

OVERVIEW OF PROPOSED CONSTITUTIONAL AMENDMENTS¹

**Prepared by the California-Nevada Annual Conference
General and Jurisdictional Conference Delegations
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The 2008 General Conference passed a total of thirty-two amendments, covering a variety of issues, to the United Methodist Church (UMC) Constitution. However, in order for these constitutional amendments to take effect they must be ratified by a two-thirds aggregate vote of all Annual and Central Conference delegates across the UMC connection. Delegates may debate the merits of the proposed amendments but **cannot** make changes or additions to them. The amendments must be voted up or down as they now stand.

The 2009 California-Nevada Annual Conference will receive, review and vote on these constitutional amendments at its regularly scheduled meeting in June. This overview has been prepared by the duly-elected 2008 General and Jurisdictional Conference Delegations to guide our Annual Conference's consideration of these important matters.

In this overview, the thirty-two constitutional amendments have been divided into five broad groups or categories to facilitate thoughtful consideration and review. Please note that the California-Nevada Annual Conference will consider the amendments in this same order to facilitate a smooth and orderly discussion and voting process:

- Group I:** Amendments 4, 10, 13, 23, and 26 make significant shifts to enable the potential restructuring of the nature of the worldwide Church.
- Group II:** Amendments 3-5, 7, 11, 12, 14, 16, 18, 20, 21, 24, 25, and 27-32 change constitutional references from "central conference" to "regional conference."
- Group III:** Amendment 1 grants church membership to all those who take vows.
- Group IV:** Amendment 19 allows all clergy members of annual conferences to vote in the election of clergy delegates to general, jurisdictional or central (regional) conferences.
- Group V:** Amendments 2, 6, 8, 9, 15, 17 and 22 cover a variety of other important topics.

¹ This overview draws on a variety of published documents regarding the proposed constitutional amendments, including reviews by other annual conference, articles from the Interpreter Magazine, as well as other sources.

The remainder of this overview presents the purpose and actual wording of the constitutional amendments in the order described above. Key rationales for and against the proposed constitutional amendments are also provided.

GROUP 1 – THE WORLDWIDE NATURE OF THE CHURCH

“Twenty-three of the 32 amendments result from a 2005-2008 study by the Council of Bishops' Task Force on the Global Nature of the Church. That report said the denomination's present structure makes it appear to be a U.S. church with appendages in Africa, Asia and Europe. At the same time, the number of United Methodists outside the United States is increasing and may soon be 40 percent.

The Council of Bishops and the Connectional Table approved the task force's report in the spring of 2007 and sent proposed legislation to the 2008 General Conference suggesting that the name of conferences outside the United States be changed from "Central" to "Regional." General Conference delegates agreed that "regional" more accurately describes what these conferences do: address issues unique to the mission and ministry of conferences in that geographic area...

None of the amendments will eliminate the jurisdictions in the United States where bishops are elected. The proposed amendments would allow regional conferences in Asia, Africa or Europe the right to establish jurisdictional structures. The name change will not make the United States into a separate regional conference.”²

Amendments **4**, **10**, **13**, **23**, and **26** make substantive changes to the Constitution to enable the potential shift to a new worldwide structure for the United Methodist Church, at a date to be determined by the 2012 General Conference.

*AMENDMENT 4 (TEXT)³

¶**10. Article III.**—There shall be ~~central~~ **regional** conferences for the church outside the United States of America and, if necessary, provisional ~~central~~ **regional** conferences, all with such powers, duties, and privileges as are hereinafter set forth.

*AMENDMENT 10 (TEXT)

¶**28. Article I.**—There shall ~~shall~~ **may** be ~~central~~ **regional** conferences for the work of the Church outside the United States of America⁵⁰—with such duties, powers, and privileges as are hereinafter set forth. ~~The number and boundaries of the central conferences shall be determined by the Uniting Conference. Subsequently The General Conference shall have authority to change the number and boundaries of~~

² Taken from J. Richard Peck, “32 Amendments to be considered by 2009 Annual Conference Sessions,” *Interpreter Online*, May 2009.

³ Footnote texts have not been reproduced in this overview.

~~central~~ **regional** conferences. The ~~central~~ **regional** conferences shall have the duties, powers, and privileges hereinafter set forth.

***AMENDMENT 13 (TEXT)**

¶**31. Article IV.**—The ~~central~~ **regional** conferences shall have the following powers and duties and such others as may be conferred by the General Conference: 1. To promote the evangelistic, educational, missionary, social-concern, and benevolent interests and institutions of the Church within their own boundaries. 2. ***In those regional conferences where there are no jurisdictional conferences*** to elect the bishops for the respective ~~central~~ **regional** conferences in number as may be determined from time to time, upon a basis fixed by the General Conference, and to cooperate in carrying out such plans for the support of their bishops as may be determined by the General Conference.⁵² ***In those regional conferences where there are jurisdictional conferences, bishops shall be elected by the respective jurisdictional conferences.*** 3. To establish and constitute such ~~central~~ **regional** conference boards as may be required and to elect their administrative officers.⁵³... 6. To appoint a judicial court to determine legal questions arising on the rules, regulations, and such revised, adapted, or new sections of the ~~central~~ **regional** conference Discipline enacted by the ~~central~~ **regional** conference. 7. To appoint a committee on appeals to hear and determine the appeal of a traveling preacher of that ~~central~~ **regional** conference from the decision of a committee on trial.⁵⁵

***AMENDMENT 23 (TEXT)**

¶**38. Article II.**—The work of the Church ~~outside the United States of America~~⁸³ may be formed into **regional** ~~central~~ conferences, the number and boundaries of which shall be determined by ~~the Uniting Conference~~, the General Conference, ~~having authority subsequently to make changes in the number and boundaries.~~

AMENDMENT 26(TEXT)

¶**48. Article IV.**—The bishops of each jurisdictional and ~~central~~ **regional** conference shall constitute a College of Bishops. ~~and such~~ ***In regional conferences where there are jurisdictional conferences, the jurisdictional colleges shall arrange the plan of Episcopal supervision of the annual conferences, missionary conferences and missions within their jurisdictions. In regional conferences where there are no jurisdictional conferences, the regional conference*** college of bishops shall arrange the plan of episcopal supervision of the annual conferences, missionary⁹² conferences, and missions within their respective territories.⁹³

RATIONALE FOR:

Currently much of the programmatic and financial decision-making power of the United Methodist Church is centered in the United States. Advocates for these amendment changes argue that the present structure of our worldwide church maintains and reinforces a system whereby central conferences in Africa, Asia, Europe, and the Philippines enjoy a second-class status. Changing to “regional conferences” affirms the authority of the current central conferences to carry out mission and ministry shaped by their own contexts. At the same time, these constitutional changes open the door to the possibility of reshaping the General Conference, the highest decision-making body, and other institutional church structures to be more responsive to global rather than predominately U.S. concerns.

RATIONALE AGAINST:

Critics of the proposed constitutional changes argue that annual and central conferences delegates are being asked to vote on these matters prematurely, since no detailed plan for restructuring the worldwide nature of the Church has actually been presented or agreed upon. Others claim that what is frequently referred to as a “worldwide” or “global” church is in reality a U.S central hub, which provides the majority of administrative and financial resources, and relatively smaller ministries in the rest of the world – though with growing numbers of United Methodists in Africa and the Philippines. At best, the proposal for a global restructuring comes too early in the developmental process, and, at worst, may prove destructive in that it may unintentionally cause an unraveling of the vital support necessary to grow the overseas portions of our Church.

GROUP 2 – CHANGING TO “REGIONAL CONFERENCES”

To facilitate restructuring the nature of the worldwide church, amendments **3-5, 7, 11, 12, 14, 16, 18, 20, 21, 24, 25, and 27-32** change “central conferences” to “regional conferences” in every place they remain in the Constitution. Because of the relatively simple nature of these revisions, the texts of these amendments have **not** been reproduced here.

RATIONALE FOR:

Advocates for these amendments use the same rationales as those enlisted in the more substantive constitutional changes discussed above. In addition, they argue that the reference to “central conferences” calls to mind the separate and unequal pre-1968 church structure in which African Americans were segregated on the basis of race into in a Central Jurisdiction.

RATIONALE AGAINST:

Opponents of these constitutional changes draw on the same rationales used to oppose the more substantive amendments discussed above. Furthermore, they argue that the whole package of enabling amendments should be set aside until a more detailed plan for restructuring is put forth.

GROUP 3 – MEMBERSHIP OPEN TO ALL

***Amendment 1** removes the current prohibitory list from Article IV and affirms that all persons shall be eligible for church membership once they have received baptism and taken appropriate vows. This amendment does not address directly the power and authority of the pastor in determining fitness for membership and instead revises our constitutional statement regarding eligibility.

AMENDMENT 1 (TEXT)

¶4. **Article IV. Inclusiveness of the Church**—The United Methodist Church is a part of the church universal, which is one Body in Christ. The United Methodist Church acknowledges that all persons are of sacred worth **and that we are in ministry to all**. All persons ~~without regard to race, color, national origin, status,⁴ or economic condition,~~ shall be eligible to attend its worship services, participate in its programs, receive the sacraments, **and** upon baptism be admitted as baptized members, ~~and~~. **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.⁵ In The United Methodist Church no conference or other organizational unit of the Church shall be structured so as to exclude any member or any constituent body ~~of the Church because of race, color, national origin, status or economic condition.~~⁶

RATIONALE FOR:

*Supporters of this constitutional change argue that the proposed revisions to Article IV are in keeping with the generous spirit of the United Methodist Church's historic affirmation that God's grace is available to all as well as with its current motto, "Open Hearts, Open Minds, Open Doors." Ironically, despite its original intent, the current detailed list prohibiting the use of race, color, national origin, or economic status in determining eligibility for membership, is sometimes read as exclusive rather than inclusive. In particular, the current list leaves out gender, physical ability, or sexual orientation as conditions **not** to be used in determining eligibility.*

RATIONALE AGAINST:

Opponents of the proposed amendment have argued that it constitutes little more than an indirect attempt to weaken current denominational stances on the compatibility of homosexuality with Christian teachings as well as prohibitions on the ordination of openly gay persons. Furthermore, they claim that the meaning of the word, "all," is so broad and undefined that it could have an unintended impact on a pastor's and congregation's ability to exercise appropriate discernment in matters of membership.

GROUP 4 – EXTENDING VOTING RIGHTS TO ADDITIONAL CLERGY

***Amendment 19** extends the power to vote for clergy delegates to General and Jurisdictional Conference to additional clergy, including associate and provisional members as well as local pastors, who meet specific requirements.

AMENDMENT 19 (TEXT)

¶35. **Article IV.**—~~The ordained ministerial~~ *clergy* delegates to the General Conference and to the jurisdictional or ~~central~~ *or regional* conference shall be elected ~~by and from~~⁷³ the ~~ordained~~⁷⁴ *clergy* members in full connection and shall be elected by the clergy members ~~with~~ *of* the annual conference *who are deacons and elders in full connection, associate members, and those provisional members who have completed all of their educational requirements and local pastors who have completed 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:

Supporters of this amendment argue that granting associate members, local pastors and provisional members, many of whom serve smaller membership churches in urban and town-and-country settings, the power to vote on clergy delegates to General and Jurisdictional Conferences is a simple matter of justice. Supporters further insist that clergy voting rights ought to be linked with conference membership not ordination and suggest that this proposed change parallels language concerning laity in ¶36.

RATIONALE AGAINST:

Opponents maintain that this change continues of a confusing trend of blurring the duties, authority, and privileges associated with various types of pastoral ministry. They underscore that what distinguishes clergy members in full connection from associate and provisional members as well as local pastor is their training in UM polity, history, and doctrine as well as several years of experience in leadership in the annual conference. In addition, they maintain that local churches are represented by laity, not by clergy.

GROUP 5 – MISCELLANEOUS AMENDMENTS ON VARIOUS ISSUES

Amendments **2, 6, 8, 9, 15, 17, and 22** deal with various proposed constitutional changes.

***AMENDMENT 2** revises Article V to require all United Methodist official organizations to adopt ethics and conflict-of-interest policies for board members and employees.

AMENDMENT 2 (TEXT)

¶5. **Article V. Racial Justice**—The United Methodist Church proclaims the value of each person as a unique child of God and commits itself to the healing and wholeness of all persons... The United Methodist Church shall work collaboratively with others to address concerns that threaten the cause of racial justice at all times and in all places.⁷

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:

Supporters of this new constitutional requirement argue that adopting codes of ethics and conflict of interest policies will encourage better stewardship of the human, spiritual, and financial resources of the Church. By setting forth clear expectations for church leadership and governance, it is hoped that the proposed change will promote greater accountability and transparency at all levels of the Church.

RATIONALE AGAINST:

Opponents of this constitutional change argue the new language is overly-broad and would require every group in each local church to impose ethics and conflict of interest policies.

***Amendment 6** allows for newly established annual conferences to be represented at General, Jurisdictional and Regional Conferences on a non-proportional basis for two quadrennia. This change attempts to resolve a legal question raised by the 2004 General Conference's decision to assign a fixed number of delegates to the newly admitted Côte d'Ivoire Annual Conference rather using the usual proportional formula. The proposed amendment establishes the legal foundation and proscribes a specific time limit for assigning fixed representation in the future.

AMENDMENT 6 (TEXT)

¶15. **Article III.**—The General Conference shall fix the ratio of representation in the General, **regional and** jurisdictional, ~~and central~~ conferences from the annual conferences, missionary conferences,¹⁹ and the provisional annual conferences, computed on a two-factor basis: (1) the number of clergy members of the annual conference and the missionary conference,²⁰ and (2) the number of professing²¹ members in the annual conference and the missionary conference,²² provided that each annual conference, missionary conference,²³ or provisional annual conference shall be entitled to at least one clergy and one lay delegate in the General Conference and also in the jurisdictional or ~~central~~ **regional** conference.²⁴

Any other provision of the Constitution notwithstanding, General Conference may provide for a transitional period for newly created annual, missionary, or provisional annual conferences, not to exceed two quadrennia, during which time such a conference may be represented at General, jurisdictional, and regional conferences on other than a proportional basis.

RATIONALE FOR:

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 the proportional formula, based on church membership, would normally require. An ensuing Judicial Council decision determined that the limited representation would stand despite no provision for "transitional" status in the Constitution. Supporters of this amendment argue that it, in effect, establishes the terms and specific conditions of "transitional status," particularly as it applies to the assignment of General Conference delegates. It thus resolves a potentially divisive constitutional impasse that might come up again in the future.

Rationale AGAINST:

Opponents argue that the permissive language ("may") of this proposed amendment opens the door to unequal treatment. Furthermore, this change may be unjustly employed in the future to deprive newly emergent annual conferences of the voting representation that otherwise would be due to them, particularly since the specific criteria for using it at some times but not others has been made clear. This proposed change creates the potential of a second-class, albeit temporary tier of membership.

**Amendment 8 adds gender to the categories of persons protected against discriminatory treatment in terms of the rights and privileges of those *who are already members* of the United Methodist Church. This distinguishes it from Amendment I, which focuses on questions of *eligibility* for those *desiring to become* members.*

AMENDMENT 8 (TEXT)

¶16. **Article IV.**—The General Conference shall have full legislative power over all matters distinctively connectional, and in the exercise of this power shall have authority as follows:²⁵ 1. To define and fix the conditions, privileges, and duties of Church membership, which shall in every case be without reference to race, **gender** or status... 14. 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.³⁷

RATIONALE FOR:

Supporters of the proposed amendment argued that given the long history of denying women equal status in the church as well as the remarkable witnesses and achievements of female clergy and lay leaders, it is time to enshrine our institutional commitment to gender parity in the church's constitution.

Rationale AGAINST:

Opponents of this measure point out that the danger of creating any list is that it includes some important categories of consideration and leaves out others. In

addition, it seems likely that any time a list is created some important categories are included while others are omitted, intentionally or not.

***Amendment 9** establishes the minimum number of voting delegates for the purpose of episcopal elections and taking other actions at Jurisdictional Conferences.

AMENDMENT 9 (TEXT)

¶**23. Article I.**—The jurisdictional conferences shall be composed of as many representatives from the annual conferences and missionary conferences⁴⁴ as shall be determined by a uniform basis established by the General Conference ***provided that no jurisdictional conference shall have fewer than 100 delegates.*** The missionary conferences shall be considered as annual conferences for the purpose of this article.⁴⁵

RATIONALE FOR:

Supporters of this proposed amendment argue that it simply ensures a fixed minimum of voting delegates necessary to accomplish the important work of Jurisdictional Conferences.

Rational AGAINST:

Opponents of this measure worry that it may have some hidden impact on the ability of smaller jurisdictions to carry out their work. It is unclear what these impacts might be.

***Amendment 15** establishes a minimum time period (one year) that lay delegates to annual conference must be professing members prior to their election. The amendment also removes a long list of categories of lay membership and instead permits the General Conference (rather than the Constitution) to define who is included under lay membership.

AMENDMENT 15 (TEXT)

¶**32. Article I.**—The annual conference shall be composed of ***lay and clergy members as defined by the General Conference. Lay members shall have been professing members of The United Methodist Church for one year preceding their election.*** ~~clergy and lay members. The clergy membership shall consist of deacons and elders in full connection, provisional members, associate members, and local pastors under appointment. The lay membership shall consist of professing⁵⁶ lay members elected by each charge, the diaconal ministers, the active deaconesses, and home missionaries under episcopal appointment within the bounds of the annual conference,⁵⁷ the conference president of United Methodist Women, the conference president of United Methodist Men, the conference lay leader, district lay leaders, the conference director of Lay Speaking Ministries, conference secretary of Global Ministries (if lay), the president or equivalent officer of the conference young~~

~~adult organization, the president of the conference youth organization, the chair of the annual conference college student organization,⁵⁸ and one young person between the ages of twelve (12) and seventeen (17) and one young person between the ages of eighteen (18) and thirty (30)⁵⁹ from each district to be selected in such a manner as may be determined by the annual conference.⁶⁰ In the annual conferences of the central **regional** conferences, the four year participation and the two year membership requirements may be waived by the annual conference for young persons under thirty (30)⁶¹ years of age. Such persons must be professing⁶² members of The United Methodist Church and active participants at the time of election.⁶³ Each charge served by more than one clergy shall be entitled to as many lay members as there are clergy members. The lay members shall have been for the two years next preceding their election members of The United Methodist Church⁶⁴ and shall have been active participants in The United Methodist Church for at least four years next preceding their election.⁶⁵~~

Rationale FOR:

Noting that this portion of the constitution has been previously amended on sixteen different occasions, supporters of this change argue that allowing the General Conference to establish clergy and lay categories will simplify a lengthy process and allow our church to adapt more quickly to changing contexts of ministry and mission.

Rationale AGAINST:

Opponents of the proposed amendment argue that “fixing” the categories of clergy and lay membership in the constitution ensures that proposals to change these undergo a more thoughtful and intentional process of deliberation. Furthermore, the constitutional amendment process offers the opportunity for annual conferences to express more directly their preferences on these matters.

***AMENDMENT 17** reinstates a policy, adopted by the 2004 General Conference, allowing laity serving on the committee on investigation to vote on matters of ordination, character, and conference relations of clergy. The policy was previously ruled illegitimate by the Judicial Council, the “Supreme Court” of United Methodism, because the revisions was not made through the constitutional amendment process.

AMENDMENT 17 (TEXT)

¶**33. Article II.**—The annual conference is the basic body in the Church and as such shall have reserved to it the right to vote on all constitutional amendments...relating to the character and conference relations of its clergy members, and on the ordination of clergy and such other rights as have not been delegated to the General Conference under the Constitution, with the exception that the 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 **and the committee on investigation** may vote on matters of ordination, character, and conference relations of clergy, with the further exception that lay members of the district committee on ordained ministry be full participating

members of the district committee on ordained ministry with vote.⁶⁷ It shall discharge such duties and exercise such powers as the General Conference under the Constitution may determine.⁶⁸

Rationale FOR:

Supporters of this proposed amendment argue that allowing laity serving on committees of investigation to participate both in the deliberations and in any actions that might necessitate a vote being taken, is a logical extension of their roles as members of investigatory committees. Adopting this amendment simply parallels an exception that has already been made for laity serving on conference boards of ordained ministry.

Rationale AGAINST:

Opponents of this change argue that allowing laity to vote on matters of ordination, character, and conference relations further erodes the authority, power and privileges of the ordained ministry. The current system of limiting such voting power only to clergy preserves a long-held principle that the best way of determining fitness to serve is through judgment of one's professional peers.

***AMENDMENT 22** adds “Bermuda” to the list of areas included in the Northeastern Jurisdictional Conference.

AMENDMENT 22 (TEXT)

¶ **37. Article I.**—The United Methodist Church shall have jurisdictional conferences made up as follows: Northeastern—*Bermuda*, Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, the Virgin Islands,⁸⁰ West Virginia.⁸¹

Rationale FOR:

Supporters argues that the proposed amendment formally recognizes the current practice.

Rationale AGAINST:

None.