



JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH
CONSEIL JUDICIAIRE DE L'EGLISE METHODISTE UNIE
RECHTSHOF DER EVANGELISCH-METHODISTISCHEN KIRCHE
CONSELHO JUDICIAL DA IGREJA METODISTA UNIDA
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Report by Bishop on Decision of Law

This form is to be used for (please check one):

Reporting of decisions of law made by bishops in response to questions of law submitted to them in writing during the regular business of a conference session (§ 56.3 Const. and § 2609.6 *The Book of Discipline 2016*).

Reporting of episcopal decisions on questions of law when such decisions are appealed by one-fifth of the members of the conference (§ 56.2 Const. and § 2609.7 *The Book of Discipline 2016*).

Name of Bishop: David Alan Bard

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Annual Conference: Michigan Date of session: 06/01/2019 (month/day/year)

Question(s) of Law: Is the resolution, "Aspirations for the Michigan Conference" a violation of paragraphs 2702 a, b, d, e; 304.3, 310.2d and Judicial Council decisions 1120 and 1292

Authorities Cited (indicate paragraph or decision number where applicable):

Constitution: _____ Book of Discipline: 105, 103

Judicial Council Decision(s): 866, 1052, 1120, 1340

Signature: David A Bard

Bishop of The United Methodist Church

Date: 07/23/2019

(month/day/year)

The following must be attached:

- Decision of Law, including facts, rationale and ruling
 - Text of the written request for decision
 - Minutes of annual conference proceedings (relevant portions only)
 - List of names and addresses of interested parties
 - Other relevant materials (e.g. conference rules, resolutions, policies, reports)
- Eight (8) hard copies must be submitted via USPS or other delivery service to:
Clerk Price of the Judicial Council, 5556 N. Sheridan Road, #610, Chicago, IL 60640, USA
- Electronic copies in both Word and PDF (with security features disabled) must be submitted to: secretary@umcjudicialcouncil.org.

**Bishop's Ruling of Law
Aspirations for the Michigan Annual Conference
Bishop David Alan Bard, Michigan Area**

From the Daily Proceedings, Saturday, June 1:

GCR#2019-2 - *Aspirations for the Michigan Annual Conference.*

Alex Plum spoke to the nature of the resolution.

Keith Leonard requested a "rule of law on the 'Aspirations for the Michigan Annual Conference' GCR#2019-2 to know if it violates paragraph 2702a,b,d,e, 304.3, 310.2d, and Judicial Council decisions 1120, 1292, and the understanding of paragraphs 103 and 104 which the resolution disseminates doctrine contrary to Article XXI in light of decision 1185."

Bishop Bard said he would review GCR#2019-2 and make a ruling within the time allotted by the Book of Discipline. (see note below)

Motion: Mark Thompson moved to suspend the rules to allow for calling the question. **Motion adopted.**

GCR#2019-2 adopted.

Note: *Bishop Bard's ruling is located at the end of the Daily Proceedings section.*

Statement of Facts

On Saturday, June 1, 2019 during the plenary session of the Michigan Annual Conference, the following resolution, duly submitted to the conference in accord with our rules was debated and voted upon:

Faced with the uncertainty after the 2019 Special Session of General Conference, United Methodists in Michigan look to Jesus' model of gracious welcome and evangelical inclusion to guide us. As we look forward to how the global church restructures and new Methodisms emerge, the Michigan Annual Conference aspires to live into an expression of Methodism that:

- *includes LGBTQIA people in the full life and membership of The United Methodist Church;*
- *creates time and space for reflection, forgiveness, and reconciliation among our siblings who believe differently as we move into the future;*
- *organizes itself in faithful, just and equitable structures that resist oppression, while acknowledging and undoing its complicity in systems of racial and economic inequity; and*
- *spends our time and financial resources on mission for the sake of the Gospel of Jesus Christ, especially with vulnerable communities in Michigan and around the world, and not on church trials, investigations, or bringing charges against clergy based on sexual orientation, gender identity, and/or gender expression or related actions.*

The vote was to approve the resolution: 819 in favor and 377 opposed.

Rev. Keith Lenard was later recognized and made the following request for a ruling of law: *I would like a Rule of Law on the 'Aspirations for the Michigan Annual Conference' (GCR 2019-2) to know if it violates Paragraphs 2702 a,b,d,e, 304.3, 310.2d and Judicial Council Decisions 1120, 1292, and the understanding of paragraphs 103 and 104 which this resolution disseminates doctrine contrary to Article XXI in light of Decision 1185, Wesley's Notes on the New Testament: Romans 1:27-32, 1 Corinthians 6:9, 1 Timothy 1:8-10, and 2 Peter 2:7, John Wesley's sermon "A Caution Against Bigotry," which states "These monsters might almost make us overlook the works of the devil that are wrought in our own country. But alas! we cannot open our eyes ever here, without seeing them on every side. Is it a small proof of his power, that common swearers, drunkards, whoremongers, adulterers, thieves [sic], robbers, sodomites, murderers, are still found in every part of our land?" This alludes to "Do no harm" in the General rules which links to this sermon "by avoiding evil of every kind especially that which is most seriously practiced." This resolution disseminates by aspirational cause a false doctrine and is contrary to United Methodism, historical Methodism since its beginning, and the first General Conference of 1808.*

Ruling by Bishop Bard

Judicial Council decision 886 clearly states that annual conferences "may not legally negate, ignore, or violate provisions of the *Discipline*. However, the Judicial Council in decision 1052 stated that "Annual Conferences are free to express their ideal and opinions as long as they do not attempt to negate, ignore, or contradict the *Discipline*," and in decision 1120 affirmed that "an annual conference may adopt a resolution on human sexuality that is aspirational in nature." In subsequent decisions (e.g. 1340), the Judicial Council has continued to affirm that annual conferences may adopt resolutions that are aspirational in nature.

Aspirational statements are future-oriented. They look to and express a yearning for something new or different. By their very nature, then, aspirational statements may express a hope for a United Methodist Church different from the current church as defined by *The Discipline*. As long as aspirational statements are forward-looking, and do not encourage an abrogation of the current *Discipline* as a means to creating something new, citing *Disciplinary* paragraphs as an argument against the adoption of such statements seems contradictory. To adopt a future-oriented statement looking toward a United Methodist Church that includes LGBTQIA people in its full life and membership and in which resources are not spent on church trials, investigations, or bringing charges against clergy based on sexual orientation, gender identity, and/or gender expression or related actions in ways perhaps currently precluded by *The Discipline*, that does not in any way negate or encourage the negation of the current *Discipline*, is the very essence of an aspirational statement. Paragraphs 2702.1 a, b, d; 304.3; 310.2d are not violated by the adoption of this resolution. As the nature of this adopted resolution is aspirational, there is no violation of Judicial Council decisions 1120 or 1292.

Does this resolution disseminate doctrines contrary to the established standard of doctrine of The United Methodist Church (§2702.1e)? Having argued that aspirational

resolutions, by their very nature, look toward a different future, one might simply contend that the same principle applies to doctrinal statements. Furthermore, “While the Church considers its doctrinal affirmations a central feature of its identity and restricts official changes to a constitutional process, the Church encourages serious reflection across the theological spectrum” (¶105). However, one can conceive of an aspirational resolution whose intent and language are so contrary to core Wesleyan theological convictions, as understood in ¶103 and ¶104, that ¶2702.1e could be appropriately invoked. The resolution, “Aspirations for the Michigan Annual Conference” is not such a resolution.

Article XXI, cited in the request for a ruling of law, is not germane to the resolution. This section of our Articles of Religion is clearly intended to distinguish churches in the Wesleyan movement from those Christian traditions in which abstinence from marriage is a requirement for all clergypersons.

In reading the sections of Wesley’s Explanatory Notes on the New Testament cited in the request for a ruling of law, one does not see Wesley highlight for special attention words or phrases related to human sexuality.

Furthermore, citing individual texts from Wesley’s Explanatory Notes or Standard Sermons in the manner of the request for a ruling of law, raises significant issues. In Wesley’s Explanatory Notes, for example, Wesley, in commenting on Revelation 13 writes, “This beast is the Romish papacy, as it came to a point six hundred years since, stands now, and will for some time longer.” We would not consider such a statement part of our core doctrinal convictions. In the sermon referenced in the request for a ruling of law, “A Caution Against Bigotry,” just prior to the section cited in the request, Wesley offers a portrait of “the natural religion of the Creeks, Cherokees, Chickasaws, and all other Indians bordering on our southern settlements” that includes torture and the killing of old and young. We would not consider such statements part of our core doctrinal convictions.

To be sure, “Wesley’s *Sermons* and *Notes* were understood specifically to be included in our present existing established standards of doctrine” (¶103). However, these documents are not doctrinal statements in the way the Articles of Religion or Confession of Faith are doctrinal statements. Wesley himself “was not a systematic theologian” (Robert W. Burtner and Robert E. Chiles, John Wesley’s Theology, 8). “He seems never to have felt the impulse to produce anything resembling a comprehensive exposition of his theological ideas” (Albert C. Outler, John Wesley, 27). The use of Wesley’s *Sermons* and *Notes* as doctrinal standards, then, might best be in continuing to define and refine distinctive Wesleyan emphases in our United Methodist theology (¶102) and to use these as living sources for engaging in our theological task as encouraged in ¶105.

In conclusion, the resolution, “Aspirations for the Michigan Annual Conference” is not a violation of ¶2702.1e.

Docket 0420-02

Interested Parties & Persons To Whom Notice Shall Be Given

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