

Recommended Action on Constitutional Amendments

Adopted by the Board of Directors, April 2, 2009
Revised to reflect Judicial Council ruling, June 3 2009

Methodist Federation for Social Action

also available at www.mfsaweb.org



Introduction: When Annual Conferences meet this year, one of the major items of business will be voting on thirty-two (32) proposed amendments to the Constitution of The United Methodist Church.

This promises to be a daunting task, even for those Annual Conference members who were present at General Conference when these amendments were approved and referred to the Annual Conferences. The sheer number of amendments makes decision-making a challenge.

In an effort to help folks sort through the myriad of issues that are addressed in these proposed revisions, MFSA is providing resources, both in print and on our website at www.mfsaweb.org.

In this resource, MFSA has provided two documents. One addresses the twenty-three amendments that grew out of recommendations of the Task Group on the Worldwide Church. The other summarizes the additional nine amendments and recommends either supporting or opposing the them, and provides our rationale for making this recommendation.

MFSA is providing another resource on our website where you will find a copy of the United Methodist Constitution with the proposed amendments marked in the body of the text. As far as we know this resource is not available elsewhere. It was our experience in determining our support or opposition to the amendments, that reading them **in context** was very helpful. ❖

Summary and Proposed Action on Constitutional Amendments I, II, VI, VIII, IX, XV, XVII, XIX, XXII

AMENDMENT 1

...revises language in ¶14 on
"Inclusiveness of the Church"

MFSA RECOMMENDS STRONG SUPPORT

SUMMARY:

Current language states that persons are eligible to attend worship, participate in programs and receive sacraments and, upon baptism be admitted as members without regard to "race, color, national origin, status or economic condition." The *amended language* would delete this list and would state that "all persons" are eligible to at-

tend worship, participate in programs and receive sacraments and, upon baptism be admitted as members.

In addition to this there are two other places where the language of the paragraph would change:

First, the phrase, "we are in ministry to all" is added to the second sentence of the paragraph so that the amended sentence would read, "The United Methodist Church acknowledges that all persons are of sacred worth and that we are in ministry to all."

Finally, the sentence describing the vows that one takes to become a member would be changed to add the phrase "and relationship in Jesus Christ." The full sentence as amended would read "All persons, upon taking vows declaring the Christian faith and relationship in Jesus Christ, shall be eligible to become professing members in any local church in the connection."

RATIONALE FOR SUPPORT:

Paragraph 4 of the Constitution is written specifically to ensure that people will not be excluded from the life of the church. The list of "protected" groups, i.e. those who will not be excluded, contains many, but not all, of the groups of persons who have often been discriminated against. When such a list is created, the danger exists that in seeking to be comprehensive, some will be omitted. This is certainly the case with Paragraph 4. As it currently reads, for example, women and persons with disabilities, two groups that have experienced tremendous discrimination, have not been included.

At General Conference 2008, various pieces of legislation sought to correct this situation. The Commission on the Status and Role of Women (COSROW), for example, submitted legislation asking that "gender" be added to the list. Others suggested that "age" or "sexual orientation" be added to the list. Still others asked to have "persons with disabilities" among those protected from exclusion.

The legislation that eventually passed, and which MFSA strongly supports, does away with the list and simply states that the church is in "ministry to all" and that "all persons" should be able to attend worship and otherwise fully participate in the life of the church.

Many have inaccurately framed the discussion around this issue as having to do solely with persons who are LGBT. On the contrary, this amendment impacts the whole church. By framing it as an issue of sexual orientation, one loses sight of the thousands of other people who are left unprotected in the Constitution.

In the section of our Constitution that aims to be explicit about the inclusiveness of the church, it seems imperative to say clearly that "all" are welcome.

AMENDMENT 2

... adds a paragraph calling for ethics and conflict-of-interest policies

MFSA RECOMMENDS SUPPORT

SUMMARY:

This amendment adds a paragraph after ¶15 that states: All official organizations, groups, committees, councils, boards, and agencies of The United Methodist Church shall adopt ethics and conflict of interest policies, applicable to both members and employees, which embody and live out our Christian values.

RATIONALE FOR SUPPORT:

This proposed amendment was submitted by the General Council on Finance and Administration. We agree with their determination that the practice of adopting ethics and conflict of interest policies is a good one.

We understand that some are opposed to this amendment, fearing that it implies that all groups, even groups such as UMWs in local churches, would need to adopt such policies. The clear intent of the legislation is to apply to the larger church, not groups within local churches. We support adoption of the amendment.

Amendments 3-5: See pages 4 and 5 of this document on *Worldwide Church Amendments*.

AMENDMENT 6

... adds language to ¶115 regarding representation to General and Jurisdictional Conferences

MFSA RECOMMENDS SUPPORT

SUMMARY:

This amendment provides an avenue for General Conference to establish representation to General and Jurisdictional Conferences for newly created annual, missionary, or provisional annual conferences on a non-proportional basis under certain circumstances for a transitional time period.

Background: The Methodist Church of Cote d'Ivoire applied for and was granted membership in The United Methodist Church at the 2004 General Conference with the provision for less representation at General Conference 2008 than their membership would require. An ensuing Judicial Council decision determined that the limited representation would stand despite no provision for "transitional" status in the Constitution. This amendment would provide guidance to future sessions of General Conference should a similar situation arise.

RATIONALE FOR SUPPORT:

A transitional status allows General Conference to receive new bodies into The UMC while permitting time to determine accurate membership data.

The body making this determination would be the full General Conference, the most fully representational body in the worldwide UMC.

Amendment 7 See pages 4 and 5 of this document on *Worldwide Church Amendments*.

AMENDMENT 8

... deals with ¶116 and the authority of General Conference

MFSA RECOMMENDS SUPPORT

SUMMARY:

The proposed amendment would add "gender" in two different sections of this paragraph that deal with Church membership as follows:

The current language in point 1. says that General Conference has the authority "to define and fix the conditions, privileges, and duties of Church membership, which shall in every case be without reference to race or status." The amended language would make this sentence end with the words "...without reference to race, *gender* or status."

Likewise in point 14. of this paragraph, the word gender is added so that the amended sentence would read that General Conference shall have the authority, "to secure the rights and privileges of membership in all agencies, programs, and institutions in The United Methodist Church *regardless of race, gender or status.*"

RATIONALE FOR SUPPORT:

In keeping with MFSA's rationale in support of changes to ¶4, our preference would be that ¶16 not contain lists of people. Our preference, for example, would be that ¶16,1. simply say that General Conference has the right "to define and fix the conditions, privileges, and duties of Church membership."

At this point, however, we must vote whether or not to approve the amendments that are before us. Annual Conferences do not have the option of suggesting amendments to the amendments.

Given this reality, MFSA suggests supporting this amendment as proposed by the Commission on the Status and Role of Women (COSROW).

AMENDMENT 9

... deals with ¶123 and the composition of Jurisdictional Conferences.

MFSA HAS NO RECOMMENDATION

SUMMARY:

Currently Jurisdictional Conferences are composed of representatives from Annual and Missionary Conferences. The number of delegates is determined on a uniform basis established by the General Conference.

This amendment adds the language "provided that no jurisdictional conference shall have fewer than 100 delegates."

POINTS TO CONSIDER:

Our understanding is that the impetus for this proposed change is to ensure that the body making decisions at the jurisdictional level remains broadly representative and inclusive. The concern is that a body with fewer than 100 persons may not be able to adequately represent an area which spans a large and diverse area. Funding for the additional delegates would be picked up by the Jurisdiction. We have inquired of a number of people as to the wisdom and need for making such a change. People seem generally supportive but we

have found no strong base of support. We find ourselves without a strong basis for either supporting or opposing the amendment and look forward to hearing from those who have more information and a clear rationale for taking a specific action.

Amendments 10–14 See pages 4 and 5 of this document on Worldwide Church Amendments.

AMENDMENT 15

... revises ¶132 on who has authority to define the composition of Annual Conference membership

MFSA RECOMMENDS OPPOSE

SUMMARY:

¶132 of the *Discipline* defines who it is that constitutes the clergy and lay membership of the Annual Conference. The proposed amendment removes the definition of lay and clergy membership from the Constitution and allows the General Conference to define laity and clergy membership of the Annual Conference.

RATIONALE FOR OPPOSING:

Since only Constitutional Amendments are voted on by 2/3 vote of all members of each Annual Conference, Annual Conferences would no longer have a say in the definition of lay and clergy membership of Annual Conference. Passage of this amendment would open up the possibility that the definition of clergy membership in Annual Conference could be changed every four years by a simple vote of General Conference and Annual Conferences would not have a voice.

We recognize that this paragraph of the Constitution has been amended many times over the years. The fact that our understanding of Annual Conference membership has evolved over time, and thus occasioned work at changing the Constitution, does not mean, however, that we should assign this important responsibility to General Conference alone.

Amendment 16 See pages 4 and 5 of this document on Worldwide Church Amendments.

AMENDMENT 17

... deals with ¶133 and the rights of members of the Conference Committee on Investigation to vote on certain matters

MFSA RECOMMENDS OPPOSE

SUMMARY:

This paragraph in the Constitution outlines the rights of the Annual Conference. As it currently reads “lay members may not vote on matters of ordination, character, and conference relations of clergy except that the lay members of the conference board of ordained ministry who may vote on these things.”

Amendment 17 supports reinstatement of legislation adopted by the 2004 General Conference (and subsequently declared unconstitutional by the Judicial Council) to allow lay persons on the Conference Committee on Investigation to also vote on matters of ordination, character, and conference relations of clergy.

RATIONALE FOR OPPOSING:

There has been the understanding since the founding of the Methodist Church that clergy are bound together in covenant. They commit years of their lives to the in-depth study of theology and vow to serve where they are sent and to submit to the authority of those who are placed in charge over them. Their membership is not in the local church, but in the Annual Conference.

It is our tradition that clergy, bound together by this covenant and sharing membership in the Annual Conference, vote on matters of ordination, character and conference relations of clergy. The one exception to this is that lay members of the conference board of ordained ministry are included in the decision-making process.

Lay persons serving on boards of ministry are appointed to this position by virtue of their broad experience in local church and Annual Conference affairs. The denomination has decided that they are well qualified to make judgments related to professional qualifications of the clergy and have thus placed them on boards of ministry. By extension, it makes sense that they are deemed qualified to participate in decisions made by the clergy when they are gathered in clergy session. Indeed, such lay persons have clearly made valuable contributions in this role.

This amendment, however, introduces a new category of lay persons into the decision-making mix. If approved, laity who have experienced a portion of a complaint process against one (or more) minister(s), would be seated in the clergy session and would vote on all matters relating to the character, ordination and conference relations of all the clergy.

On what basis should the church make such a change? We do not see a demonstrated need and urge that this amendment not be adopted.

Amendment 18 See pages 4 and 5 of this document on Worldwide Church Amendments.

AMENDMENT 19

... deals with ¶135 on expanding the pool of those who elect clergy delegates to General Conference and Jurisdictional Conference

MFSA RECOMMENDS OPPOSE

SUMMARY:

The current language in ¶135 states that “ordained ministerial clergy” will elect delegates to General and Jurisdictional Conference. The amended language would expand the right to vote for General and Jurisdictional Conference delegates to “...associate members, and those provisional members who have completed all of their educational requirements and local pastors who have completed the Course of Study or an M. Div. degree and have served a minimum of two consecutive years under appointment immediately preceding the election.”

RATIONALE FOR OPPOSING:

In some ways, this amendment seems only fair as it enfranchises a group of people who faithfully serve the church and are currently not enfranchised to be part of electing representatives to Jurisdictional and General Conference.

Upon closer examination, however, a number of drawbacks become evident. These include the following:

This amendment gives voting rights to some, but not all, local pastors, associate members and provisional members, inevitably leading to confusion at election time over who is eligible to vote and not. The reason for this division of those who would be given the vote and those who would not is reasonable, but means that we would be replacing the current system where some are able to vote and others not, with another system where once again some are enfranchised and others not.

It adds to the existing confusion about the Orders of Ministry. Licensed Local Pastors are appointed to serve a local congregation. Elders commit to itinerancy and are ordained to Word, Sacrament and Order. They are called to serve not only the local congregation, but the wider connection.

It is important to note that General Conference established a Commission for the Study of Ministry, which is addressing the key elements of the issues raised in this amendment. It seems the better part of wisdom to wait for the results of this study before making this substantive change in the Constitution.

Amendments 20-21 See next column of this page on Worldwide Church Amendments.

AMENDMENT 22

... deals with ¶37 the boundaries of Jurisdictional Conferences

MFSA RECOMMENDS SUPPORT

SUMMARY:

Proposed Constitutional Amendment 22 adds "Bermuda" before "Connecticut" in the listing of the Northeastern Jurisdictional Conference.

Background Note: The Baltimore-Washington Conference has been appointing pastors, superintending the congregations and integrating the congregations of Bermuda into the life of the Baltimore-Washington Conference for some time. The General Board of Global Ministries and the Baltimore-Washington Conference recognize these churches as United Methodist congregations.

RATIONALE FOR SUPPORT:

The proposed amendment formally recognizes that the Baltimore-Washington Conference has been appointing pastors, superintending the congregations, and integrating the congregations of Bermuda into the life of the Baltimore-Washington Conference.

The General Board of Global Ministries and the Baltimore-Washington Conference recognize these churches as United Methodist congregations. The proposed amendment would simply make official what is already being done in practice.

Amendments 23-32 See next column of this page on Worldwide Church Amendments.

Summary and Proposed Action on Worldwide Church Constitutional Amendments

III, IV, V, VII, X, XI, XII, XIII, XIV, XVI, XVIII, XX, XXI, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII

INTRODUCTION:

Twenty-three of the proposed Constitutional Amendments coming before Annual Conferences this year grow out of recommendations from the "Task Group on the Global Nature of the Church." This Task Group, composed of persons appointed by the Council of Bishops and the Connectional Table, brought these recommendations to General Conference 2008 where they were amended and approved. In order to take effect, 2/3rds of the persons in the Annual Conferences must vote to approve the amendments.

AT ISSUE:

The Task Group was created to continue an effort that has been ongoing within the UMC for many decades, namely to address inequities in the worldwide structure of the church. The Task Group discussed possible changes to the structure of the church at great length. They did not present a proposal, however, with concrete recommendations for changes in our current structure. What they did do was come up with proposed changes to the Constitution that they believe would *lay the groundwork* for certain changes to be made at General Conference 2012.

Specifically the proposed Constitutional changes that are currently before us, if approved, would do two things:

1. Change the nomenclature of the church on a worldwide basis. Currently, all regional conferences outside of the United States are called "Central Conferences." If the amendments are approved, all of these conferences would be known as "Regional Conferences." This change would take effect as of January 1, 2013.
2. Lay the groundwork for passing legislation at General Conference 2012 to create one or more Regional Conferences in the U.S. **Following General Conference 2008 there was confusion as to whether passing these amendments would necessitate the creation of one or more U.S. Regional Conferences. The UM Judicial Council ruled on this question in their April 2009 meeting. They ruled that passage of these amendments (specifically amendment 10) mandates the creation of one or more Regional Conferences in the U.S. Legislation to create the U.S. Regional Conference (s) would be voted on at the 2012 General Conference to take effect January 1, 2013.**

WHY NOW?

There has been a fair amount of confusion as to why we are being asked to vote on changes to our Constitution *before* a comprehensive plan for structural changes has been approved. The reasoning of the Task Group is that these Constitutional Changes *allow* for General Conference 2012 to approve a comprehensive plan for structural changes, and that passing these changes to our Constitution now will

allow that plan to go into effect sooner.

MFSA agrees that there are striking inequities in the current structure of the UMC. These include but are not limited to the following:

- A multi-lingual community of delegates and a mostly mono-lingual practice. Documents are routinely available only in English. Translation is not consistent in legislative committees or sub-committees.
- Budgets passed at the General Conference are adopted by all 1000 delegates and apportioned only to Annual Conferences within the Jurisdictions (except for the Episcopal Fund).
- Representation to general agencies and many meetings is not proportional to the church's membership. Formulas often call for one representative from Europe, Asia and Africa when the United Methodist populations differ dramatically in those regions.
- Annual Conferences within Central Conferences can participate in revising, adapting or adding new sections to the *Discipline*. Annual conferences within Jurisdictions cannot do so (Paragraphs 31.5 and 543.16, 2008 *Book of Discipline*).

MFSA suggests the following criteria for making any changes to the structure of the worldwide church:

Changes in structure should strive to:

- strengthen the common mission of the church;
- provide structures for building relationships across the world;
- create equity between regions of the world; and
- change the elements of the current structure that give preferential opportunities to the church structures and peoples located in the United States.

We believe it is essential to understand any structure of the church, either the current structure or one that would incorporate these or other changes, as provisional and temporary in light of the call of the Gospel and Scriptures to a unity among all Christians.

IMPACT OF PASSING ALL OF THE AMENDMENTS AS PROPOSED:

1. Jurisdictions would be continued in the United States (outlined in Paragraphs 23-27 of the Constitution), and Central Conferences would be continued outside the United States with the name change to "Regional Conferences" (outlined in Paragraphs 28-31 of the Constitution).

In the Constitution, the sections on Jurisdictional Conferences and Central Conferences were clearly written to be parallel. The two major differences are that Central Conferences have the ability to change the *Book of Discipline* and the potential to appoint a judicial court. This would not change if the amendments are adopted. Jurisdictional Conferences would be parallel to Regional (currently Central) Conferences and the Regional Conferences would continue to have the ability to change the *Book of Discipline* and the potential to appoint a judicial court. The amendments would not change the fact that Jurisdictions do not have this same authority.

2. The changes will lead to the creation of a Regional Conference (or conferences) in the United States. However, since the Jurisdictions are mandated to continue with their present powers, the Regional Conference/s in the United States would not elect bishops. Changes have

not been proposed to give the Regional Conference/s in the United States the additional abilities that the Regional (currently Central) Conferences have, i.e., to change *The Book of Discipline* or to make rules and regulations appropriate to their areas.

3. If passed, the church would be left without a clear understanding of the role of a Regional Conference/s in the United States. Analysis of the changes leave very little role for a U.S. Regional Conference. The duties of a Jurisdiction would prevail (e.g. election of bishops, episcopal supervision, etc.).

CAN WE ADOPT SOME, AND NOT ALL, OF THE PROPOSED AMENDMENTS?

Many have raised the very valid question of whether, by adopting just some of the proposed amendments (and opposing others), we can change the nomenclature from "Central" to "Regional" without making other, perhaps less desirable, changes. Upon close examination, it is MFSA's conclusion that all 23 amendments must be passed if the name of "Central Conference" is to be consistently changed to "Regional Conference."

CONCLUSION:

MFSA does not believe that the proposed changes in the Constitution strike at the heart of the inequities that exist and the changes that need to be made.

This having been said, the passage of these amendments would bring about one very critical change: changing the name "Central Conference" to "Regional Conference" across the church.

Over time a strong consensus has emerged about the importance of such a change. The word "central" has no particular meaning, but it carries the weight of its previous usage within the Methodist Church for the race-based Central Jurisdiction. Chief among the proponents for this change have been many within the Central Conferences themselves.

We have carefully examined the proposed amendments with this in mind. **Our conclusion is that adopting the proposed amendments would, in fact, be a step in the right direction of changing the name *Central Conference* to *Regional Conference*.**

RECOMMENDED ACTION:

After much deliberation, the Board of Directors of MFSA has concluded that it is an important step in the right direction, and thus recommends that Annual Conferences support the proposed amendments.

Passage of the proposed amendments leaves current inequities and inconsistencies in place. This opportunity to change the name of Central Conferences to Regional Conferences, however, should not be passed by.

Adopted by the MFSA Board of Directors on April 2, 2009
Revised June 3, 2009

Turn over for summary sheet of recommended actions.



Summary Sheet: Recommended Action on Constitutional Amendments

Rationale for all recommendations can be found within the body of this document and online at www.mfsaweb.org

MFSA Recommendations

Your own notes on amendments

1. **SUPPORT** - Inclusive Church - "All Persons" _____
2. **SUPPORT** - Calls for Ethics and Conflict of Interest Policies _____
3. **SUPPORT** - Worldwide Church _____
4. **SUPPORT** - Worldwide Church _____
5. **SUPPORT** - Worldwide Church _____
6. **SUPPORT** - Representation for Newly Created Conferences _____
7. **SUPPORT** - Worldwide Church _____
8. **SUPPORT** - Add Gender _____
9. **NO RECOMMENDATION** - At least 100 delegates at Jurisdictional Conferences _____
10. **SUPPORT** - Worldwide Church _____
11. **SUPPORT** - Worldwide Church _____
12. **SUPPORT** - Worldwide Church _____
13. **SUPPORT** - Worldwide Church _____
14. **SUPPORT** - Worldwide Church _____
15. **OPPOSE** - Definition of Annual Conference membership to be determined by General Conference, not in the Constitution _____
16. **SUPPORT** - Worldwide Church _____
17. **OPPOSE** - Lay members of Committee on Investigation able to vote on clergy issues _____
18. **SUPPORT** - Worldwide Church _____
19. **OPPOSE** - Expanding pool of those electing clergy delegates _____
20. **SUPPORT** - Worldwide Church _____
21. **SUPPORT** - Worldwide Church _____
22. **SUPPORT** - Add Bermuda to Northeast Jurisdiction _____
23. **SUPPORT** - Worldwide Church _____
24. **SUPPORT** - Worldwide Church _____
25. **SUPPORT** - Worldwide Church _____
26. **SUPPORT** - Worldwide Church _____
27. **SUPPORT** - Worldwide Church _____
28. **SUPPORT** - Worldwide Church _____
29. **SUPPORT** - Worldwidfe Church _____
30. **SUPPORT** - Worldwide Church _____
31. **SUPPORT** - Worldwide Church _____
32. **SUPPORT** - Worldwide Church _____

Reminder: A copy of the United Methodist Constitution with proposed amendments in the body of the text can be found at www.mfsaweb.org