

Executive Summary:

Item POL-01, parts 1 and 2

An Advisory Opinion of Revd Dr Christian D Boyd,
Stated Clerk of the Presbytery of Milwaukee and
Member of the General Assembly Advisory Committee on the Constitution (ACC)

REF: <https://www.pc-biz.org/search/3001122>

Overview

On Recommendation (POL-01: Recommendation 1), the General Assembly acted as follows:

Approve

Electronic Vote - Plenary

Affirmative: 389

Negative: 24

Final Text:

1. Direct the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

(Text to be added is [in brackets and underlined.])

Shall F-1.0403 be amended as follows:

The unity of believers in Christ is reflected in the rich diversity of the Church's membership. In Christ, by the power of the Spirit, God unites persons through baptism, regardless of race, ethnicity, age, sex, [gender identity, sexual orientation,] disability, geography, or theological conviction. There is therefore no place in the life of the Church for discrimination against any person. The Presbyterian Church (U.S.A.) shall guarantee full participation and representation in its worship, governance, and emerging life to all persons or groups within its membership. No member shall be denied participation or representation for any reason other than those stated in this Constitution.

On Recommendation (POL-01: Recommendation 2), the General Assembly acted as follows:

Approve as Amended

Electronic Vote - Plenary

Affirmative: 297

Negative: 130

Final Text: Show Amended Text

Shall G-2.0104b be amended as follows:

b. Standards for ordained service reflect the church's desire to submit joyfully to the Lordship of Jesus Christ in all aspects of life (F-1.02). The council responsible for ordination and/or installation (G-2.0402; G-2.0607; G-3.0306) shall examine each candidate's calling, gifts, preparation, and suitability for the responsibilities of ordered ministry. The examination shall include, but not be limited to, a determination of the candidate's ability and commitment to

fulfill all requirements as expressed in the constitutional questions for ordination and installation (W-4.0404)[, the Historic Principles of Church Order (F-3.01), and in the principles of participation and representation found in F-1.0403]. Councils shall be guided by Scripture and the confessions in applying standards to individual candidates.

The Amendments now go to the presbyteries for their approval. If a majority of the presbyteries approve the amendments to the Book of Order, they will be in effect on 4 July 2025.

Proposed Amendment: Part 1

Part 1: The Advisory Committee on the Constitution has expressed its aversion to unnecessarily creating lists of requirements and rubrics, and in this present situation, the list affirms the mission of Christ's Church. Because a list is deemed exhaustive unless it states otherwise, an omission is regarded as exclusionary, not permissive. We believe the witness of scripture and the Constitution testifies to the full inclusion of persons as members of the Church (universal), as noted not only in F-1.0403 but also reiterated in G-1.0302 regarding the church particular: "No person shall be denied membership for any reason not related to profession of faith" (see also the "Confession of Belhar," The Constitution of the Presbyterian Church (U.S.A.): Part I The Book of Confession (2016), 10.3). A positive affirmation of this principle through constitutional amendment is consistent with this witness.

Key Considerations

F-1.0403 outlines some of the Presbyterian Church (U.S.A.) 's core values regarding unity in diversity.

The first section of F-1.0403 speaks to the inclusivity of the Church catholic and the fact that unity is formed through one Lord, one faith, and one baptism.

The unity of believers in Christ is reflected in the rich diversity of the Church's membership. In Christ, by the power of the Spirit, God unites persons through baptism, regardless of race, ethnicity, age, sex, [gender identity, sexual orientation,] disability, geography, or theological conviction. There is therefore no place in the life of the Church for discrimination against any person.

The last sentence, "There is therefore no place in the life of the Church for discrimination against any person," points to the radical hospitality and inclusivity Christ mandates in his body and reflects his prayer in the Gospel of John that all shall be one, as well as points back to the scripture cited at the beginning of the section:

As many of you as were baptized into Christ have clothed yourselves with Christ. There is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female; for all of you are one in Christ Jesus. And if you belong to Christ, then you are Abraham's offspring, heirs according to the promise (Gal. 3:27-29).

Rooted in the baptismal identity and unity, F-1.0403 boldly claims,

The Presbyterian Church (U.S.A.) shall guarantee full participation and representation in its worship, governance, and emerging life to all persons or groups within its membership. **No member shall be denied participation or representation for any reason other than those stated in this Constitution.** [Emphasis added.]

This section on membership in the Presbyterian Church means, as stated in G-1.0302 regarding the church in particular, “No person shall be denied membership for any reason not related to profession of faith” (see also the “Confession of Belhar,” The Constitution of the Presbyterian Church (U.S.A.): Part I The Book of Confession (2016), 10.3).

In short, a person joining the Presbyterian Church must be able to affirm the common baptismal profession as outlined in W-3.0405. No church council shall erect any other barriers that one has to profess or subscribe to be welcomed into communion and have full rights of participation and representation.

F-1.0403 also states, “There is therefore no place in the life of the Church for discrimination against any person.” Thus, it introduces a term that needs to be defined for the church councils, especially as it affects the understanding of POL-1, Part 2.

As understood from discussions after the presentation of this item of business and its approval by the General Assembly, a few people privately asked me what the definition of “discrimination” is in the Constitution.

The Office of the General Assembly Style Guide uses the Merriam-Webster Dictionary (most recent version) for spelling and definitions. It is what should be used to understand particular words within the Constitution.

Within the context, “discrimination” is defined as a prejudicial or biased (against or for) outlook, action, or treatment, such as racial discrimination, and actions, practices, or instances of categorical prejudice or bias (against or for) a group. Discrimination may be held and enacted by individuals or corporately.

Because of church history, which the Book of Confessions helps capture in part, the Presbyterian Church lists in this section in particular those who have been discriminated against in the past and present: race, ethnicity, age, sex, [gender identity, sexual orientation,] disability, geography, or theological conviction (see 223rd General Assembly (*Minutes*, 2018, Pat I, p. 13, 60, 1050-1056)

It is this section, as a core value that informs in G-1.0302, where we are instructed:

- A congregation shall welcome all persons who trust in God’s grace in Jesus Christ and desire to become part of the fellowship and ministry of his Church (F-1.0403).
- No person shall be denied membership for any reason not related to profession of faith.
- The Gospel leads members to extend the fellowship of Christ to all persons.
- **Failure to do so constitutes a rejection of Christ himself and causes a scandal to the Gospel.**

[Bullet points and emphasis added.]

Proposed Amendment: Part 2

Part 2: The amendment adds to G-2.0104b additional concepts that shall be the basis for examining those who are to be ordained and/or installed as deacons, ruling elders, and ministers of word and sacrament. The examination must ensure that the candidate can uphold the constitutional questions for their ordered ministry and include, by some means, the Historic Principles of Church Order (F-3.01) and the principles of participation and representation found in F-1.0403. This would mandate that councils (sessions and presbyteries) assess the candidates' commitment to these principles alongside existing requirements when evaluating a candidate ordained and/or installed to an ordered ministry.

Key Considerations

Expanded Examination Criteria

The proposed amendment requires councils to determine a candidate for ordination and/or installation's ability and attentiveness to participation, representation, and non-discrimination principles, as stated in F-1.0403, which emphasizes the church's commitment to unity in diversity, and all of F-3.01, which covers the foundational principles from the Adoption Act of 1728 and the first Constitution of 1789 regarding:

- God as Lord of the conscience of individuals;
- a church or denomination has the right to determine the terms of membership and for its ordered ministers, which may bind an individual's conscience;
- inseparable connection between faith and practice;
- truth and duty of the church despite one's opinions;
- despite differences, there is to be mutual forbearance rooted in common unity;
- the people, who are the church, elect their leaders;
- all church power, whether exercised by the body in general or in the way of representation by delegated authority, is only ministerial and declarative; and
- there is to be a form of ecclesiastical discipline whose focus is moral and spiritual, and its purposes differ from civil discipline.

The Advisory Committee on the Constitution (ACC) notes that the current examination standards already encompass the possibility of a council to examine a candidate's commitment to the church's polity and discipline. Thus, adding the proposed language is redundant, or there is no change to the required examination material if each ordination question is fully discussed or the basis is used to frame a question or conversation with a candidate. In other words, while the ACC ordinarily advises against redundancy, it recognizes that there are times when that redundancy reflects the desire of the church to place particular emphasis on (or highlight certain aspects of) the church's responsibilities. In those cases, redundancy is within the church's discretion.

As stated in the General Assembly Permanent Judicial Commission case *Maxwell v. Presbytery of Pittsburgh* (United Presbyterian Church, 1975, 254), it is the candidate, not the church, who must make the judgment, whether in good conscience and with the candidate's understanding of scripture and the Constitutional standards of this church if the candidate can accept or abide by a constitutional provision adopted by the Presbyterian Church (U.S.A.). Then it is the council's responsibility to approve or deny ordination and/or installation to one who has promised or

declined to uphold the principles by which the covenant relationship of the Presbyterian Church (U.S.A.) can declare, as stated in F-3.0201, it is “one church”.

Historical Context

The amendment does not undermine the long-standing tradition that goes back to the 1729 Adopting Act, as well as decisions of the General Assembly Permanent Judicial Commission and the Authoritative Interpretation, which stresses the need for candidates to adhere to the constitutional standards of the Presbyterian Church (U.S.A.) while also maintaining the freedom of conscience. In Book of Order G-2.0105, “in entering the ordered ministries of the Presbyterian Church (U.S.A.), one chooses to exercise freedom of conscience within certain bounds.” Their conscience is captive to the Word of God as interpreted in the church's standards so long as they continue to seek or serve in ordered ministry. “The decision as to whether a person has departed from essentials of Reformed faith and polity is made initially by the individual concerned but ultimately becomes the council's responsibility in which he or she is a member” or to become a member (i.e., a session or a presbytery).

Constitutional Framework

The original language in G-2.0104b is retained, which still requires that candidates affirm their commitment to the church's polity and discipline, as outlined in W-4.0404e.

The Advisory Committee on the Constitution (ACC) notes that the current examination standards already encompass the possibility of a council to examine a candidate's commitment to the church's polity and discipline. Thus, adding the proposed language is redundant, or there is no change to the required examination material if each ordination question is fully discussed or the basis is used to frame a question or conversation with a candidate. In other words, while the ACC ordinarily advises against redundancy, it recognizes that there are times when that redundancy reflects the desire of the church to place particular emphasis on (or highlight certain aspects of) the church's responsibilities. In those cases, redundancy is within the church's discretion.

Rights and Obligations

The amendment does not subvert a council's right and obligation to examine candidates on a case-by-case basis, maintaining their discretion and constitutional authority in ordination and installation decisions.

Numerous General Assembly PJC decisions remind councils that oversee examinations for ordination and/or installation of deacons, ruling elders, and ministers that:

1. Each council has the right and obligation to examine each candidate for ordination and/or installation on a case-by-case basis;
2. The individual elected members of the councils (session or presbytery), in assessing persons for ordination, have the freedom to vote their conscience;

3. A resolution that discourages candidates from seeking membership or ordination before a case-by-case evaluation exceeds a session's or presbytery's authority;

4. The decision as to whether a person has departed from the essentials of Reformed faith and polity is made initially by the individual concerned but ultimately becomes the responsibility of the council in which he or she is a member or being examined by for ordination and/or installation;

5. Since 1729 sessions and presbyteries have had full authority to determine whether a candidate for ordination and/or installation adheres to the necessary tenets of the Reformed faith and constitutional standards. No council that ordains and installs deacons, ruling elders, or ministers may adopt resolutions, statements, or policies that paraphrase or restate particular sections of the Confessions or provisions of the Book of Order and/or declare them as "essentials of Reformed faith and polity" as they create confusion to the communion of the Presbyterian Church, are unnecessary, and are themselves an obstruction to constitutional governance (see GA PJC (2008, 218-10, 319, Bush et al. v. Pby of Pittsburgh) and GA PJC (2008, 218-09, 316, Buescher et al. v. Pby of Olympia);

6. Sessions and presbyteries, after due diligence of examination, at their discernment and discretion, act within constitutional authority in making the ordination decision;

7. Each council that oversees ordinations and/or installations exercises its responsibilities to determine a candidate's suitability for ordination. That assessment may be overturned by a higher council on review only for "extraordinary reasons";

8. Each ordaining and/or installing council is responsible for determining whether any "scruples" or personal disagreements with the Constitutional standards of faith and order declared by candidates constitute serious departures from doctrine or polity. The examining council is not required to accept a departure from standards and cannot excuse a candidate's inability to perform the constitutional functions unique to the ordered office of ministry (such as administration of the sacraments or moderating a session) (see 218th General Assembly (*Minutes*, 2008, Part I, p. 42, 43, 379)); and

9. Non-compliance with ordination standards or constitutional requirements by someone already ordained may only be addressed in a disciplinary proceeding.

(See GA PJC (UPC 1975, 254, Maxwell v. Pby of Pittsburgh [Kenyon case]; 1981, p. 113, Rankin v. National Capital Union Presbytery; 1999, 211-2, 12.077, Wier v. Second PC; 2003, 215-5, 272, McKittrick v. West End PC; 2008, 218-10, 319, Bush et al. v. Pby of Pittsburgh; 2010, 220-01, 621, White v. Session of St. Paul PC; 2010, 219-09, 384, Davis v. Pby of San Francisco; 2010, 219-11, 390, Naegeli et al. v. Pby of San Francisco; 2010, 219-08, 380, Bierschwale, et al. v. Twin Cities Area Pby; 2012, 221-04, Larson et al. v. Pby of Los Ranchos; and 2012, 220-10, 652, Parnell et al. v. Pby of San Francisco. For historical reference to principles, see also GA (1729, pp 94-95; 1736, p. 126), The Adopting Acts of 1729 and 1736 Explanatory Acts, as well as the reports in 1926 and 1927 from the Special Commission of 1925, known popularly as the "Swearingen Commission" (GA PCUSA, 1910, p, 191-193, 271-273; 1916, p. 130-132; 1923, p. 252-253, 338-339; 1925, p, 88; 1926, p. 62-87; 1927, p. 56-86.)

See also *Confessional Nature of the Church Report*, Constitution of the Presbyterian Church (U.S.A.): Book of Confessions (Part I), p. v-xxv; and United Presbyterian Church, 1983, p. 141ff, *Report of the Special Committee on Historic Principles, Conscience, and Church Government*.

Note: A council or a congregation may not declare a “scruple” (see GA PJC (2001, 213-2, 577, 12.1028, Londonderry v. Pby of Northern New England), and GA PJC (1995, 207-07, Broad Ave PC v. GAC).

Inclusivity, Participation, and Representation

The amendment aims to reinforce the church's commitment to inclusivity and representation, ensuring that all members have equal access to participation and representation in the church's decision-making processes.

For instance, as stated in F-1.0403, “the Presbyterian Church (U.S.A.) shall guarantee full participation and representation in its worship, governance, and emerging life to all persons or groups within its membership. **No member shall be denied participation or representation for any reason other than those stated in this Constitution** [emphasis added].

What this last line in F-1.0403 also means, regarding the examination of candidates to be ordained and/or installed as deacons, ruling elders, or ministers is that the candidate cannot be outright discounted or ineligible unless the Constitution explicitly states otherwise, and then only based on faith and practice as it related to the particular ordered ministry, and case-by-case discernment and evaluation, maintaining the council’s discretion and constitutional authority in ordination and installation decisions (see above).

Conclusion

The proposed amendments seek to underscore the church's unity in diversity through baptism and guarantee full participation and representation in its worship, governance, and emerging life to all persons or groups within its membership.

The proposed amendments also enhance the examination process for candidates to be ordained and/or installed by explicitly including a requirement to acknowledge the foundational principles of participation, representation, and the core values of the Presbyterian polity, which has been at the core of our governance since 1789, as the church seeks unity in diversity, and is at the core of numerous existing ordination questions.

While the Advisory Committee acknowledges the potential redundancy with existing requirements, both amendments underscore the church's commitment to radical hospitality, inclusivity, and equity.

The presbyteries are advised to consider these factors carefully in their deliberation.