

Dissent and Defiance

The Presbyterian Church (U.S.A.) Constitution protects and guarantees the right of dissent; it provides no right to defiance, but does provide mechanisms to address it.

I. PC(USA) Theology and Polity Have Historically Protected an Individual's Right of Dissent.

A. G-1.0301 provides the basic constitutional provision:

That “God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship.”

That language traces its origin to the Westminster Confession of Faith. (Chapter XX)

B. G-1.0305 provides very practical advice in that regard:

“...we also believe that there are truths and forms with respect to which men of good characters and principles may differ. And in all these we think it the duty both of private Christians and societies to exercise mutual forbearance toward each other.”

C. G-6.0108a affirms the right of conscience when it provides:

“So far as may be possible without serious departure from these standards, without infringing on the rights and views of others, and without obstructing the constitutional governance of the church, freedom of conscience with respect to the interpretation of Scripture is to be maintained.”

D. The footnote to G-6.0108b (from 1758 Plan of Union) recognizes the most extreme act of dissent by an individual. It does not recognize the possibility of such an act by a governing body or congregation.

“That when any matter is determined by a major vote, every member shall either actively concur with or passively submit to such determination; or if his conscience permit him to do neither, he shall, after sufficient liberty modestly to reason and remonstrate, peaceably withdraw from our communion without attempting to make any schism. Provided always that this shall be understood to extend only to such determination as the body shall judge indispensable in doctrine or Presbyterian government.”

E. G-9.0303 and G-9.0304 provide for formal dissent and protest by members of governing bodies. They further provide that dissent and protest must be “decorous and respectful.”

II. The PC(USA) Has Historically Provided a Number of Avenues for Dissent.

A. The Adopting Acts of 1729 provided an avenue for expressing “scruples for non-essential tenets”:

“And in case any minister of this Synod, or any candidate for the ministry, shall have any scruple with respect to any article or articles of said Confession or Catechisms, he shall at the time of his making said declaration declare his sentiments to the Presbytery or Synod, who shall, notwithstanding, admit him to the exercise of the ministry within our bounds, and to ministerial communion, if the Synod or Presbytery shall judge his scruple or mistake to be only about articles not essential and necessary in doctrine, worship or government.”

B. The Swearingen Commission of the PC(USA) in 1926 provided much the same option when it wrote:

“One is, that the Presbyterian system admits of diversity of view where the core of truth is identical. Another is, that the Church has flourished best and showed most clearly the good hand of God upon it, when it laid aside its tendencies to stress these differences, and put the emphasis on its unity of spirit.” (p. 78)

C. The adoption of a Book of Confessions by the UPC(USA) in 1967 and by the PC(USA) at reunion in 1983 accomplished this same function when the special committee proposed the addition of language to ordination vows now found in W-4.4003c:

“Do you sincerely receive and adopt the essential tenets of the Reformed faith as expressed in the confessions of our church as authentic and reliable expositions of what Scripture leads us to believe and do, and will you be instructed and led by those confessions as you lead the people of God?”

D. Since that time the polity has protected the right to expressions of dissent:

In 1993 [West Jersey Presbytery V. Synod of Northeast](#) the GA PJC found :

“Expression of an opinion by a synod or other governing body, without action, does not constitute the adoption of a policy contrary to an established and controlling constitutional policy of the denomination.” (p. 182)

Yet the GA PJC left little doubt that had the Synod taken such an action, the Constitution would provide no protection when it said:

“A lower governing body, such as the synod here, may not, under the guise of “opinion,” adopt a course of action in defiance of an established position of this church on a matter that has properly been submitted to....” (p .182)

(See also [Londonderry v. Presbytery of Northern New England](#) Minutes 2000, p. 577)

III. But PC(USA) Does Not, and Has Not Provided, Nor Protected Any “Right” of Defiance.

A. Charles A. Briggs was a Professor of Bible at Union Seminary (NY) and an adherent to “Higher Criticism” for which the 1893 General Assembly (PC(USA)) suspended him. It was his promotion of views considered heretical, not his belief, that got him suspended.

John Gresham Machen was a Professor of New Testament at Princeton Theological Seminary and believed the Presbyterian Church had been “taken over by modernists.” He had a large role in setting up a competing Independent Mission Board which the PC(USA) General Assembly could not and would not tolerate.

Both these professors moved beyond expressions of dissent and took actions in violation of their ordination vows. They could surely protest and express dissent, but they could not advocate or take actions in furtherance of those beliefs.

B. The PC(USA) has “codified” this concept in G-9.0304b and in G-9.0307 - dissent does not excuse defiance.

C. The Session in Blasdell v. Western NY (1985) had taken action saying it would extend the privilege of ordination to persons ineligible under the Constitution. The GA PJC found:

“The session’s attempt to extend to unrepentant, self-affirming, and practicing homosexual persons the right to be ordained as elder and deacon contravenes the stated position of the church on this issue and is, therefore, erroneous.” (P.121)

D. In Maxwell v. Presbytery of Pittsburgh (1975), in declining to permit the ordination of Walter Kenyon (who opposed the ordination of women), the GA PJC found:

“The challenged decision of Presbytery was not unique or of but minimal significance. The issue of equal treatment and leadership opportunity for all (particularly without regard to considerations of race and sex) is a paramount concern of our Church. Neither a synod nor the General Assembly has any power to allow a presbytery to grant an exception to an explicit constitutional provision.” (p. 257)

IV. PC(USA) Provides Responsibility and Tools for Governing Bodies to Uphold the Constitution in the Face of Defiance.

- A.** G-9.0407 - G-9.0410 Administrative Review
- B.** G-9.0503 Administrative Commission
- C.** D-6.0000 Remedial Case against a governing body
- D.** D-10.000 Disciplinary Case against an individual

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