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Dell stands firm on same-sex unions

By Linda Bloom and Tim Tanton*

DOWNERS GROVE, Ill. (UMNS) – Despite impending suspension, the Rev. Greg Dell has declared that signing a pledge to no longer perform same-sex union ceremonies would be a "violation" of his ministry.

The United Methodist pastor's comment came after a 13-member jury of his peers found him guilty of conducting such a ceremony last September and decided that he should be suspended on July 1 until he signed a pledge or until the church no longer prohibited the action. Retired Bishop Jack Tuell, who presided over the trial, later amended the date to July 5 to allow Dell to perform a July 3 wedding ceremony.

The penalty was handed down late on March 26, after two long days of testimony and deliberation in the sanctuary of First United Methodist Church. Dell, who is pastor of Broadway United Methodist Church in Chicago, was convicted of a single charge of "disobedience to the Order and Discipline of the United Methodist Church." He said he will consider an appeal.

In a press conference immediately following the trial's conclusion, Dell predicted the decision will bring "an incredible amount of pain for an incredible amount of people way beyond my family," referring in particular to gay and lesbian United Methodists who have felt less than full acceptance by the church.

"When one hurts, all hurt in the body of Christ," noted Bishop Joseph Sprague of the church's Chicago Area. Given the division within the church on the issue of same-sex union ceremonies, "quite obviously, there was no decision that could have been made to please everyone."

Despite the verdict, the bishop declared that he continues to consider Dell "an exemplary pastor whose record of faithfulness is, in my opinion, beyond reproach."

Sprague, who filed the charge, said he had hoped to frame it in a way to provide a "teachable moment" for the church. While he believes that occurred, he added that the trial also has shown the world "the box we have put ourselves into in this denomination."

He deplored the amount of time, energy and money spent on the trial process and wondered aloud how many of the poor could have been fed with the \$75,000 to \$100,000 spent by the Northern Illinois United Methodist Annual (Regional) Conference.

"I have an idea that God isn't smiling tonight," Sprague said.

The Rev. Stephen Williams, who prosecuted the case for the conference, had asked the trial court for the most severe penalty available -- revocation of ordination -- but said he considered the suspension to be sufficient. "My hope was that Greg would reconsider his position," he added.

"It was sheer genius on the trial court's part to come up with such a Solomon-like penalty," he told United Methodist News Service. "He has three months of grace to think it over."

Williams, pastor of First United Methodist Church in Franklin Park, believes the trial's outcome sends a "clear signal" and sets a precedent for other conferences. "The church has spoken wisely and well and with great discernment," he said.

During the trial, Williams based his case along legal grounds, saying that Dell had explicitly violated Paragraph 65c in the United Methodist Book of Discipline which states: "Ceremonies that celebrate homosexual unions shall not be conducted by our ministers and shall not be conducted in our churches."

Another pastor, the Rev. Jimmy Creech of Omaha, Neb., had been found not guilty of such a violation the previous year after he argued that the placement of the prohibition in the Social Principles made it advisory, not mandatory.

But when asked later for a decision, the denomination's highest court, the Judicial Council, declared that Paragraph 65c did have the effect of church law and "governs the conduct of the ministerial office." The council's August decision also said that violation of 65c "renders a pastor liable to a charge of disobedience to the order and discipline of the United Methodist Church under Paragraph 2624 of the Discipline."

Williams charged, and Dell agreed, that despite the ruling a month earlier, the pastor had performed the Sept. 19 union ceremony between Keith Eccarius and Karl Reinhardt at Broadway United Methodist Church. Along with disregarding the authority of the United Methodist General Conference, the denomination's highest legislative body, Dell ignored the decision of its highest court, the church counsel said.

Williams also accused the pastor of failing the order of elders and pointed to Paragraph 311 in the Discipline, which calls the order a "covenant community within the church to mutually support, care for and hold accountable its members for the sake of the life and mission of the church."

The Rev. Larry Pickens, an attorney and pastor of Maple Park United Methodist Church in Chicago, led the defense, arguing that Dell's ministerial duty to serve as a pastor to all

people – including the 30 percent of his congregation that is gay and lesbian – was just as important as church law.

"The church would have you believe that this is about the law and the letter of the law," Pickens said in his opening statement. "This case, however, is about the people, the faces, the personalities, the real life stories of persons who have been affected by the ministry of Gregory Dell. This case is not about a single act. This is a case that reflects a single ministry of over 30 years."

Pickens noted that John Wesley himself broke a centuries-old law of the Church of England when, out of need, he ordained elders himself. Later, through the testimony of the Rev. Thomas Frank, an expert witness on church polity, he poked at the church counsel's legal argument. While Frank agreed that Paragraph 65c was legal and binding, he said his interpretation of the Judicial Council ruling was that being liable for charges of disobedience did not automatically constitute disobedience. "That requires the judgment of a committee on investigations and a trial court," he added.

The prosecution called three witnesses in presenting its case: Bishop George Bashore, president of the United Methodist Council of Bishops, Dell himself, and Bishop C. Joseph Sprague of the Chicago Area. Williams made his case by stressing the Judicial Council's ruling last August and by emphasizing "the plain meaning of the Discipline."

Pickens called eight witnesses for the defense, including Eccarius, Reinhardt and other members of Dell's church. They testified to Dell's activism and ministry.

Dr. Terry Vanden Hoek, a University of Chicago physician, described his struggle as a gay man – a struggle that led him to attempt suicide -- and how Dell's ministry drew him into the church. Asked about the impact of last fall's same-sex union at Broadway, Vanden Hoek said: "I guess, for the first time, I felt like a full human being in the United Methodist Church."

Just after 4 p.m. March 26, when the trial court declared Dell guilty of the charge of disobedience by a vote of 10-3, the trial entered the penalty phase. The panel also found Dell guilty by a vote of 13-0 on the "specification" that he conducted the holy union between Eccarius and Reinhardt last September – a point that Dell never disputed.

During the penalty hearing, Dell made a statement to the trial court suggesting a truce.

"Penalize me with a reprimand," he said. "Enter a letter of censure in my permanent record of ministerial service, but decide that our denomination can and even must live with such `disobedience' until May of 2000, when we meet in General Conference and see what we have wrought with those few minutes of voting in 1996."

Dell said he would conduct no liturgical acts as a political witness during that period. However, under cross-examination by Williams, Dell said he would not promise to refrain from performing same-sex union ceremonies during that period. He has conducted 33 such ceremonies in the past 18 years.

After the trial, Sprague said the verdict "sends a difficult signal to that significant community in Chicago." He noted that many people don't understand the issue of "contextual ministry," the need to serve the community that surrounds the church – in this case, a community with a significant gay population.

"People upset about this issue probably have never had the vantage point to see a neighborhood and live in a neighborhood like the one in which (Broadway church) is set," he said.

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