquent in either life or doctrine.” When becoming a member of that classis, a minister also promises “to submit... to the counsel and admonition of the classis, always ready, with gentleness and reverence, to give an account of [his or her] understanding of the Christian faith.” In the potential case of officiating at a same-gender wedding ceremony, someone could formally complain to the classis and the classis would then have to determine whether or not that action violated the vows of ministry or the policies of the denomination. In practice, individual classes might respond differently to such complaints.

General Synod Professors of Theology are under the care and supervision of the General Synod rather than a specific classis, and any complaints could be taken up by that body.”

Q: Am I required to seek permission from my classis beforehand?

“Ministers do not ask for permission from a classis to perform weddings. That, it seems to me is the purview of the Board of Elders. However, once an action taken, the classis can call the minister to account in whatever way it deems appropriate.”

Q. Would it make a difference if the wedding were performed somewhere other than in a Reformed Church sanctuary, or by a retired RCA pastor?

Response 1:

“In terms of the Minister’s accountability to the classis in which she or he serves, the location of the wedding would not make any difference. It might, however, be seen differently by a local Board of Elders. It is conceivable, but unlikely, that a Board of Elders would allow a minister to

officiate at a same-sex wedding which was not held in the church's sanctuary to avoid controversy in the congregation. That is, they might believe that the congregation would tolerate a minister performing a wedding off-site as an "act of conscience," but that the same wedding being performed in the sanctuary would be an explicit endorsement by the whole congregation. So, in terms of the Minister's discipline, it would make no difference. But in terms of the congregation's reaction, it might."

Response 2:

"If/when we are approached to perform a same-sex wedding, we intend to be welcoming and helpful, while not flagrantly antagonizing our classis. Our very unofficial idea would be to send them to one of our retired ministers who would likely officiate at some non-church place. Our thought was that Classis would be less likely to go after a retiree. And not being in our building also gives us a little cushion."

Q: What does the Book of Church order say?

Response 1:

"The RCA's *Book of Church Order* and the Constitutional Liturgies of the RCA (the "Order for Christian Marriage" is a pastoral liturgy and is not considered one of the RCA's "constitutional" liturgies) are silent on the participation or officiating by RCA Ministers of Word and Sacrament at marriage ceremonies for same-sex couples when this is legal in the eyes of the state. The Constitutional documents of the church also do not provide guidance for consistories regarding the use or prevention of use of church facilities for such services.

"Formulary #3, "Declaration for Ministers of Word and Sacrament" requires our ordained ministers to, "...promise to walk in the Spirit of Christ, in love and fellowship within the church, seeking the things that make for unity, purity, and peace." The Formulary goes on to state, "I will submit myself to the counsel and admonition of the classis, always ready, with gentleness and reverence, to give an account of my understanding of the Christian faith."

Response 2:

"I think that the [response above] is correct, on the one hand, in distinguishing between pastoral and constitutional liturgies, and in noting that the order for Christian marriage is a pastoral liturgy, in that it is not explicitly referenced in the BCO, and was not ratified by two-thirds of the classes. However, the BCO is a bit more ambiguous than [the response above] suggests, particularly in the *Declaration for Ministers*, where the minister states, "I will conduct the work of the church in an orderly way and according to the Liturgy and the *Book of Church Order*." It strikes me as something of a stretch to say that the order for Christian marriage is irrelevant to this promise, particularly when that liturgy makes multiple references to the union of a man and a woman, a groom and a bride.

"In light of this, I believe that it probably makes sense for ministers who have received requests to perform same-sex marriages to consult not only with their elders, but also with their classes, and to abide by the discernment of both their elders and the classis on this matter, even though this consultative practice is not explicitly stated or required in the BCO. Without classical support, such a practice would almost certainly go to trial, lose, and be appealed to the General

Synod, where the negative judgment probably would not be reversed, and where a backlash could also be expected. But with such classical support, I think ministers could function more freely, with at least some confidence that discipline against their action would probably be acquitted by the classis, leading to a heavier burden at the higher judicatories of proving "manifest injustice" in the acquittal, in the case of an appeal or complaint against the classis' action.

“I think that honoring the collegial character of the classis is a fairly important piece of advice in navigating these complex waters, even if it means that change happens more slowly.

Response 3:

“There is a great deal of wisdom in [Response 2]. I believe pastors should never practice ahead of their elders. It's not a privilege we have in our Reformed ecclesiology.

“As to practicing ahead of our classes, that's tougher. Once again, if possible, better not, but I don't think the same constraint holds. If a pastor is at risk with his or her classis, he or she must first take care to have the full support of his or her elders. We decided at [church name] that all marriages which I perform, yes, ALL of them, must be approved by the Board of Elders, and that I do them on behalf of the Elders, so that if I am charged, the whole Board of Elders must be charged by my classis. I'm in a classis which is unlikely to charge me, even though the majority of its members do not support same-sex marriage; it's not the culture of our classis, except perhaps for one of our pastors who came from a different denomination.

“One has to weigh, in one's own area of responsibility, the relative values of ministry to a couple on one hand, and the peace, unity, and harmony of the denomination on the other. The latter is by no means an absolute value. A pastor, after much wrestling, prayer, and fasting, might be willing to risk the latter for real pastoral reasons.

“Despite the wisdom of what [Response 2] says, I'm not convinced about consulting with the classis. I'm not sure how practical this is. I don't think classes are entitled to give those kinds of preliminary permissions for particular pastoral acts.

“The risk should never be taken in order to make a point. It should never be for the reason that the RCA pastor wants to be "known." This, it seems to me, is exactly wrong for a Reformed pastor. That attitude makes it about the pastor and the issue, not the couple and the covenant.

“I can imagine an RCA pastor, in an “unsafe” classis, explaining the issue to the couple, encouraging the couple to get the legal marriage done by a civic official, and then blessing the marriage liturgically in church. There is no theological reason not to do this: it's what is done in the Netherlands and Germany as a matter of course.”

Response 4 (with quotes from the BCO):

“First, if someone were to attempt to bring an action, what would that action be? It would need to be a complaint -- "a written statement alleging that an action or decision of an assembly or its officer has violated or failed to comply with the Constitution of the Reformed Church in

America or other laws and regulations of the church." That last bit is key. I understand that the marriage liturgy is not properly 'constitutional,' but one could easily (I think) make the case that the General Synod ruling following 2005 constitutes a 'regulation' of the church. (Perhaps not a law, but a regulation is a lower bar.)

“Next question: But who has 'legal standing' to bring an action? Well, not "a member in good and regular standing against the consistory or board of elders." It could come from "one or more members of an assembly against that assembly of which they are members." Or it could come from a Consistory -- i.e., "an assembly against that assembly having immediate superintendence over it."

“Now -- keep reading the BCO -- just because someone complains that doesn't mean the assembly can't proceed. (It may not be wise to proceed, but I'm not talking about wisdom, but about whether it's possible.) The action can only be suspended if within 30 days one-third of the classis members who were present when the action was taken file a request for suspension. Just a word of caution here. It's very, very important, if this happens, to certify the presence of persons who were, or were not, present. (Did they take a count of the vote?) Be very careful about this; ANY clerk could use help from outside to figure out how to proceed.

Q: Recently the Classis of New York unanimously passed the following recommendation:

The Classis of New York counsel its ministers of Word and Sacrament to consult with their board of elders for the purpose of establishing clear and consistent guidelines for determining if and when the minister may participate in and/or officiate at marriages; and further, the Classis of New York counsel its ministers of Word and Sacrament to use the same criteria for determining whether or not to officiate at **marriages** for all persons who may make such requests. (Adopted Unanimously)

What are some implications of this?

Response 1:

“This action by the NY Classis may have been wise. Or it may not have. I know the perpetual struggle that goes something like "if we make a big cause of this, are we apt to win a battle but lose a war"? ... It's really hard to know where to pick battles... Is the action of NY Classis "actionable?" My opinion, for what it's worth is, probably, yes.

“Why is it not possible for a minister to simply perform marriages, consulting with elders, and not even have to have a classis action? I get the need for the action. But anything on record always involves a measure of peril.”

Response 2:

COLLEGIATE CONSISTORY RESOLUTION - JULY 11, 2001

Whereas the Classis of New York, at its regular meeting held on Tuesday, June 28, 2011, counseled its Ministers of Word and Sacrament to consult with their board of elders for the purpose of establishing clear and consistent guidelines for determining if and when the minister

may participate in and/or officiate at same-sex marriages; and further, that the Classis of New York counseled its Ministers of Word and Sacrament to use the same criteria for determining whether or not to officiate at marriages for all persons who may make such requests, therefore be it resolved:

1. That our facilities will be made available for the purpose of conducting marriages for all persons, including same-sex couples;
2. That our Ministers of Word and Sacrament are, by this action, freed from any and all restrictions to participate in or officiate over the marriage of same-sex couples;
3. That policies established by each local governing board (consistory) to prepare persons for marriage and to conduct wedding ceremonies shall be applied consistently to all persons, including same-sex couples.

We are grateful to the Classis of New York for the counsel it has offered. We understand and affirm the intent of the Classis to charge consistories, over which it has supervisory authority, with the responsibility to establish policies and practices that are in keeping with the various understandings regarding same-sex marriage.

Q: What are some resources you can suggest?

A Time to Embrace by William Stacy Johnson

What God has Joined Together: The Christian Case for Gay Marriage by David Myers and Letha Scanzoni.

SEE ALSO: <http://www.welcomingresources.org/marriage.xml>