

SHARED SACRED SPACE

New Religious Communities versus the Planning and Zoning Commission of
New London, CT

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Introduction

Imagine yourself on any given Sunday morning in a small Southeastern Connecticut city called New London, on the coast of the Long Island Sound. You are standing at the bottom of a hill, looking above at a large brick building. Suddenly, you notice on the front lawn a large sign with a cross and the words 'United Methodist Church.' Around 9:30am, you see a few mostly white older people entering the front door. You follow them into a foyer that looks just like the front hallway of an elegant turn-of-the-century mansion (that is, the turn of the last previous century!). You stare at the beautiful staircase for a few seconds. Then, to your right, your eyes peek into what must have been a lavish sitting room. To the left, an elegant set of doors: but they are closed. You continue straight ahead past the staircase. Towards the back of the building, you walk through double doors and finally reach the main sanctuary. It is small and hexagonal in shape: clearly, it was not originally meant for church services, although it does meet well this small congregation's worship needs. At 10am sharp, the service begins with a typical Methodist hymn, followed by prayer, time for sharing, and later on, a sermon. About fifty people have congregated for their weekly Christian worship. An hour and a half later, they leave the sanctuary and gather for tea and cookies in a room behind the staircase. The conversations are subdued, and you are welcomed warmly. As you chat, you suddenly hear unfamiliar sounds from downstairs. "Oh! These are our Haitians brothers and sisters who are about to begin their worship service." By twelve thirty, the Haitian service is in full swing: the Family Church of God is worshipping in a mixture of Creole and French to the sounds of guitars, drums, and tambourines. You walk downstairs and find yourself immersed in a smaller space yet larger crowd than upstairs: about eighty Haitian immigrants and Haitian-Americans, including many children and teenagers. This recent but multi-generational community understands how keeping language, culture and faith is at the core of this church's mission. It is what sociologist would call an 'ethnic church'. Around 2pm, the service of the Family Church of God comes to a close. No tea, no cookies: a majority of its members disperse rapidly: they must leave for work at the casino. You wonder what next in the life of this building. Four hours later, around 6pm, a sharp-looking man enters the front door: after his morning service to the Hispanic community of Willimantic, a small town twenty minutes away, Rev. Angel Garcia comes to lead a second Sunday service in the main sanctuary, this time to the Hispanic mission of Iglesia Bautista. You immediately feel the warmth and energy of Reverend Garcia as he interacts with his flock, walking around the pulpit, up and down the center aisle, and speaking to each and every one.

How has it come to pass that three very different Christian communities, financially, culturally, linguistically, and theologically, now share one building? Where do these different worshipping populations come from? Are we just witnessing a new wave of

immigration reminiscent of the old pattern of immigration/assimilation into the WASP or more recent Protestant-Catholic-Jewish 'normative' behavior? How does it work logistically to share a sacred space? What are the benefits to sharing? Who benefits more, the owners or the 'renters'? What are the reasons for more than one religious group worshiping in the same building? Is it theologically based? Is it financial? Is it due to zoning laws? What about the actual practice of sharing sacred space? We could probably find good justifications for each of these questions. But there are also other ones to raise. Why are we witnessing this degree of diversity in New London? Is globalization the easy answer? What does it actually explain? Is the degree of self-awareness in engaging in such practices more pronounced than in previous centuries, given the generally more educated leadership of faith communities in New England today? What are the axes that intersect in the above New London United Methodist Church? Religion and Immigration? Religion and Economics? Religion and Law? Religion and Politics? Which level of government? Federal? State? City? All of these axes of course intersect in our case study. For the purpose of this paper, however, we have chosen to focus on the relationship between, on the one hand, what motivates religious communities to share sacred space or not and, on the other, what forces them to share space, in particular due to the unique context of New London's zoning laws and regulations, part of which have recently become illegal due to a new federal law.

On September 22, 2000, the American Congress and President Clinton signed the Religious Land Use and Institutionalized Persons Act of 2000 (106 P.L. 274), changing the way to understand religious communities' zoning rights. Before two months ago, religious communities across the country were met with different degrees of resistance when they applied to the Planning and Zoning Commissions of their towns or cities to renovate or build a new religious building. In 1993 the Religious Freedom Restoration Act (RFRA) was introduced in order to restore the compelling interest test set forth in the 1963 landmark case of *Sherbert vs. Verner* (374 U.S. 398), which stated that there must be a compelling state interest to justify a "substantial infringement of [an] appellant's right to religious freedom under the First Amendment." The compelling interest test should balance religious liberty and competing governmental interests. However, in 1997, RFRA was deemed unconstitutional by the Supreme Court in the case of *City of Boerne, TX, versus Flores* (521 U.S. 507) in which the Supreme Court said that by determining what the law is, the U.S. Congress had overstepped its power. Therefore, the Religious Land Use and Institutionalized Persons Act attempts to reinstate the basic principles that were set forth in RFRA. One of those principles includes the right for any religious community to choose and protect its own property. Zoning Commissions will no longer be able to deny a religious community their right to worship in a building of their own choice, location, and design, unless "the government demonstrates that imposition of [a] burden on that person, assembly, or institution...is in furtherance of a compelling governmental interest; and is the least restrictive means of furthering that compelling governmental interest" (106 P.L. 274).

Before September 22, 2000, the New London Planning and Zoning Commission's application of its laws and regulations did at times burden religious community's abilities to possess their own places of worship. New London is a small city consisting of about 24,000 residents in an area of only 5 square miles. Although New London was the largest and most influential city in Connecticut for over two centuries up to the early part of the

20th century, prospering from whaling and various shipping ventures, since World War I, the city has slowly fallen under more difficult economic times. The poverty rate of New London in 1990 was just over 15% with the average annual family income in 1999 falling just below \$56,000, compared to an average income of \$93,000 for the entire state of Connecticut. According to representatives of the Planning and Zoning Commission of New London, the reason they have had to deny some religious communities' applications for their own place of worship is that each non-profit organization reduces the tax-base of the city. Already, 54% of New London is nontaxable land, made up of the Coast Guard Academy, Connecticut College, Mitchell College, and various existing non-profit organizations and religious institutions. The Planning and Zoning Commission is in a position where they need to have more tax generating services to raise the tax-base of the city, which means more commercial businesses and less non-profit organizations; thus there is a conflict between the city's needs and the First Amendment rights of religious people. Today, we are faced with the serious question of how to balance religious freedom with a city's economic needs. Does that mean that New London must scrap its regulation that states that, in the Central Business District, religious communities are not allowed to use first floor premises or so-called storefronts? Does this mean that religious communities now have a free reign over where to settle down without any consideration of what makes a city 'work' best? There are some alternative options, one of which we will present to you in this paper: the possibility of two or more religious communities sharing sacred space. We will now briefly describe and begin to analyze five scenarios in which New London religious groups have been faced with the prospect of sharing sacred space, with various degrees of success.

Communities

The impact of zoning regulations on shared sacred space can best be presented through two 'building-owning' and three 'building-seeking' religious communities. By 'building-owning' we mean older religious communities that own their own religious building. By 'building-seeking', we mean newer communities that have sought or are presently seeking to buy or rent building or property in which to worship independently. Each of the two groups are then broken down into three subcategories according to the extent to which they will share sacred space: 1) willing to share space without any limitation, 2) willing to share with some limitation, and 3) not willing to share under any condition. In this section we will present each of the six religious communities in turn.

The building-owning religious group which is willing to share space without any limitation is, as you must have guessed, the United Methodist Church whose pastor is Reverend Ed Painter. The actual building was originally the mayor's mansion and was then converted into a high school science building. As a church, the building as it stands is not inviting to attract new members since its only defining characteristic as a church is a large sign with a cross and flame on the front of the building. The present congregation is made up of older congregants who can't afford the upkeep of the building. They have an endowment of only about \$200,000, the interest on which is just enough to cover the utility expenses. Around the beginning of 1998, this Methodist congregation decided that they needed to open the doors of their church to other religious groups and social service agencies. The Methodists hoped to be able to sustain the building financially by loaning out some of their extra space

in return for donations by those who would use the space. In the fall of 1998 Reverend Painter met Revs. Jean and Rhita Chery who needed a suitable worship space for their Haitian congregation called the Family Church of God. Then, in 1999, he met Reverend Angel Garcia who heads the Iglesia Bautista de Willimantic and who wanted to start a Hispanic mission in New London. Both of these groups now use space in the United Methodist Church We will describe each of their separate situations when we describe the building-seeking groups.

The building-owning religious group which is willing to share their space with some limitation is Congregation Beth El, a synagogue affiliated to the Conservative Jewish Movement whose Rabbi is Carl Astor. This community is willing in theory to share some of its space with the Islamic Center of New London, although this unofficial response took place before the break down in the Middle East peace talks. While the Islamic community has been around for over thirty years, at first as a Nation of Islam and then as a Sunni Orthodox community, Muslims were only able to acquire land two years ago at 50 Reed Street. They went through the appropriate channels and received a special permit from the Planning and Zoning Commission. However, this Commission did not realize that it would take so long to raise the necessary money to build the mosque. While the Islamic community has been trying to raise money to build a mosque on that property, they have agreed to follow the Islamic prohibition against 'riba', or the taking of interest on loans. Thus the community has declined any form of mortgage, even Islamically based ones. In the meantime, the Islamic Center had to find temporary space for worship. They first moved to 214 Howard Street, a storefront in the Central Business District. They did not realize that they needed a special permit from the Planning and Zoning Commission when renting space too. According to New London zoning laws and regulations, places of worship are only permitted on second or above floors in the Central Business District. This past spring, the Islamic Center then had to move again, choosing to relocate to another storefront, subletting from a Karate Club at 607 Bank Street. While the Planning and Zoning Commission had turned a blind eye to the illegal renting of the Howard Street premise in the hope that the Muslims would soon get enough money to build their own mosque, with the second move to another storefront location almost two years after the initial purchase of the land, the Planning and Zoning Commission decided to intervene and apply the regulations. In October 2000, the Islamic Center received a cease and desist order. In response, the Islamic Center frantically started to look for alternative places of worship. It is in this context that I approached Rabbi Astor at Congregation Beth El to see if it would be possible for them to share their space with the Islamic Center of New London. In the meantime, after creative negotiations with the Planning and Zoning Commission, the Muslims have been granted a two-month respite while the Commission is embarked on its own internal revision of its regulations in light of the new federal law. As of three days ago, despite the situation in the Middle East, Rabbi Astor and his congregation is still willing to accommodate the Muslims if they are unable to find an appropriate worship space until they raise enough money to build their mosque. According to Rabbi Astor, "it would be symbolic." The congregation is optimistic and hopeful at the possibility of opening their doors to a faith community with which the Jewish community does not usually get along or cooperate. The one limitation that Congregation Beth El members would place on the agreement is that they would ask that the Muslims worship in a part of the temple outside

of the bet-kneset, the sacred space per se. In this case, Congregation Beth does not need the extra income that the Islamic Center would give them for the use of their hall behind the bet-kneset. Instead, we have a great example of tzedaka (charity) beyond the Jewish community in order to help fellow worshipers who need a temporary worship space. The temple's reason for sharing their space has nothing to do with economics, but rather reflects a humanitarian motive rooted in a strong tradition of charity at a time when such a cooperation is a real test.

Our third sub-category of 'building-owning' religious communities unwilling to share under any circumstances represents the majority of cases in New London. Yet, none of them have responded to our calls to be interviewed on the matter... and we know of a few communities who have turned down other communities' requests to worship in their building. More delicate research is needed to find out why this is so. But let us now turn to our second category of analysis: the 'building-seeking' religious communities.

A 'building-seeking' community that is willing to share space without any limitation is a Hispanic Baptist church called the Iglesia Bautista de Willimantic. They are a mission Church started and run by Reverend Angel Garcia. This Church began worshipping in the early 90s at the Baptist Fellowship of Willimantic as a Hispanic Bible study group. They soon developed into a mission with 89 official members and a weekly service attendance of 150. In 1996 the Iglesia Bautista conducted a survey of the New London area and discovered that there was a large Hispanic population ready to be preached the word of God. So in 1997, Iglesia Bautista began a mission in the home of one its New London members. The mission outgrew the home and sought a larger place in which to worship. Eventually they met Rev. Byron Westbrook of the Huntington St. Baptist Church and they quickly made arrangements for Iglesia Bautista to worship in the basement. For the two days a week use of the space, Iglesia Bautista paid Huntington St Baptist Church \$175 per week. They also were required to carry a \$1 million insurance plan. After the Iglesia Bautista mission ran into problems (many of its members were getting ill during worship because of poor heating in the basement), the mission once again had to change location.

In 1999, Rev Garcia met Rev Ed Painter of the New London United Methodist Church. They put together a joint, bilingual vacation bible study for the summer of '99 using the United Methodist Church sanctuary. In order to avoid conflicting with the two other groups using this building, they had to hold their services at 7pm on Sundays for approximately 20 people. They also hold Wednesday night Bible study. Reverend Garcia truly enjoys sharing the United Methodist Church because "we find unity in diversity."

The building-seeking religious group who is willing to share with a limitation is the Family Church of God headed by Jean and Rhita Chery. The Haitian community in New London numbers about 1,000, eighty of whom are members of the Family Church of God. The church began in 1997 as a group of seven Haitians meeting in a private home. Within four months the group moved to a storefront located at 215 Bank Street. The Planning and Zoning Commission quickly got wind of this religious group located in a storefront in the middle of the Central Business District. They asked them to leave within two months. So this small church moved back to the home of a member and began looking for a more

permanent location in which to worship. The Cherys began making phone calls to all of the area churches to see if anyone would share their sacred space. The response was negative until, through an acquaintance with the United Methodist church in Gales Ferry, the Cherys were put in touch with Pastor Ed Painter. In September 1998 the Family Church of God moved into the basement of the New London United Methodist Church, where they have now been worshipping for over two years. Even though Pastor Ed offered them the use of the main sanctuary, the Cherys and their members chose specifically to worship in the basement for two reasons. First, they are under considerable time constraints on Sundays. Most of the 80 members work in one of the two nearby casinos and they must work an afternoon shift on Sundays. Therefore, the Cherys begin their worship with Sunday school and Bible study at 11:30, while the Methodists are still conducting their service upstairs in the main sanctuary. At 12:30 as the Methodists are filtering out of the church, the Family Church of God begins their lively worship service. Their service finishes around 2pm, just on time for the members to leave for their casino jobs. Second, by using the basement, they have their own set of keys and a direct access to downstairs through the parking lot. This situation provides them with greater independence and the sense that it is their own worship space.

Finally, the building-seeking group which is not willing to share religious space with other religious communities under any circumstance is the Christian Family Church run by Reverend Dayne Lecy. He began looking for a place to worship in 1998. He eventually went to the New London School Superintendent to see if a school located at 423 Montauk Avenue could accommodate his Church, since school buildings are open to all non-profit organizations that will benefit the community and that would use the building when school is not in session. Rev. Lecy's request made it onto the agenda of the Board of Education. Just before its meeting on April 11, 2000, the Board received a letter from Susan Brant, the Zoning enforcement officer of New London, stating that the church was not allowed to worship there because the school is not located in an area zoned for places of worship. Lecy proceeded to contact Susan Brant to see what their other alternatives were, if they could buy a building in an area zoned for religious use or buy property to build a building in such an area. According to Rev. Lecy, her response was that he would not be able to find such a building nor get a special permit for a place of worship. However, Michelle [?], the clerical assistant at the Planning and Zoning Commission, told us that 423 Montauk Avenue is zoned as an R-1 or single family residency zone, which does allow places of worship by special permit. We have not been able to ascertain the reason for the discrepancy as of yet, though we certainly plan to investigate this matter further. As of now, Rev. Lecy preaches to about 25 members at his home, which is illegal according to the present zoning regulations of New London. He is bitter about his experience with the Planning and Zoning Commission: "The Zoning Commission is the enemy of Christianity." "The city does not seem to want God here." Rev. Lecy is now looking for a new worship space beyond the city of New London, within a 20 miles radius.

Macro-Analysis: An American Perspective

As partially stated above, as of September 22, 2000, "No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the

religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution...is in furtherance of a compelling governmental interest; and is the least restrictive means of furthering that compelling governmental interest" (Religious Land Use and Institutionalized Persons Act of 2000, 106 P.L. 274). The new Religious Land Use Act of 2000 has been implemented in order to replace the Religious Freedom Restoration Act of 1993 (RFRA) which was declared unconstitutional by the U.S. Supreme Court in light of the 1997 case of the city of Boerne, TX versus Flores. The Supreme Court found that RFRA is unconstitutional because Congress exceeded its power under section 5 of the Fourteenth Amendment. Congress and President Clinton have attempted once again to ensure that specifics of religious freedom that are not necessarily stated in First Amendment rights are protected. Specifically, the Religious Land Use Act has attempted to focus more on the issue of land use and institutionalized persons than RFRA's broad attempt to curb the burdening of religious exercise through governmental laws. Over the past decade there have been several court cases dealing with zoning regulations that have placed a substantial burden on a religious community's ability to buy land or renovate a building. The Religious Land Use Act hopes to eliminate any possibility of denying religious communities the right and ability to possess their own place of worship.

Micro-Analysis: Religion at the Community Level

In terms of the situation in New London, except for a few passages as the one about the storefront mentioned earlier, the zoning laws and regulations themselves do not violate on the whole this new law, but their interpretation and implementation sometimes do. New London allows places of worship by special permit in seven out of the twelve zoning regions of the city. These regulations are perfectly valid and constitutional. However, it has sometimes been the practice of the New London Planning and Zoning Commission to deter religious groups from buying or renting a building to be used as a place of worship in places that would conflict with tax-raising premises. Since many new religious communities have not always been aware of those regulations that require them to meet the approval of the Commission, the Planning and Zoning Commission has denied several applications by religious communities in the past and sometimes worked closely with some community to find alternative locations. But the areas allowed for places of worship with no or minimal regulatory burdens are already highly developed; there are few available buildings and even less land. Therefore, alternative solutions are necessary.

Both 'building-owning' and 'building-seeking' communities stand to benefit financially from sharing space. Among 'building-owning' communities that want to share space, with no or partial restrictions, they benefit financially from renting out, or receiving a symbolic donation, for their space. As for those 'building-owning' communities that refuse to share space, they can do so because they can afford it. As for two out of the three sub-categories of 'building-seeking' religious communities, they also experience an economic benefit by sharing space with building-owners. Their rental costs, real or apparent, are lower and they can thus use their meager resources otherwise, including saving a portion for later acquisition of land and/or building. Even though they may want to possess a building of their own, it is difficult for a small and often newer religious community to accumulate the

amount of money necessary to either buy land and build their own worship building, or renovate an existing one.

Conclusion

While interviewing the different 'building-seeking' and 'building-owning' religious communities for this study, we realized that the real incentive behind shared sacred space is almost always financial, whether or not zoning regulation conflicts occur. However, this approach to scarce space availability offers many more advantages. On a financial level, the terms are more flexible. According to Reverend Painter of the United Methodist Church, his church is flexible if either the Haitian Family Church of God or the Hispanic Iglesia Bautista can not afford their entire monthly donation (or rent for other communities' arrangements). On cultural and linguistic levels, mutually beneficial exchanges are possible, such as music concerts offered by the Haitian community or exchanging Spanish and English second-language course in particular. On a theological level, greater opportunities to explore jointly various forms of worship and interpretation of sacred scripture are possible, though rarely taken advantage of because most community members rarely identify themselves with the new comers as brothers and sisters in faith. On a spiritual level, members of all sharing communities have many opportunities to connect with one another often crossing denominational, linguistic, cultural, and financial divides.

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