

NONDISCRIMINATION**OPTIONS**

General Conference delegates have before them a dizzying array of legislation related to the UMC including or excluding lesbian, gay, bisexual and transgender (LGBT) persons and whether the denomination will support or denounce discrimination based on sexual orientation and gender identity.

Specifically delegates will decide:

- whether the UMC will allow pastors discretion to deny membership based on a person's sexual orientation;
- how the UMC articulates its understanding of family and whether we will extend the church's affirmation of the love and commitment of a man and a woman in marriage to include adults of the same gender in loving, covenant relationships;
- whether or not the UMC will affirm and welcome the gifts and graces of persons who are LGBT and are called to ordained ministry and whether LGBT persons already ordained can be subject to disciplinary action, including church trials and the loss of clergy orders, for living a life consistent with their sexual orientation; and
- whether the UMC will continue to ban the expenditure of UMC money to support "the acceptance of homosexuality."

ISSUE

Church policies and practices that exclude and discriminate have started the UMC down a "slippery slope," the exceedingly negative ramifications of which United Methodists across the denomination are realizing, much to their dismay and alarm. Judicial Council Decision 1032, which affirmed the authority of a pastor to deny church membership to an active congregant based on the expression of his sexual orientation, puts the issue of what it means to be an inclusive church squarely before us. Drawing lines related to who's "in" and who's "out" as the church has done with LGBT persons, eats away at the heart of who we are as the Body of Christ, agents of God's love, mercy and justice in the world. Nothing less than the soul of the church is at stake.

ANALYSIS

More than in previous General Conferences, those wishing to maintain and strengthen the current exclusionary stance of the UMC related to the LGBT persons have submitted a stunningly large number of petitions across all of the legislative committees. Many of these petitions have been submitted by staff and board members of the Institute for Religion and Democracy (IRD).

One might deduce from this pattern of legislation that the IRD and related UM renewal groups (Good News and the Confessing Movement) are hoping that if legislation calling for continued and increased exclusion of LGBT persons fails in one or more committees, it will pass elsewhere and make it to the plenary floor with committee support.

At the same time, a large number of individuals, caucuses, churches, and annual conferences have submitted petitions that seek to move the church in the direction of greater openness. MFSA has joined with RMN (Reconciling Ministries Network) in making recommendations below as to which among these many positive petitions might best be lifted up for support. We take heart from the broad range of petitions advocating inclusion and open membership.

At the 2004 General Conference MFSA submitted legislation asking the church to delete the “non- compatibility” clause from the *Discipline* and to admit that the church is deeply divided, with people of good faith disagreeing on this issue. Sadly, even this gesture of compromise and willingness to acknowledge faithfulness on the part of those with whom we strongly disagree was rejected.

The consequences of the church continuing the untruth that “homosexuality is incompatible with Christian teaching” have become all too clear with Decision 1032 and efforts to further exclude persons from the life of the church.

MFSA therefore urges delegates to take a clear and strong stand about our identity as a church and to remove *all* discriminatory language from the *Discipline*. Legislation has been submitted from various sources suggesting different ways of going about this. Our recommended action below reflects our analysis of those that will be the most effective and strategic.

RECOMMENDED ACTION

The following petitions, directed at the disciplinary sections that deny full inclusion to LGBT persons, are supported by MFSA, as well as Reconciling Ministries Network.

VOTE FOR:

Legislation Concerning Inclusiveness of Families

Petition #81151, ¶161.A, C2, p. 318 – “Caregivers of Children”

Legislation Concerning Committed Relationships and Equal Rights

Petition #80966, ¶161.C, C2, p. 320 – “Committed Unions”

Petition #81030, ¶161.G, C2, p. 328 – “Sexual Relationships”

Petition #80022, ¶162.H, C2, p.344 - Broader Statement of Equal Rights, (with the addition of the words “gender identity” in phrase reading “all persons, regardless of sexual orientation *or gender identity*.”)

Legislation Concerning Open Membership

Petition #80490, LC, p.1330 (essentially the same as #80003 except 80003 does not include the word “membership”). MFSA recommends the words “baptized or professing” be added before

the word membership and that Petition #80490 be strongly supported as the legislation sufficient to make a clear statement on inclusive membership in the UMC.

Petition #80961 part two, LC, p. 1331 concerning transferred membership with the insertion of *gender identity* to the list of those things upon which membership cannot be denied.

Petition #81513, LC, p 1333 to amend ¶215, Definition of Membership, can also be supported, but is not necessary if ¶214 is amended as above.

Legislation Concerning Clergy and Chargeable Offenses

Petition #80019, ¶304.3, COMM and p “Remove Exclusionary Language”

Petition #80865, ¶2702.1, JA, p. 1307, “Chargeable Offenses”

Note: This petition addresses one of the places where language was added to the *Discipline* to codify policies that support discrimination based on sexual orientation. We propose removing discriminatory language. This language limits pastoral care and ministry. We believe that a function of the United Methodist Church is to maximize ministry.

Petition #80866, ¶2702.b, JA, p. 1308, “Deletion”

Petition #80035, ¶341.6 MH, p. 1449, “Unauthorized Conduct”

Legislation To Remove Funding Ban/Gag Order

Petition #80445, ¶612.19, FA, p. 761, “Deletion”

Petition #80020, ¶806.9, FA, p. 771, “Remove Prohibition”

VOTE AGAINST:

The list of legislation that MFSA opposes is long. What follows is a description of general categories of anti-inclusion legislation, and then a general list of inclusiveness-related petitions that MFSA has determined to oppose.

“Retain Language” Petitions

Corresponding to each existing discriminatory provision in the *Discipline*, a petition entitled “Retain Language” has been submitted. The content of each petition is simply to retain the discriminatory language. The tactic of doing this creates additional opportunities to argue in the affirmative for existing discriminatory legislation. MFSA recommends opposing all of the following:

#80057 – p. 319 – Par. 161.C – C2

#80072 – p. 324 – Par. 161.G – C2 (all aspects)

#81372 – p. 762 – Par. 612.19 – FA

#80987 – p. 771 – Par. 806.9 – FA

#80041 – p. 921 – Par. 304 – F&O (covers both subsections)

#80988 – p.1306 – Par. 2702.1 – JA (covers both subsections)

Attempts To Codify Judicial Council Decision 1032

Given the fact that there is no legislative basis for 1032, petitions seeking to codify it have been submitted. These are found in various forms, mostly in Faith and Order, General Administration, Local Church and Higher Education. These generally fall into two categories.

First, “readiness” or “eligibility” petitions that seek to create requirements and standards for membership that would enable exclusion of LGBT persons and others. A nuance of this approach is the attempt to insert “Repentance” into the Doctrinal Heritage section (81448-81449).

Second, are the “pastoral discernment” “pastor’s decision,” “pastoral responsibilities” type petitions, vesting the pastor with the discretion to exclude people from membership.

We recommend that all such petitions be opposed.

Efforts to Strengthen and Expand Funding Ban and Gag Order

A number of petitions have been submitted that would expand the extremely negative effects of the funding bans/gag orders that squelch discussion and hinder ministry, and that have resulted in challenges to campus ministries, domestic partner benefits for lay employees, educational and welcoming events, and ecumenical efforts concerning inclusion. MFSA recommends that delegates vote against all of the following petitions in **Finance and Administration**:

#81166 – p. 760

#81371 – p. 761

#80502 – p. 761

#80989 – p. 761

#81297 – p. 761

#81132 - p.771

#81373 – p. 772

Attempts to Further Diminish Inclusiveness

The list is long. Some key petitions of which delegates should be aware and work to oppose are:

Petition #81122, where Paragraph 138 is dismembered and the proposal is made to delete the “no semblance of discrimination” phrase.

Petition #81349 that proposes to delete the statement now contained in the *Discipline* that the “Social Principles are not church law.”

Petition #81421 that deletes “self avowed” from 304.3, making it easier to exclude and charge LGBT clergy.