

**MAINTAINING OPEN MEMBERSHIP IN THE UMC****OPTIONS**

Delegates will have the important responsibility at the 2008 General Conference to decide whether the church will maintain its constitutional guarantee of open membership.

**ISSUE**

When the Judicial Council issued Decision 1032 in October of 2005 it determined that the pastor of a local church has the sole authority for determining a person's readiness for membership in the United Methodist Church. In the particular instance the Council upheld the right of a Virginia pastor to refuse to receive into membership a man who was living in a same gender relationship. Decision 1032 further held that the pastor was not accountable to his district superintendent or his bishop in exercising this prerogative. At issue are two important questions:

- Will the 2008 General Conference safeguard United Methodism's historic policy of open membership?
- Will the 2008 General Conference affirm its understanding that pastoral decisions regarding membership are made within a context of covenantal accountability?

**ANALYSIS**

Decision 1032 drew heavily on two disciplinary paragraphs in upholding the exclusion of the Virginia man from membership. The Judicial Council held that **paragraph 214**, when it declares that "*All people...may become members in any local church in the connection,*" (referencing **paragraph 4** of the Constitution) is merely expressing a possibility rather than protecting a right. It is hard to conceive that the General Conference, in framing the Constitution of the United Methodist Church, intended to say the church *might* be inclusive rather than it *must* be inclusive.

The second key paragraph cited by the Council was **340.3(a)** which identifies the pastor as "*the administrative officer of the local church.*" From there the Council majority leapt to the assertion that the pastor "is solely responsible for making the determination of a person's readiness to receive the vows of membership." The Council then claimed that a district superintendent or bishop cannot interfere in the exercise of this power. It is interesting that the Council chose to ignore **paragraph 304.1(i)** which states that the Church expects persons seeking ordination to "*accept the supervision of those appointed to this ministry.*"

There are a number of proposals before the General Conference that seek to reverse the effects of Decision 1032 and some that would move the church in the direction of greater exclusivity. The legislation falls chiefly in four areas. A fifth area, chargeable offenses, is unrelated to 1032 but would have the effect of denying membership to categories of persons.

**Constitutional Amendment.** There are several legislative initiatives coming before the *General Administration Legislative Committee* to amend **paragraph 4** of the Constitution by adding language that will specifically name categories of persons whose rights will be guaranteed under this paragraph. Although sympathetic with their intent, MFSA does not support these efforts. We believe that “*All persons*” means what it says and that further enumeration of categories of persons tends to weaken the mandate already in place by implying that “all” does not truly mean “all.”

**Local Church Legislation.** There are a number of petitions before the *Local Church Legislative Committee* that propose amendments to **paragraph 214**. While MFSA does not want to open up the Constitution to revision, we believe it is important to remedy the effects of Decision 1032 legislatively, and this is a place where that can happen.

MFSA prefers the addition of the sentence to **paragraph 214** “*No person shall be excluded from membership in the United Methodist Church for reasons related to his or her sexual orientation or gender identity.*” We believe it is important to have the phrase “reasons related to” because some will argue that sexual orientation *per se* is not a barrier to membership, although, in their view, acting upon that orientation would be grounds for exclusion. There are several other petitions seeking to amend **214** that would also be acceptable (see below.)

There are also several petitions before this legislative committee to amend **paragraph 217**. Many of these revisions are attempts to enshrine the language of Judicial Council Decision 1032 after the fact and should be defeated. We do not see a need for further revision of **217**, with the exception of the petition entitled “Membership Vows.”

**Pastoral Duties.** There are four petitions before the *Ministry and Higher Education Committee* that would charge the pastor with determining the readiness of people to come into membership. All of these are attempts to legislatively legitimate the thrust of 1032 and to limit the right of membership in the United Methodist Church. MFSA strongly opposes all such attempts.

**Supervision.** There are two pieces of legislation before the *Superintendency Committee* on that are pertinent to this discussion. The first is a proposal entitled “Role of Bishops and Superintendents.” MFSA supports this initiative and believes it to be a helpful clarification of the relationship between bishops and superintendents and their pastors. The second piece of legislation, entitled “Authority of Bishops” undermines the supervisory relationship and should be defeated.

**Chargeable Offenses.** There are several pieces of legislation that attempt to add to existing reasons for denying membership to persons. Of particular concern is a move to revoke the membership of persons who become addicted to alcohol or drugs, or persons who even use such substances. MFSA rejects such legislation.

## **RECOMMENDED ACTION**

### **Vote for:**

#### **Legislation to prohibit Discrimination**

Petition # 80003-LC-214, p. 1328 “Prohibit Discrimination”

Petition # 80490-LC-214, p. 1330 “Equal Access to Church Membership”

Petition # 80114-LC-214, p. 1330 “UMC Membership Eligibility” (Second part only, relating to paragraph 225.

**Also Acceptable**

Petition # 80025-LC-214, p. 1329 “Prohibit Discrimination”

Petition # 80088-LC-214, p. 1329 “Church Membership”

Petition # 81021-LC-214, p. 1331 “Church Membership Eligibility”

Petition # 81513-LC-215, p. 1333 “Defining Membership”

Petition # 81350-LC-216.1, p. 1333 “Individual Responsibility for Professing...”

**Legislation Relating to Superintendency**

Petition # 80277-SU-404, p. 1539 “Role of Bishops and District Superintendents”

**Vote against:****Legislation to Restrict Membership (Some of these are simply weaker substitutes for above petitions)**

Petition # 81364-LC-200, p. 1326 “Pastoral Discernment”

Petition # 80100-LC-214, p. 1329 “Eligibility for Membership”

Petition # 80105-LC-214, p. 1329 “Eligibility for Membership”

Petition # 80961-LC-214, p. 1330 “Open Membership”

Petition # 81213-LC-214, p. 1331 “Eligibility”

Petition # 81268-LC-214, p. 1332 “Inclusive Membership”

Petition # 81442-LC-214, p. 1332 “Prospective Members”

Petition # 81443-LC-216, p. 1333 “Gift of Membership”

Petition # 80108-LC-217, p. 1334 “Optional Addition to Membership Vows”

Petition # 80125-LC-217, p. 1334 “Meaning of Membership”

Petition # 81036-LC-217, p. 1335 “Pastoral Responsibility”

Petition # 81270-LC-217, p. 1335 “Pastoral Oversight”

Petition # 81417-LC-217, p. 1335 “Doctrine”

Petition # 81269-LC-217, p. 1335 “Obedience”

Petition # 81416-LC-217.7, p. 1336 “Doctrine”

Petition # 80451-MH-340.3a, p. 1448 “Pastor’s Decision on Membership”

Petition # 81198-MH-340.3a, p. 1448 “Responsibilities”

Petition # 81279-MH-340.3a, p. 1448 “Pastoral Oversight”

Petition # 80441-MH-340.3a, p. 1448 “Pastor’s Duty”

**Legislation to Amend the Constitution**

All petitions relating to Paragraph 4 in the General Administration section,  
pp. 952-955

**Legislation Relating to Superintendency**

Petition # 81412-SU-404.1, p. 1541 “Authority of Bishops”

**Legislation Relating to Chargeable Offenses**

Petition # 81411-JA-228.2b5, p. 1295 “Complaint Against Professing Member”

Petition # 81387-JA-2702, p. 1305 “Chargeable Offenses”

Petition # 81556-JA-2702, p. 1305 “Chargeable Offenses”