



The Episcopal Diocese of Vermont

August 24, 2009

A Pastoral Letter to Clergy in the Episcopal Diocese of Vermont

Dear clergy colleagues:

Beginning September 1, 2009 the new Vermont law providing marriage equality for all couples goes into effect. The purpose of this rather lengthy letter is to address the changing realities this new law brings into the context of our pastoral ministry here in Vermont, as well as in our relationships within the larger Episcopal Church and with the Anglican Communion. I will first explore some of the history that is part of our Vermont experience, then move to some thoughts about events in The Episcopal Church, including the recently completed 76th General Convention. I'll then follow upon that with a discussion of key points emerging from the recent conversations many of you attended, and finally offer some thoughts and guidance for our ongoing pastoral ministry here in Vermont. Throughout the letter I try to offer some of my own personal thoughts, insights, questions, concerns and struggles in an effort to share my thought process with you in a more substantial way.

Our Vermont Experience

Over the last year, I supported the process toward marriage equality legislation in Vermont, through my testimony before the House and Senate Judiciary Committees and in many private conversations. I think it is a fair, good and just thing that Vermont has taken this step toward full marriage equality. While limitations to full marriage equality at the Federal level continue, this is nonetheless an important step forward.

After passage of the Civil Union law in 2000, many clergy in the Episcopal Diocese of Vermont began officiating at civil unions, signing the civil union license, and blessing the committed relationship of couples joined in civil union. Prior to 2000, many clergy offered pastoral ministry to gay and lesbian couples seeking God's blessing. All this was done with the knowledge and pastoral support of the bishop. No member of the clergy was required to officiate at a civil union ceremony or offer a blessing to persons living in committed same gender relationships. Many congregations used the time around the civil union debate and subsequent legislation to lead congregational study and discussion groups on the subject of human sexuality, committed same-gender relationships, and marriage equality.

The new law identifies clergy as among those eligible to solemnize marriages in the State of Vermont. This is not a change from the previous law. The change in the new law is that marriage licenses are now issued to gay and lesbian couples, as well as to straight couples. Civil Union licenses will no longer be issued after September 1st. Couples previously joined in civil union who choose to be married will need to execute a Vermont marriage license.

In 2004, a task force I commissioned issued its *Task Force Report on the Blessing of Persons Living in Same-Gender Relationships*. I accepted the recommendations of the Task Force and in consultation with the Standing Committee and Diocesan Council I implemented an expanded policy on Holy Matrimony and Holy Union for the Diocese of Vermont. The report also provided additional theological and liturgical resources to the clergy and people of our diocese. Fundamental to these changes was the recognition of the key role played by clergy in the exercise of their pastoral ministry, as well as an acknowledgment that the Diocese of Vermont was leading and encouraging The Episcopal Church to welcome and include all our members in the full pastoral and sacramental life of our Church. My hope, desire and expectation were that clergy would exercise a generous pastoral response to gay and lesbian couples who longed for a sign of God's blessing and the church's pastoral ministry in support of their committed relationships, and thankfully that has proved to be the case. There were and continue to be some in our diocese who do not fully support this dimension of our pastoral and liturgical ministry, and good faith efforts have been and continue to be made to respect the theological, liturgical, ecclesial and sociological positions of those who hold different convictions.

The Episcopal Church and the Anglican Communion

These past eight years have also been marked by a growing awareness and support for the fuller inclusion of gay and lesbian persons in the life of The Episcopal Church. Significant events, like the election, consent and consecration of Bishop Gene Robinson, several strong and affirming General Convention resolutions (including D039 in 2000 and C051 in 2003), more and more bishops and dioceses recognizing, affirming and offering blessings to gay and lesbian persons living in committed, lifelong relationships, the passage of many more legal protections for gay and lesbian persons, and the increase in the number of states making provision for civil unions, civil marriage equality and domestic partnerships, have all contributed to a changing climate within society and within our Church.

This shift has not been universally welcomed nor tolerated, and sadly we have witnessed the departure of many faithful Episcopalians and an increase in strained relationships among bishops, dioceses and congregations in The Episcopal Church and within the Anglican Communion. Vermont has not been exempt from these challenges, although gratefully we have not experienced them to the extent other dioceses have. I think the good pastoral work of our clergy, the knowledgeable commitment of lay leaders and the positive witness and contribution of our gay and lesbian members have all contributed to a good and respectful spirit among most in our diocese.

The prevailing value for me in all the conversations related to the question of blessing persons living in committed, same gender relationships is the value of equality. I believe this is a gospel value, a justice value, a pastoral value and a value that needs to be at the heart of our mission and evangelism as a church. Offering all members full and equal access to the pastoral and liturgical ministry of the church, as well as to all aspects of governance and leadership in the church, is a practice consonant with the promises of the Baptismal Covenant. If, as we proclaim, “*Holy Baptism is full initiation by water and the Holy Spirit into Christ’s Body, the Church*” (BCP p. 298), then it is the door into full and equal participation in the life of that Body.

The decisions of the 76th General Convention this past July demonstrate a continuing recognition of that theological belief and of our respect for the ongoing and significant contributions of our gay and lesbian members to the life of The Episcopal Church. Two key resolutions express our willingness to take thoughtful and deliberative action that may, and I hope will, afford all our members equal access to the full pastoral and sacramental life of our Church. The two resolutions are D025, *Commitment and Witness to Anglican Communion*, and C056 *Liturgies for Blessing*.

The first of these is a statement regarding the current reality with respect to the mission and polity of The Episcopal Church. It affirms the commitment of The Episcopal Church as a constituent member of the Anglican Communion. It recognizes that the baptized membership of The Episcopal Church includes same-sex couples living in lifelong committed relationships “*characterized by fidelity, monogamy, mutual affection and respect, careful, honest communication, and the holy love which enables those in such relationships to see in each other the image of God*” (2000-D039), and understands that such persons have “*responded to God’s call and have exercised various ministries in and on behalf of God’s One, Holy, Catholic and Apostolic Church and are currently doing so in our midst.*”

The second resolution acknowledges the changing circumstances related to marriage equality in places like Vermont, and recognizes that these changing circumstances “*call forth a renewed pastoral response from this Church, and for an open process for the consideration of theological and liturgical resources for the blessing of same gender relationships.*” C056 directs “*the Standing Commission on Liturgy and Music, in consultation with the House of Bishops, [to] collect and develop theological and liturgical resources, and report to the 77th General Convention.*” The resolution expresses the conviction that General Convention honor the theological diversity of this Church in regard to matters of human sexuality, and states that “*bishops, particularly those in dioceses within civil jurisdictions where same-gender marriage, civil unions, or domestic partnerships are legal, may provide generous pastoral response to meet the needs of members of this Church.*”

Conversations with lay leaders, clergy and bishops

Prior to General Convention I talked with many lay and clergy leaders in our diocese, as well as other bishops serving in dioceses where the civil jurisdiction makes provision for marriage equality. These conversations were extremely helpful and they served me well during the various debates and crafting of legislation in Anaheim. Since returning from General Convention I have continued those conversations with bishops and with many in our diocese, by phone, letter, email, and in person. I provided four opportunities for clergy to gather in order to talk with me about their ongoing pastoral ministry with all our members, but in particular with gay and lesbian couples who express a desire to be married in their local Episcopal Church. Thirty-five of you participated. Those conversations were animated and quite helpful to me.

I want to identify six of the most frequent and pressing themes from those conversations that call for our continued attention and discourse.

1. The question of whether the church should be involved in the civil marriage process:

Many frame the question as, “should the Episcopal Church even be in the marriage business?” That is a huge question and not without its own canonical and pastoral complexities. It raises for me and many others further questions about the need for more and better education about marriage and matrimony; the church’s historic and current role in civil marriage; the nature and meaning of blessing in relationship to persons living in committed, life-long unions (whatever name we give them); the biblical and theological understanding of marriage and how that has been and continues to be shaped by cultural realities; and the list of topics could go on for a long time.

2. The sense that many if not most couples who come to the church for Marriage, Civil Unions, or a Blessing of their committed life-long relationship do not distinguish between the role of the priest as an agent of the state and the priest as a religious leader:

Some question why it is only now, as gay and lesbian couples are able to be married legally in some states and come to the church for that ministry, that we think it is time to “get out of the marriage business.” Others would see marriage equality and the very questioning of the Church’s role in marriage as simultaneous and parallel theological developments only made permissible by the end of Christendom and its constraints; of the Church now redefining itself in a post-Christendom milieu. The testimony of pastors is that most couples (gay and straight) who come to them want their lives and relationships to be grounded in an experience of grace, blessing and community. Of course there will always be those (straight and gay) who come to our churches for a “lovely church wedding,” but the discernment about moving forward with such weddings is always in the hands of the local priest.

3. The suggestion that we find ways to limit the role of clergy to the religious portions of the marriage service for gay, lesbian and straight couples alike.

In these scenarios (and there are many variations on the theme) a Justice of the Peace, other Civil Magistrate, or a person duly authorized by the state officiates at the solemnization of the marriage and signs the civil marriage certificate. Then the “religious” portion of the service continues with the priest officiating, blessing the persons in their relationship, and celebrating the Holy Eucharist. Some see this as a viable option to be explored with all couples as part of their pre-marital preparation. Others would “require” the practice only for gay and lesbian couples until the canons of our church are changed. Some would make this the local or diocesan “policy” for all couples. Some view this as an opportunity to deepen our experience and practice of baptismal ministry by involving congregational teams of lay and ordained ministers in premarital preparation and in the liturgy for all couples, and thus move beyond thinking about the church’s pastoral ministry with couples as exclusively the ministry of the ordained. Clearly this topic has energy and interest among many members of the clergy and the various options provide clergy with choices as they seek to define and fulfill their pastoral role in officiating at marriages.

4. The idea that if clergy cannot or do not sign civil marriage license for gay and lesbian couples that it represents a step backwards and is not a very generous pastoral response:

This idea is especially important to many in light of the reality that many clergy in Vermont have been signing civil union licenses for nine years. This sentiment is generally coupled with an understanding that, in a de facto way, we already view and treat civil unions as fully equivalent to marriage. This observation is supported by the provisions outlined in our current diocesan policies on Holy Matrimony and Holy Union, which create a parallel structure and provide pastoral and liturgical resources accordingly. Some maintain that while we have a parallel structure in terms of our diocesan policies and procedures that it does not follow that civil union is the equivalent of marriage. If they were there would be no need to change the marriage law.

5. The understanding that *The Constitution and Canons of The Episcopal Church* and *The Book of Common Prayer* refer to marriage as between a man and a woman, and therefore to officiate at the marriage of a same gender couple is to violate the “teaching” and “tradition” of the church as set forth in the canons and prayer book:

Some see this inconsistency between the canons of our church and the law in the State of Vermont as reason enough for clergy to restrict their involvement in marriage services for same gender couples to a blessing of the couple and their relationship. The decision not to officiate at marriages (and not sign civil marriage licenses) of same gender couples would, for them, remain until the General Convention acts to amend the canons, or

adopts some other clear provision. Some see this tension between church and state law as reason enough to restrict all clergy involvement whatsoever in the marriage of same gender couples. Others acknowledge and respect the wording of the church's canons, and yet point to the reality that the authors of those words did not envision the expanded understanding of civil marriage to gay and lesbian couples that is now legal in several states. Many see the language of Resolution C056 and its provision that "*bishops particularly those in dioceses within civil jurisdictions where same-gender marriage, civil unions, or domestic partnerships are legal, may provide generous pastoral response to meet the needs of members of this Church*" as addressing this conundrum in a loving, albeit ambiguous way.

6. The importance of seeing our ministry here in Vermont in the context of the larger ministry of The Episcopal Church and the Anglican Communion.

Many are convinced that the trajectory towards full inclusion of gay and lesbian persons in the life and ministry of the Episcopal Church is well established. For them the question is not "if" but "when" we will experience this reality in a way that legislative initiatives are no longer needed. Others are not as firmly convinced of this reality. To my way of thinking, The Episcopal Church clearly stated its desire and intention to support and remain part of the Anglican Communion of churches as a full and equal member at this past General Convention. And yet, many in our own church and in other parts of the Anglican Communion appear to judge the sincerity and veracity of that claim primarily on the basis of our policies and practices towards our gay and lesbian members. This is especially true with respect to the policies and practices of bishops. My criteria for determining our commitment to the Anglican Communion rests in our mission partnerships and our desire to be in communion and in gospel relationship with others around the world. In Vermont those relationships are many and they are life giving to us and to our partners in mission.

As we move forward in our ministry here in Vermont, both in anticipation of a change in the marriage laws of our state and in response to the actions of General Convention, there are some practical considerations as well as some more complex realities that have a bearing on our pastoral ministry with our members and with those who come to the Episcopal Church seeking a spiritual community and deeper relationship with God. I will address some of the practical realities below, but first a word about the complexity of all this for me.

The question I have struggled with most in all of this is not whether gay and lesbian couples should be allowed to marry, or whether the church should extend the full range of pastoral and liturgical ministry equally to all its members, or whether the blessing of gay and lesbian persons living in committed life-long relationships should be part of that ministry, or whether our experience in this diocese over the last decade has contributed in a positive way toward the full

inclusion of gay and lesbian persons in the life and ministry of The Episcopal Church. In my head and heart the answer to all those questions is a firm and convincing yes.

The question I struggle with in this current time and circumstance is whether we should insist on a strict interpretation of the canons or recognize the changing pastoral reality on the ground and provide for a generous pastoral response consistent with our diocesan policies and practices over the past decade? Some have framed this as a “law versus spirit” argument, but the more I have considered it through prayer, study and conversation the more I am convinced that that is a false choice - just like the choice between the full inclusion of GLBT persons in the life and ministry of the Church *or* The Episcopal Church’s full membership and participation in the Anglican Communion is a false choice. I am persuaded that we can both respect the canons of our Church and provide a generous pastoral response at the local level, provided that we do so with a spirit that does not judge one another on the basis of the way each of us determines to be the best way forward in the context of our diocese and the local congregations where we are called to serve.

Guidance for pastoral ministry in Vermont

In my judgment, it is not appropriate given the current realities and changing circumstances in Vermont and beyond to apply a strict canonical interpretation in the case of those clergy whose pastoral ministry includes officiating at the marriage of a same gender couple. I acknowledge that others, including other bishops, may well hold a different view and I remain open to conversations about this. For me, one’s intention in the exercise of one’s pastoral ministry matters. If the intention is simply to ignore or defy the *Constitution and Canons of The Episcopal Church* and the provisions of *The Book of Common Prayer* in order to make a point, or do what one wants, then that is not acceptable to me. On the other hand, offering a generous pastoral response to members of the Body of Christ among whom we minister in a circumstance not currently envisioned by the canons or prayer book, and which is consistent with the recent pastoral practices in this diocese and elsewhere, carries a different, and in my judgment, a more suitable intention.

Practically speaking, what this means is that each member of the clergy canonically resident in the Diocese of Vermont will need to determine for himself or herself an appropriate pastoral response to same gender couples who present themselves for marriage. [Clergy canonically resident in other dioceses and licensed to officiate in Vermont should consult with their diocesan bishop for any other guidelines.] I say this not to avoid issuing a blanket policy, but rather out of respect for the different contexts in which each of you serves and the different theological and ecclesial convictions each of you may hold. I deeply respect and value the integrity of differing theological and ecclesial perspectives held by members of the clergy among whom I am humbled and honored to serve as bishop. I hope you also respect and value the integrity of those different convictions among yourselves as colleagues. I hope that those among you who are not willing or able to bless or officiate at marriages of same gender couples will seek out among your colleagues one who can minister to any couple who comes to you with such a request. I hope that

those among you whose ministry includes a full and satisfying pastoral relationship with gay and lesbian couples, who seek the church's blessing on their lives and relationships, will take time to listen to your colleagues who are not in that same place.

Because of the nature of my role as bishop, and various sensitivities current within The Episcopal Church and Anglican Communion, I am choosing for myself, and for the time being, to refrain from solemnizing the civil marriage of any couple. I will gladly participate in the liturgy of any priest or deacon who invites me to preside at the Eucharist and offer a blessing in conjunction with their civil marriage. While this does impose a limitation upon my pastoral ministry, especially my ministry to clergy and clergy families, I feel it is important to do so at this time for the sake of my relationship with other bishops.

In terms of other practicalities, I encourage each of you, especially those involved in congregational ministries, to invite conversation about this with your Vestry and members of the congregation you serve. I remind you that you have full pastoral and legal authorization to decline to solemnize any marriage. I also remind you that it is wise to keep congregational leaders and members informed about your pastoral practices and policies and to welcome their feedback. Some have found that working collaboratively with congregational leaders to develop clear marriage policies is a helpful exercise. I also invite you into conversation with one another about the exercise of your pastoral ministry, especially with regard to marriage. Explore some of the ideas expressed in other parts of this letter that have to do with ways to approach marriage in your local faith community. I hope that to the fullest extent possible your pastoral ministry will be offered in equal measure to all among those whom you serve. When for some reason that is not the case, I ask that you share your thinking with members of the congregation.

From a diocesan perspective, my expectation is that you will continue your good practices of conducting meaningful premarital preparation with all couples. It is my expectation that you will file full and complete petitions for remarriage after divorce (or dissolution of a civil union) for all persons who have previously been divorced, or whose civil union has been dissolved. I do not expect you to resubmit petitions for situations that I have previously acted on involving a Civil Union, when the same couple is now planning to be married. I am also asking that you keep me informed of your pastoral approach and experience during the coming year, so that I can report with some accuracy to the House of Bishops our experience with marriage equality. I will devise a mechanism for you to use in order to follow through on this request.

In terms of liturgy, I remind you that The Episcopal Church has not authorized any liturgy for the marriage or blessing of same gender couples and that only General Convention is empowered to do so. I direct that for now you not use the marriage liturgy in *The Book of Common Prayer* for same gender couples, but rather use the liturgical resources provided in the 2004 *Task Force Report on the Blessing of Persons Living in Same-Gender Relationships*, which you can access through the diocesan web site, or which you can request from the diocesan office. As before, these additional liturgical resources may also be used with opposite gender couples. I recognize

that these liturgical resources need some editing in order to be more appropriate for the current circumstance of marriage equality in Vermont. I have invited members of the original Task Force to work on that. Until they complete their assignment, I ask that you carefully work through and edit these liturgies in order to provide appropriate expressions of intention and meaning with any couples with whom you use them. I note that the word union is a word applicable to both same gender and opposite gender couples. It appears in these liturgical resources as well as in the BCP marriage liturgy. I also note that spouse is perhaps a better term than partner. I welcome any thoughts, suggestions, and ideas for improvement related to these liturgical resources, or the sharing of other resources you have seen or used with same gender couples.

I am also pleased to let you know that I was recently appointed by the Presiding Bishop to a term on the Standing Commission for Liturgy and Music. That means that our experience here in Vermont will have a direct link to the important work General Convention assigned to this Commission during the current triennium. Please pray for the work of this Commission.

Some have raised a valid concern regarding the signing of the Declaration of Intention, required by Canon 18.3. Obviously, a same gender couple is not going to sign this declaration, so you may continue to use the one provided in the Task Force Report for Holy Unions, while we ponder the question further. For opposite gender couples who take exception to signing the Declaration of Intention, I would suggest that you also use the alternative one with them. Again, I don't want to get caught up in a "law versus spirit" debate, but rather call upon your pastoral sensibilities and good judgment to work through some of these questions.

I recognize that this is a very long correspondence and I appreciate your time and attention to what I have written. I felt it was important to try and present you with some of my thinking and approach in all of this and to raise some ideas for us to talk about more in the weeks and months ahead. While you may or may not find it fully satisfying with regard to all your questions and concerns, I do hope it is a helpful beginning point and guide to you as you determine the best way to provide good and effective pastoral care to those you are called to serve. I deeply value the experience and wisdom that is among us as clergy colleagues. I'm sure there is much more to say and that we will continue in lively conversation as we move into the reality of a new marriage law in Vermont in a couple of weeks. I will certainly be available to talk with anyone at more length about all this when I return from vacation. Ann and I will be away from August 23rd to September 15th. You can also email me with any responses, thoughts, ideas, concerns or questions raised by this letter.

Thank you for your faithfulness in ministry.

Faithfully,

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