

Petition to the 2021 Northern Europe and Eurasia Central Conference

This petition is a draft to work on until annual conference 2020

May 24, 2019

Petition for adaptations to the 2021 NEBO *Discipline* Supplement

Upon formal motion of DS Dr Jørgen Thaarup, member of the Denmark annual conference, duly seconded and with a majority vote, the Denmark annual conference on its ordinary session, and with a quorum, in May 24, 2020, moves the following petitions on adaptations and new legislation:

¶304.3 While persons set apart by the Church for ordained ministry are subject to all the frailties of the human condition and the pressures of society, they are required to maintain the highest standards of holy living in the world. In countries where the ecumenical context holds the position that ~~the~~ practice of homosexuality is incompatible with Christian teaching, ~~Therefore~~ self-avowed practicing homosexuals are not to be certified as candidates, ordained as ministers, or appointed to serve in The United Methodist Church.

¶304.5. In all votes regarding license, ordination, or conference membership, the requirements set forth herein are minimum requirements. Each person voting is expected to vote prayerfully based on personal judgement of the applicant's gifts, evidence of God's grace, and promise of future usefulness for the mission of the Church. In countries where the ecumenical context does not accept ordained homosexual persons, ~~the~~ District Committee on Ordained Ministry and the Board of Ordained Ministry shall not approve or recommend any person for candidacy, licensing, commissioning, or ordination who does not meet the qualifications of ¶304.1-3, based on the full examination and thorough inquiry into the person's fitness by the committee and board (see Judicial Council Decisions 1343 and 1344). The bishop presiding in the clergy session shall rule any such unqualified candidate out of order and not eligible to be acted upon.

¶341.6. Ceremonies that celebrate homosexual unions shall not be conducted by our ministers and shall not be conducted in our churches in countries where civil-laws does not permit a pastor to perform same-sex marriage ceremonies.

¶415.6 To consecrate bishops; do ordain elders and deacons; to commission deaconesses, home missionaries, and missionaries; and to see that the names of the persons commissioned and consecrated are entered on the journals of the conference and that proper credentials are furnished to these persons. In countries where the ecumenical context does not accept ordained homosexual persons, ~~B~~-bishops are prohibited from consecrating bishops who are self-avowed homosexuals, even if they have been duly elected by the jurisdictional or central conference. In countries where the ecumenical context does not accept ordained homosexual persons, ~~B~~-bishops are prohibited from commissioning those on the deacon or elder track if

the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference. Bishops are prohibited from ordaining deacons or elders if the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference.

¶2702.1(b). practices declared by The United Methodist Church to be incompatible with Christian teaching, in countries where same-sex marriage is not supported by civil-law and ordained ministers are not ecumenical accepted, including but not limited to: being a self-avowed practicing homosexual; or conducting ceremonies which celebrate homosexual unions; or performing same-sex wedding ceremonies;

¶2711.3. *Penalties – If the Trial Results in Conviction.* Further testimony may be heard and arguments by counsel presented regarding what the penalty should be. The trial court shall determine the penalty, which shall require a vote of at least seven members. The trial court shall have the power to remove the respondent from professing membership, terminate the conference membership and/or revoke the credentials of conference membership and/or ordination or consecration of the respondent, suspend the respondent from exercise of the functions of office, or to fix a lesser penalty. Except, where the conviction is for conducting ceremonies which celebrate homosexual unions, or performing same-sex wedding ceremonies under ¶2702.1(b) or (d), the trial court does not have the power to and may not fix a penalty less than the following in countries, where same-sex marriage is not supported by civil-law:

- a) First (1st) offense – One (1) year's suspension without pay.
- b) Second (2nd) offense – Not less than termination of conference membership and revocation of credentials of licensing, ordination, or consecration.

The penalty fixed by the trial court shall take effect immediately unless otherwise indicated by the trial court.

Rationale:

The 2019 General Conference approved the petition 90015 to extend the ¶543.17 so that “legislation passed at the 2019 called session of General Conference shall not take effect in central conferences until twelve months after the close of the 2020 General Conference in order to afford the necessary time to organize a central conference and ‘make such rules and regulations ... for the work ... including to make such changes and adaptations of the General *Discipline* as the conditions in the respective areas may require’.”

For all European central conferences of the UMC the question is, what changes and adaptations of the *Discipline* is required in the cultural, political and ecumenical context of the specific area?

In the European contexts the UMC conferences have to relate the changes and adaptations not only to 2019 General Conference new legislation and to the coming 2020 General Conference, but also to the civil-law of the *European Convention of Human Rights*, 1950, the

concordat of the *European Union*, and the civil-law of several European countries. The EB Confession Article XVI on *Civil Government* states that we recognize the civil government's position of human rights. According to ¶543.18 "a central conference is authorized to interpret Article XXIII of the MC Articles of Religion so as to recognize the governments of the country or countries within its territory." This right to the central conferences gives unlimited interpretation to Article Rel. XXIII of the ¶104, which is part of the most strongly restricted part of the *Discipline*, and this right is legal because it is in harmony with "the conditions the respective areas may require," stated in the Constitution ¶31.5.

The Uniting Conference 1939 added to the Articles of Religion the paragraph in the *Discipline* Of the Duty of Christians to the Civil Authority, and this paragraph included in the ¶104 says that "it is the duty of all Christians ... to observe and obey the laws and commands of the authority of the country of which they are citizens or subjects or in which they reside, and to use all laudable means to encourage and enjoin obedience to the powers that be."

An important factor of our UMC contexts in Europe is our ecumenical context where the three UMC central conferences in Europe are full members of the *Community of Protestant Churches in Europe* and committed to its concordat and approved documents on Christian teaching. The right to the central conferences "to negotiate with other Protestant bodies" on doctrinal and ethical statement in the process of "church union" is given in ¶543.20;21 and ¶6. The three UMC European central conferences are in an established ecumenical Protestant communion and have committed itself to follow the joint development on Christian teaching in this communion. The 2018 *General Assembly of the Protestant Churches in Europe* decided to continue the further process of developing theology on sexual ethics, sexuality and gender in the European Protestant context, and this work will converge the Protestant churches in the same direction on the definition of gender and marriage, and ethics on sexuality, family and family constellations.

In relation to our *primary* European contexts of civil-law, the UMC position on human sexuality, first of all the position on homosexuality, is very problematic. The condemnation of people on the criteria of sexual orientation is a violation of European understanding of human rights. It is obligatory to all public administrations not to have any records of people's sexual orientation or family status, it is even illegal to ask people of privacy conditions in any public administration or private employment. Nowhere in the *European Union* is it allowed to make any decisions or give any privileges to people on behalf of sexual or religious orientation, or ethical values.

The 2019 General Conference made the decision to link sexual orientation, what is invisible and private, directly to household, post address and daily living, what is visible and public. The new 2019 *Discipline* ¶304.3 says that "domestic partnership or civil union" gives the indication on the sexual orientation and behavior of the persons. Does it mean that sexual orientation and behavior and marriage are defined by who we share bedrooms, showers and wardrobes with, who we have fellowship with, dressed and undressed, day and night? In Western European culture and public life, many gender-separated functions are cancelled. In the schools, boys and girls are in the same classes in sport and swimming, and they use the same changing rooms and showers. In the Army and the Navy male and female soldiers are in the same bedrooms, showers and toilets, no separated living conditions. Young people in college- or university-education, very often shares rooms, apartments and all daily life practices with other young adult people with no restrictions between the same gender or the opposite. More and more married couples have more than one home, and it is not unusual that

each of the persons in a married couple have different addresses in different cities and even different countries. The modern single-life-style means that a number of people have their own home and their own family name and their own economy before, under and after marriage. The tax-system of many European states and the insurance companies looks upon people registered on the same address and in the same household as living in “domestic partnership or civil union” regardless of civil status as married, single or polygamist, or any sexual orientation. If the definition in the new 2019 *Discipline* ¶304.3 that “domestic partnership or civil union” is used to define the sexual orientation and practice of the Western Europe population, then a very large part of people inside and outside the church will live a sinful life, and even a group will live “incompatible with Christian teaching,” which in European theology is the same as not being a Christian person at all. The new 2019 *Discipline* ¶304.3 will not have any chance to be accepted in Western Europe, because it is in conflict with how life has developed in a modern and not gender-separated society and where the common accepted family structures are multiply. The new 2019 *Discipline* ¶2711.3, claiming that ministers shall be suspended without salary for a year, because of performing a marriage full legal in the civil-law of the country, will not have any chance to be accepted in Western Europe, because it is in conflict with our labor-laws and legal rights of employees.

The 2019 General Conference decisions have sharpened the UMC position on human sexuality in a more discriminating direction, according to European common understanding of human rights and democratic values. The general condemnation of homosexual behavior, the limitation of homosexual person’s dignity to specific ministry, the restriction of homosexual person’s access to be served by the church in the act of marriage and blessings, the restricted use of church buildings for acts of marriage and acts of blessings, and the actions prescript to be exercised toward persons who perform marriages or ordinations, will in the European contexts uniquely be understood as institutional discrimination and abuse of people because of sexual orientation. It is not only in disharmony with the *European Concordat of Human Rights*, 1950, and the development of civil-laws in the respective individual countries in Europe, but also in conflict with the public opinion in most countries of the *European Union*. It is not acceptable that the UMC with the new legislation turns the Church institution itself into being an institution of discrimination and abuse. The results of the UMC sharpened position of human sexuality, is in Europe understood as the institution itself violates the *General Rules*’ claiming of *By doing no Harm* towards anyone, ¶104, chapter 2: *General Rules*, and the public opinion will be negative towards the UMC. Another and highly respected church-law is to protect individual ministers by giving the fully right not to perform any actions, marriage, blessings or ordination, if it is in conflict with the ethical standards or religious conscience of that individual minister. This right is even protected in many European countries’ civil-laws. The 2019 General Conference decisions seems to draw the church and its obligational functions into institutional discrimination and in further disharmony with the UMC Constitution, the paragraph on *Inclusiveness of the Church* ¶4 “no conference or other organizational unit of the church shall be structured so as to exclude any members or any constituent body of the Church.”

¶101 says that the *General Book of Discipline* is “not subject to change or adaption except by action of the General Conference.” Such action of the General Conference we find in ¶543.14, where it is said that “a central conference shall have the power to conform the detailed rules, rites, and ceremonies for the solemnization of marriage to the statute laws of the country or countries within its jurisdiction.” Further in ¶543.19 the General Conference has given the “Central Conference the power to authorize the congregations in a certain state or country to form special organizations in order to receive the acknowledgement of the state or country

according to the laws of that state or country.” These subjects in the ¶543.7; 8; 10; 12; 13; **14**; 16; and **19** are some of what is the “except by action of General Conference” said in the ¶101.

In relation to our *secondary* European contexts of ecumenical agreements, the position that “the UMC does not condone the practice of homosexuality and considers this practice incompatible with Christian teaching,” is very problematic. In European tradition of theology and particular in Protestant ecumenical theology, Christian teaching, Lehren Fragen, Christliche Glaubenslehren, kristen troslære, is always a question of Christian doctrines, Christian theological standards. Christian teaching is about our Creeds, our dogmatic basics, our confessions of faith, our Bekenntnisschriften, articles of religion, bekendelsesskrifter. For the UMC our Christian teaching is bound to the Constitution ¶3 and restricted in ¶17, ¶18, ¶21 and ¶59.1, and contains what is in the Articles of Religions, the ecumenical Creeds, the General Rules and Wesley’s Standard Sermons. We know, that in American theology the understanding of Christian teaching can be broader understood and contains subjects from the Christian history and practice. In European and ecumenical theology, Christian teaching is a question of *Status Confessionis*. Groups of different Christians have stated that the practice of homosexuality is sin, or immoral, or in conflict with some Biblical texts. But in the *Community of Protestant Churches in Europe* none of the 94 Lutheran, Reformed, United and Methodist churches, which are members of the *European Methodist Council*, in 30 countries representing about 50 million Protestants, have no bylaws or theological standards stating that homosexuality is a *Status Confessionis* issue. In Europe the position of UMC is understood so that the UMC has lifted up the issue of homosexuality to the level of *Status Confessionis* and *de facto* added this theology to our doctrinal standards of faith. By adding new doctrinal positions to the common ecumenical position in the historical Creeds, the UMC position is a violation of our constitutional obligation ¶6 “to strive toward unity of all level of church life” and in relation to “other denominational traditions,” and it is a move away from the theological direction in the *Community of Protestant Churches in Europe*, further it is a violation of the restriction in ¶17 that “the General Conference shall not ... establish any new standards or rules of doctrine.” In Europe our UMC position on issues as changed family structures and cultural pluralism is in line with the theological statements in the *Community of Protestant Churches in Europe* document on Christian teaching in: Die Kirche Jesu Christi. Kapitel 2: Die Gemeinschaft der Heiligen in der Gesellschaft der Gegenwart, 1994. The UMC in Europe is together with other Methodist members churches of the European Methodist Council integrated into the *Community of Protestant Churches in Europe*’s theological work in this area: The Protestant understanding of sexuality, marriage and the family. This work in progress has the goal to develop a joint theological statement of the European Protestant churches on issues: Contemporary ethics of marriage and the family; Church weddings and/or blessing for same-sex couples; and on sexual ethics in general, including intersexuality, transsexuality and queer; and how is *Community of Protestant Churches in Europe* to deal with existing dissent on these issues? When the three European central conferences in 2021 are organized “twelve months after the close of the 2020 General Conference ... and organized in central conference sessions to make such changes and adaptations of the General Discipline,” our work and position in the context of *Community of Protestant Churches in Europe* is part of “the required conditions in the respective area” of Europe.

If the 2021 Central Conference approves the proposed adaptations, the following petition shall not be acted on:

Petition to new legislation:

¶543.14.2. The Northern Europe and Eurasia Central Conference gives the right to the Denmark annual conference to make rites of marriage and ordination and all preparation to these ceremonies regardless of: a) The language on “homosexuality incompatible with Christian teaching” in ¶¶ 161.G; 304.3; 304.5. b) The language on “same-sex marriage, domestic partnership or civil union, or is a person who publicly states she or he is a practicing homosexual” in ¶¶ 304.3. c) The language defining gender, sexual orientation and marriage in ¶¶ 161.C, and d) The language including sexual orientation as criterion for ordination, consecration, use of buildings and general restrictions of minister’s functions in the church in ¶¶ 341.6; 408.3c; 410.5; 415.6; 422.5; 613.19; 635.1a; 2h; 806.9; 2702.1; 2711.3.

Rationale:

In Denmark and in several European countries the UMC local pastor is authorized by ordination and the church to perform baptism and marriages. But the same pastor is also authorized by the state to perform name giving and personal registration in the act of baptism, and to act as the official minister of the state in the legal action of marriage. The pastor is minister of the Church and minister of the State in the same actions, and records of the actions have to be registered in the Church administration, and in the civil administration of the State. The pastor needs to follow the law of the Church, and the civil-law of the State, if the church shall keep its legality and stay in good standing with the specific nation. Here is an area of possibly conflict when the European countries have different definitions of gender and marriage and therefore different laws to regulate public registration of persons and family status. Some European countries have civil-law defining male, female and the third sex: intersex. (Intersex gender: Defined according to *United Nation*’s records that 1,7% of the world population are born intersexual gender.) And more European countries are preparing for similar legislation.

The Denmark UMC has an ecumenical agreement with the Lutheran Church, which is the state church, the established church of Denmark. In this agreement we have accepted the ministry of pastors in both churches. It means, that we have accepted preaching, administering of the sacraments and other ceremonies of an invited Lutheran pastor in our Methodist churches. However, the Lutheran Church of Denmark has a full inclusive praxis to LGBTQ+ in all functions. The agreement *Én tro, én dåb, én nåde* of 2018 gives homosexual Lutheran pastors the right to do pastoral ministry in Methodist churches of the country. The restrictions of the 2019 General Conference makes it very difficult for the Denmark UMC to stay faithful with the ecumenical agreement we have with the Lutheran church.

The 2019 General Conference approved new legislation promoting a theology where the ethical criteria to be a candidate to ordained ministry is different from the ethical standards we hold for members of the church. This position is in conflict with Lutheran and Reformed theology in Europe. In the Old Testament the Mosaic Law, we find that the criterions to be a pastor is similar to the criterion for the sacrificial animals for the offering in the Temple, a person without fail, no physical dysfunctions but a higher personal standard on all levels, the most perfect ones among the ten percent of the elite. In the New Testament the ordained ministers are recruited among the Common Priesthood, the ordinary members of the church. Even Paul talked about his fails and his incompleteness. We do not know what problems Paul was struggling with during his whole life, but it was something he really didn't like, something he had prayed to God to take away from him. Was "the thorn in the flesh" a physical disability, a mental illness, a sin he couldn't control? We don't know. For Paul it was a lifelong thorn, he was not happy about, a burden that made him one of the incomplete people of the church according to himself. And Paul learned that his incompleteness was a new qualification to him in his ministry. Paul was an ordained minister. The absolute common protestant theological standard on the issue of ordained ministry is that candidates for the ministry is called from and by the Common Priesthood, the ordinary members of the Church. No extra ethical qualifications are required, but the call of God and the Church, and the education to execute the profession. The practice in the UMC to have one set of criterions for ordinary members, including the acceptance of different sexual orientations, and in the same time and context have another set of criterions for the candidates to ordained ministry, e.g. disqualification because of some specific sexual orientations, is a violation of common protestant theology, and a violation of the ecumenical agreements we have with other protestant churches in Europe, where we accept the ordained ministers in the different churches. We can hold that candidates have to practice "the highest standards of holy living in the world," but it is still the same and common ethic, not with a completely different content. The UMC can hold the position that homosexuality is a sin, or a disability, or a disorder of creation, or a normal variation of sexuality, or something else. But if we accept that these persons can be members of the church, leaders of our choirs and working in our committees, and they are living after the highest standards of holy living of the church, then they are qualified to be called by God and the church to ordained ministry. If not, we violate our ecumenical agreements with other protestant churches in Europe.

The constitutional right in ¶31.5 given to central conferences to "make such rules and regulations ... for the work ... including to make such changes and adaptations of the General *Discipline* as the conditions in the respective areas may require," opens the question, what is the criterion for "changes" and "adaptations" in addition to "the conditions in the respective areas?" Is it a violation of the possibility to make "changes" and "adaptations" if new text is added to the restricted part of the General *Discipline* defined in ¶101? Is it accepted, if text in the restricted part of the General *Discipline* ¶101 will be deleted? Because "the conditions in the European area requires such changes and adaptations" to promote the mission of the UMC, the constitution ¶31.5 takes priority over the advisory limitations given in ¶101.

The consequences of the proposed new legislation would be that the Denmark annual conference, part of the *European Union*, must find its own way, under the supervision of the residential Bishop, and according to European understanding of what is "the highest ideals of the Christian life," ¶304.2, and "the highest standards of holy living in the world," ¶304.3. In the future of the Denmark UMC, the power of restrictions, regulations and policy making will be in the Denmark annual conference and not in the church-law of European UMC. A movement in the direction of reducing the power of church-law and its ongoing judicial

interpretation in favor of extending the power of conferences in work is strongly supported by Wesley's theology on Christian conferencing and Experimental Christianity, and by Wesley's theology on Experience and Practical Divinity.

Respectfully proposed

Signed by the secretary of the Denmark annual conference