
**Petition #2010-305 — Policy Concerning Marriage of All Clergy
and Article of Religion XXI**

Concur: 139, Non-Concur: 28; Abstain: 12; 83.2% concurrence, NYAC conference session: adopted

Financial Implications: None

“The General Conference shall not revoke, alter, or change our Articles of Religion [see ¶103, Section III, Article I of the Constitution of The United Methodist Church] or establish any new standards or rules of doctrine contrary to our present existing and established standards of doctrine” (see ¶17, *2008 Book of Discipline of The United Methodist Church*).

“The ministers of Christ are not commanded by God’s law either to vow the estate of single life, or to abstain from marriage; therefore it is lawful for them, as for other Christians, to marry at their own discretion, as they shall judge the same to serve best to godliness.” [¶103, Article XXI]

WHEREAS, the Articles of Religion take precedence over all other sections of the *Book of Discipline* outside the Constitution, we believe that any Disciplinary provision denying marriage to some clergy is unconstitutional and contrary to the Articles of Religion and the first Restrictive Rule (see ¶17); and,

WHEREAS, interpretation of scriptures that relate to issues outside the Articles of Religion, the Confession of Faith, and John Wesley’s Notes and Sermons does not rise to the level of doctrine (see ¶102, pp. 58-59); and,

WHEREAS, same-sex marriage is legally permitted in the state of Connecticut; and,

WHEREAS, same-sex marriages performed in other jurisdictions are legally recognized by state agencies in New York;

THEREFORE, BE IT RESOLVED, that the New York Annual Conference (NYAC) adopts a policy effective January 1, 2011 that all clergy in the NYAC may be legally married at their own discretion, as permitted by ¶103 of the Articles of Religion. We direct that all Conference Boards and agencies conduct their business consistent with this policy; and,

BE IT FURTHER RESOLVED, given that our policy is consistent with ¶103, which states, “Therefore it is lawful for [the ministers of Christ] to marry at their own discretion, as they shall judge the same to serve best to godliness,” but it is in conflict with ¶2702.1 (a) & (b), which bar clergy from any form of marriage other than heterosexual marriage and bar them from self-avowed practicing homosexuality, even in the context of marriage, the NYAC requests a Declaratory Decision from the Judicial Council (see ¶2601.1 and ¶2610.2j) as follows:

Is our policy valid in light of the apparent alteration and change of ¶103 of the Articles of Religion by General Conference when they established the provisions of ¶2702.1 (a) & (b), in violation of the First Restrictive Rule in ¶17 of the Constitution, which states that, “The General Conference shall not revoke, alter, or change our Articles of Religion or establish any new standards or rules of doctrine contrary to our present existing and established standards of doctrine”?

BE IT FURTHER RESOLVED, that we request a Declaratory Decision from the Judicial Council concerning the validity and constitutionality of our conference policy, set forth above, as follows:

Given that ¶2702.1 commands some of our clergy to remain single, it violates Article XXI (¶103) and is therefore an alteration and change of our Articles of Religion which is prohibited by the First Restrictive Rule in ¶17 of the Constitution of the UMC; and Given that our policy is consistent with ¶103, which states, “Therefore it is lawful for [the ministers of Christ] to marry at their own discretion, as they shall judge the same to serve best to godliness,” but is in conflict with ¶2702.1 (a) & (b), which commands some of our clergy to remain single and removes their discretion to marry, is our policy valid and constitutional?

Submitted by the Methodist Federation for Social Action (MFSA) and Methodists in New Directions (MIND)

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