

# Something to Talk About – A conversation guide for church leaders

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## Same-Sex Marriage – what should we leaders do now?

*Note: This is one of a series of articles intended to facilitate and guide church leaders' conversations about significant issues that often are not talked about among pastors, boards, and church leadership teams.*

*Prior articles can be found at [www.efcawest.org](http://www.efcawest.org). Click on the Church Leadership tab to get to the archive.*

Since the US Supreme Court's recent decision on June 26, 2015, regarding same-sex marriage, EFCA and EFCA West have received many inquiries from church pastors and leaders seeking advice on how they should respond and might be able to avoid litigation while still adhering to their convictions that, according to the Bible, marriage is between a man and a woman and does not include same-sex unions. Obviously, this is something to talk about.

What follows is not legal advice – I am not an attorney. Rather, it is offered as practical advice for EFCA church leaders to consider as they tackle this important issue. As always, I encourage church leaders to contact their insurance agent and/or attorney prior to making any significant changes to existing policies and practices in areas of potential liability because laws and circumstances vary from place to place.

This article is not a theological treatise on marriage – there are plenty of other articles that serve this purpose. The intent of this article is to give church leaders practical options to consider as they discuss what they believe they should do next regarding this topic. The EFCA does not tell churches what to do in matters such as this. Rather, we seek to equip and coach leaders to help them make wise decisions for the congregations entrusted to their oversight.

Before starting, we should remind ourselves that this is a recent Supreme Court decision, and that it was a 5-4 decision from a sharply divided court. As with every Supreme Court decision, it started as litigation and it will result in future litigation. Supreme Court decisions are never the final decision on any topic – they *always* leave unanswered some question(s) that will arise as people attempt to either live with the decision or to defy it. Those unanswered questions eventually result in new litigation which results in new decisions.

If we are looking for a bullet-proof way to keep from being sued, we need to remember that, in general, anyone can sue anybody for anything at any time. Whether the plaintiff's case wins, loses, or even makes it to court is another story, but we do read about nuisance and frivolous lawsuits quite frequently. We don't want to needlessly or recklessly expose our congregations to litigation, but we cannot build an impenetrable shield against it.

To date, the courts have been consistent in NOT telling churches what they have to believe and how to behave in accordance with those beliefs, but there have been suits where businesses/schools run by

Christians have been told that they cannot discriminate against protected classes of people in their business dealings despite their religious beliefs. If you are interested in these cases, I encourage you to read the actual case or a comprehensive legal briefing on the case rather than short magazine, newspaper, or Internet articles which often leave out key legal issues and rulings.

Seasoned airline pilots have flown and landed aircraft hundreds and thousands of times. Yet, they still use a checklist for takeoffs and landings, and those of us seated behind the cockpit take comfort that they do so. Pilots know that if they don't review their checklists every time, they run the risk of missing something important with potentially catastrophic results. Church leaders should do the same when making significant decisions. Yet, we are often tempted to move ahead to decision-making and action before we've created or consulted a checklist to ensure that we don't miss something important. So, what follows is a sort of a checklist of things to do and not to do and things for you and your leadership team to consider as you talk about what, if anything, your local church should do in response to this decision. The idea is for the leadership team to process through the items on the checklist before deciding what if any actions they will take. Those who follow our leadership will take comfort in our having **doing** so.

### Things to do and not to do:

- Do start with Scripture, not culture or history, and by praying, not posturing.
- Do talk about this issue.
- Don't be quick to follow advice from the Internet or from someone who read something on the Internet.
- Do verify everything you "learn" through the Internet before making any decision based upon it and before you pass it on. Don't trust the Internet – verify. This is especially true if what you read has an incredulous, angry, or "rally the troops against this" tone.
- Do contact your attorney and insurance agent before implementing changes to your governance documents or long-standing practices or policies.
- Do be willing to change practices if needed.
- Don't change practices just to do something.
- Don't do something because you heard someone else did it.
- Do understand the WHY behind whatever someone else did that you are considering emulating.
- Do float an early draft of any potential policy or governance document changes to EFCA West staff for their review and comment prior to getting too far into your process. It is important to get and understand the perspective of others who are of like faith and understand the issue, but who are not so close to your situation as to not see potential difficulties. This is a service we provide to EFCA churches.
- Do read the insights and opinions of people you trust and process them as you make decisions.
- Don't forget that sin is the enemy to be defeated and that sinners are people who need to be saved by grace, and act accordingly.
- Don't be quick to answer questions from congregants or others. Before answering, seek to understand why that question is being asked. Oftentimes, in order to wisely shepherd a member of God's flock under our oversight, the why of such a question is more important than the what.
- Don't make decisions as to who you will marry and who you will not marry based upon circumstances of the moment; rather, make those decisions based upon your fundamental beliefs of what God wants us to do based upon Scripture. Then, stick to those beliefs.

- Don't do nothing. Do something. Either decide that what you are currently doing is the wise thing to do, or decide to do something else. Don't passively wait for future circumstances to make these decisions for you.

### Things to consider:

- Why did churches start marrying people in the first place? Is this required or even mentioned in Scripture? Why do you do weddings today?
- Do we as leaders have a clear and concise understanding of what we believe the Bible teaches and requires regarding marriage?
  - If not, consider crafting one so that the entire leadership team is on the same page regarding their understanding of this issue and can speak to it with unity. In general, brevity is preferred over lengthy comprehensiveness. Answer the big questions.
  - Does the congregation understand what the Bible teaches and requires regarding marriage?
  - Do we understand the arguments of those on the "other side" of the issue sufficiently to know why we disagree with them?
- If our church does weddings, do we do so in a way that it could reasonably be considered by others, including courts or government agencies, to be a business or is it clearly an extension of our religious beliefs and practices for church attenders, members, or others who come to our church to be guided by and obedient to Scripture?
  - Do we rent or hire out our facilities and services much the same as would a baker, caterer or photographer? Do we offer these services to the general public? Do we make a "profit?"
  - Do our practices related to hosting and officiating weddings strongly correlate to the church's Biblical mission, vision and values?
- How will we respond to a same-sex couple who comes to our church and one or both partners come to faith in Jesus Christ? How would we be disciple-makers? Would the presence of young children in this now-legal marriage complicate this? Is this sin any different from other sins that new followers of Jesus Christ must learn about and struggle against?
- Is there a way that the church family can celebrate and support a new Biblical marriage without violating our understanding of Scripture and without legally acting as an agent of the state to pronounce them "husband and wife"? What would that look like?
- If we decide to continue marrying only heterosexual couples from the community as we've always done, will our insurance policy cover us for legal costs from a lawsuit by a same-sex couple seeking equal services?

EFCA has several documents on this topic on their Website which can be accessed by this link:

<http://go.efca.org/resources/document/efca-response-supreme-court-ruling>

These articles and documents should be used to prod your thinking and broaden your understanding. Use them in your conversations, but don't just copy them. Be thoughtful.

This is neither a simple issue nor one that is amenable to quick solutions. Take the time to do your research and talk it through with the leadership team before taking action.

Above all, let's remember that the church's purpose is not to marry people, but to proclaim the good news of the risen Christ to a lost and dying world.

That's something to talk about.

*Let us know how your conversation goes. Contact Bob Osborne by e-mail at [bob.osborne@efca.org](mailto:bob.osborne@efca.org).*