

A WAY FOR THE UNITED METHODIST CHURCH TO MOVE FORWARD

An Option Based on Constitutional Principles

There is a way for The United Methodist Church to remain intact as an institution, to accommodate the differences that divide the Church on homosexuality, and to achieve these results without amending the Constitution. The principles are clearly established in the Constitution and could be implemented as soon as the summer of 2020.

- A Jurisdictional Conference redraws the boundaries of its annual conferences and creates one (perhaps more than one) Annual Conference whose boundaries are not defined geographically. [Division Two, Section IV, Article V (¶ 27.4)]
- A Bishop is assigned to an Area which includes the new Annual Conference [Division Two, Section VII, Article IV (¶ 40); Division Three, Article IV (¶ 48)]
- Local churches in any Annual Conference within the Jurisdiction may transfer to the new Annual Conference [Division Two, Section VII, Article V (¶ 41.1-41.3)].
- Clergy members in any Annual Conference transfer their membership to the new Annual Conference [Division Two, Section II, Article IV (¶ 16.2) and ¶ 347.1]
- If the new Annual Conference has fifty full clergy members, General Conference has no role in its creation. [Division Two, Section IV, Article V (¶ 27.4)]
- Any Annual Conference has reserved to it the rights and responsibilities to make decisions about its clergy members. [Division Two, Section VI, Article II (¶ 33)]
- Any Annual Conference (including one defined in this way) pays apportionments; and it also elects lay and clergy delegates to the General Conference, based on the calculations for determining delegation size, with each Annual Conference having at least two delegates [Division Two, Section II, Article I (¶ 13.2)].

A Description of This Opportunity

While there are obvious similarities between the Central Conferences outside of the United States and the Jurisdictional Conferences inside the United States, there are some important differences. A major difference is that the number and the boundaries of the Jurisdictional Conferences are set in the Constitution [Division Two, Section VII, Article I, (¶ 37)], while the number and the boundaries of the Central Conferences are constitutionally assigned to, and determined by, the General Conference [Division Two, Section V, Article I, ¶ 28]. A majority of General Conference delegates could redraw the boundaries of Central Conferences. However, changes in the names, the numbers, or the boundaries of the Jurisdictional Conferences require amending the Constitution.

So each of the five Jurisdictional Conferences has a permanence that the Central Conferences do not enjoy and has constitutional protection from arbitrary intrusions by the General Conference. If a Jurisdictional Conference were to take controversial actions, such as electing a Bishop whom the majority of the General Conference delegates finds objectionable or redefining the boundaries of Annual Conferences in ways that a majority of the General Conference delegates oppose, the General Conference cannot override the constitutional powers of a Jurisdictional Conference. If the General Conference delegates desire to eliminate—or just change the boundaries of—a Jurisdictional Conference, the General Conference cannot arbitrarily do so without a constitutional amendment by two-thirds of the General Conference votes and two-thirds of the aggregate votes of all annual conferences.¹

¹ The Constitution does allow the General Conference to change boundaries of Jurisdictional Conferences only if “a majority of the annual conferences in each jurisdictional conference” consents to the changes [see Division Two, Section II, Article IV (¶ 16.12)].

Jurisdictional Conferences determine the “number, names, and boundaries of the annual conferences and episcopal areas” within their respective jurisdictions, according to the Constitution [Division Two, Section VII, Article IV, ¶ 40].² As a practical matter, a Jurisdictional Conference creates an “episcopal area” only when it has enough members to justify the election of—and denominational compensation for—an additional bishop.³

However, the established constitutional authority of a Jurisdictional Conference to determine the “number, names, and boundaries of the annual conferences” is a different and a much more significant power. Creating any new Annual Conference would involve creating another entity that is “the basic body in the church” [Division Two, Section VI, Article II, ¶ 33]. Creating a new Annual Conference could have a statistical impact upon the number of General Conference delegates that come from a Jurisdiction, since every Annual Conference has at least two delegates. Creating a new Annual Conference would establish a new entity to decide whom to license, certify, receive into clergy membership, ordain, and retain as clergy members of the Annual Conference and of the denomination. Creating a new Annual Conference would establish a new apportionment-paying unit of member churches that might feel inclined to satisfy 100% of the apportioned amounts if their definitions of mission were honored.

There is a long history of non-geographical annual conferences. Most existed to meet the needs of communities who identified themselves by language and/or ethnicity. Motives for doing so may not always have been pure. They could have been devised to perpetuate ethnic segregation or to preclude cultural assimilation.

² This does not, however, mean that a Jurisdictional Conference has authority to decide how many bishops will be elected by the Jurisdictional Conference. See Judicial Council Decision 1312. The College of Bishops in a Jurisdiction has constitutional authority to “arrange the plan of episcopal supervision” for the Jurisdiction [Division Three, Article IV, ¶ 48.]

³ *The Book of Discipline of The United Methodist Church 2016* ¶ 404.2

Nevertheless, such Annual Conferences were numerous and were valued by their own members for their non-geographical identity. The Rio Grande Annual Conference spanned five geographically defined Annual Conferences to meet the needs of Spanish-speaking United Methodists until 2012. A glance at *The Doctrines and Discipline of The Methodist Episcopal Church 1892* reveals that an “East German Conference” existed to “embrace the German work east of the Alleghany Mountains” over part of Pennsylvania with geographically defined annual conferences. A Northwest German Conference had responsibility for “the German work” in part of Illinois, part of Iowa, and all of South Dakota, overlapping geographically defined Annual Conferences. The Southern German Conference had responsibility for “the German work” in Texas and Louisiana, states that had geographically defined Annual Conferences. The West German Conference included Kansas, Nebraska, Colorado, part of Missouri, and part of the Oklahoma Territory where “German work” in ministry was occurring.⁴ There were Swedish and Finnish ones, too.

The United Methodist Church has a heritage of organizing annual conferences on a non-geographical basis just because fulfilling the mission of the Church has required it. Methodists in the nineteenth and twentieth centuries developed their connectional system with annual conferences that were defined both by geography and by non-geographical considerations. In the twenty-first century, we may—and we actually can—do the same.

In the nineteenth and twentieth centuries, the non-geographical conferences were created to meet the needs and interests of ministries in immigrant communities. But in the twenty-first century, non-geographical annual conferences could meet the needs and the interests of persons whose “sacred worth” is not being adequately served.

⁴ *The Doctrines and Discipline of The Methodist Episcopal Church 1892* (New York: Hunt & Eaton, 1892), ¶¶ 448, 494, 516, 531.

There are Biblical, constitutional, legislative, and moral considerations, besides constitutional and legal issues that impact this situation. We say in the Constitution that, “The United Methodist Church acknowledges that all persons are of sacred worth.”⁵ We have ecclesiastical laws, however: that limit clergy membership to persons who are not homosexuals; that restrict pastoral actions to practices that do not involve marriages of persons who are homosexuals; and that threaten any minister who violates these laws with the loss of her or his vocation. We have disagreements about proper methods for interpreting some passages of scripture. We have disputes about whether—and to what degree—the interpretation of scripture can draw upon the intellectual resources of reason, the socio-cultural and psychological accumulations of experience, and the multi-faceted aspects of Church tradition. The conflicts involving provisions in church law, authorities in the Constitution, and irreconcilable differences in methods for interpreting scripture create a potentially schismatic situation. And yet, using the Constitution of The United Methodist Church, we have the means to deal with the dilemma.

An Annual Conference is “the basic body in the Church.” An Annual Conference has exclusive authority to determine “all matters relating to the character and conference relations of its clergy members, and on the ordination of clergy...”⁶ Each Jurisdictional Conference can create an Annual Conference that is defined not by geography but by a set of principles: a constitutional principle about the “sacred worth” of all persons; and a theological principle that affirms the centrality of scripture and its interpretation with the use of tradition, experience, and reason.

⁵ The Constitution, Division One, Article IV, *The Book of Discipline of The United Methodist Church 2016*, ¶ 4.

⁶ The Constitution, Division Two, Section VI, Article II, *The Book of Discipline of The United Methodist Church 2016*, ¶ 33.

Rationale for this Restructuring Option

While this approach would institutionalize a structural division in a Jurisdictional Conference by having one (or more than one) Annual Conference with non-geographical identity and with distinctive views regarding homosexuality, such divisions already exist *de facto* in the denomination. Every Annual Conference has a controlling majority among its clergy members that determines who could be licensed, ordained, and retained within the membership of the conference. Some Annual Conferences have used this authority to limit clergy membership by gender, or theological perspective, or various other personal categories of identification. Some Annual Conferences currently welcome self-avowed practical homosexuals as clergy members. Other Annual Conferences rigorously prohibit self-avowed practicing homosexual persons and their advocates from being certified as candidates or approved for any other stage in the process toward ordination.

This option would permit honesty about those divisions and would achieve the creation of one (or more than one) Annual Conference in a jurisdiction that acknowledges the situation missionally and overcomes the division structurally. This option would still leave a door open for possible schism about homosexuality at some point in the future.

Yet this option might actually offer the denomination an indication of the realities that would have to be considered in moving toward schism, or separation, or splitting. In a relatively short time—perhaps one quadrennium—it would be clear how many clergy and how many local churches transferred into the non-geographical Annual Conference. The numbers of clergy and congregations who move their conference affiliations would reveal the relative sizes of the segments that might emerge after a formal schism. This restructuring option would be an internal Church matter, not a costly court matter.

One of the serious consequences of any move to break the church apart would be the cost of doing so. Legal expenses could consume huge amounts of church resources. Current corporations would have to be broken apart and new ones would have to form. Properties would have to change hands and might have to be sold at severe losses just to liquidate them. Clergy might have to relocate for reasons other than normal itinerancy, thereby incurring not only moving costs but also impacts on their own careers as well as perhaps their spouses' careers, their dependents' eligibilities for academic financial aid, and perhaps even health care if the relocations involve moves from state to state.

This option lets churches in Greensboro, Winston-Salem, Charlotte, Asheville, Morganton, and Colfax, North Carolina, choose either the geographically based Western North Carolina Annual Conference or a new non-geographically based "Capital Annual Conference"⁷ in the Southeastern Jurisdiction that might be centered in Atlanta. Similar choices would be made across the Jurisdiction and also in other Jurisdictions around the United States that use the option. There would be some impact on operating budgets for travel expenses. But the costs would be small compared to litigation or asset liquidation.

The superintendency—both district and general—would have to adjust to these new realities. A Bishop might be assigned to an Episcopal Area with a geographical and a non-geographical Annual Conference to oversee. A district superintendent, appointed to the Cabinet, must serve a territorially based district, with one superintendent per district.⁸ No district can be constructed on the basis of race, nor can superintendents be assigned to districts on the basis of race.⁹ The focus would be on all persons and their sacred worth.

⁷ This merely illustrates a possible name and a possible location of Annual Conference headquarters.

⁸ Judicial Council Decision 398, April 4, 1975

⁹ Judicial Council Decision 362, October 26, 1972

Notwithstanding these details, the primary consideration is that the denomination would have a faithful—and honest—structure for pursuing the mission of the Church. It could also be accomplished within the next calendar year. And, given the pain within The United Methodist Church these days, the ability to achieve a suitable outcome in a rather short amount of time could indeed be a balm in Gilead—and in many other places.

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