

Advisory Opinion # 18
Discernment in Examining Bodies – G-6.0108

Since the 217th General Assembly adopted the Authoritative Interpretation proposed by the Theological Task Force on Peace, Unity and Purity of the Church, the Stated Clerk's Office has been asked by many Presbyterians to issue an Advisory Opinion (Standing Rule M.2.b.2). The action of the Assembly deals with three paragraphs in the Book of Order found at G-6.0108:

G-6.0108a. It is necessary to the integrity and health of the church that the persons who serve in it as officers shall adhere to the essentials of the Reformed faith and polity as expressed in The Book of Confessions and the Form of Government. 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.

G-6.0108b. It is to be recognized, however, that in becoming a candidate or officer of the Presbyterian Church (U.S.A.) one chooses to exercise freedom of conscience within certain bounds. His or her conscience is captive to the Word of God as interpreted in the standards of the church so long as he or she continues to seek or hold office in that body. 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 responsibility of the governing body in which he or she serves. (G-1.0301; G-1.0302)

G-6.0108c. Persons seeking to be received as candidates for ministry in the Presbyterian Church (U.S.A.) shall have their attention drawn to the constitutional documents of the church including its statement on freedom of conscience. (G-14.0405)

In responding to these requests it is important to begin at the same place the commissioners to the 217th General Assembly did when they considered the Theological Task Force Report, with recommendations 2 and 4:

2. That we engage "...in processes of intensive discernment through worship, community building, study, and collaborative work."

4. That we "[e]xplore the use of alternative forms of discernment preliminary to decision making, especially in dealing with potentially divisive issues."

It seems wise for ordaining bodies to undertake such processes before utilizing the Authoritative Interpretation.¹ With that critical background,

¹Resources for life in community. There are certain practices indispensable in nurturing the common life that can sustain productive engagement across differences. These include self-examination, mutual confession, worship, participation in the Lord's Supper, and community-building. Resources for communal discernment. The Office of the General Assembly commends to ordaining/installing bodies the following practices for together seeking God's will for the church: Careful study of foundational aspects of church history, theology, confessions and polity; study of the Bible that seeks common and mutually enriching understanding across dividing lines; honest dialogue that seeks first to understand differing viewpoints before critiquing them. Resources in Presbyterian Polity. Presbyterian polity is a historically-tested instrument for sustaining the church's life as a listening community, maintaining concord in the midst of vigorous debate. Presbyterian polity has been a dynamic, not a static instrument that requires adjustment of various "points of balance" in order to maintain productive functioning amidst changing historical and cultural circumstances.

the Stated Clerk's Office offers the following advisory opinion on the G-6.0108 Authoritative Interpretation adopted by the 217th General Assembly:

- a. *The Book of Confessions* and the Form of Government of the *Book of Order* set forth the scriptural and constitutional standards for ordination and installation.**

Subsection "a" is clear and unambiguous in describing the Presbyterian Church's historic ordination standards.

- b. These standards are determined by the whole church, after the careful study of Scripture and theology, solely by the constitutional process of approval by the General Assembly with the approval of the presbyteries. These standards may be interpreted by the General Assembly and its Permanent Judicial Commission.**

This section makes clear that there are national standards for ordination, which are binding upon all ordaining bodies.² Those standards are articulated by way of three sources:

- Amendment of the *Book of Order* by vote of presbyteries³
- Decisions of the General Assembly Permanent Judicial Commission⁴
- Authoritative Interpretations issued by a General Assembly⁵

- c. Ordaining and installing bodies, acting as corporate expressions of the church, have the responsibility to determine their membership by applying these standards to those elected to office. These determinations include:**

This section makes clear that ordaining bodies are all bound to apply the same national standards in determining who is eligible for ordained service in the Presbyterian Church (U.S.A.).⁶ Primary among these standards are the subjects covered in the ordination questions at G-14.0207 and G-14.0405, around which examining bodies are advised to conduct their examinations. These standards include those described in G-6.0106a and b and related authoritative interpretations.⁷

- 1) Whether a candidate being examined for ordination and/or installation as elder, deacon, or minister of Word and Sacrament has departed from scriptural and constitutional standards for fitness for office,**

This section highlights the fact that, among other determinations, the ordaining/installing body must assess whether a particular candidate has departed from constitutional standards. It recognizes the historic practice of the Presbyterian Church for local bodies to determine what the standards require, (consistent with any authoritative interpretations of the General Assembly or

² Sessions for elders and deacons (G-10.0102i) and presbyteries for ministers of the Word and Sacrament (G-11.0103n) (Presbytery examines each minister or candidate G-11.0402) (Constitutional questions G-14.0207 and G-14.0405)

³ G-18.0301

⁴ G-13.0103r

⁵ G-13.0112

⁶ For elders and deacons (G-10.0102i and G-14.0207), for ministers (G-11.0103n and 14.0405)

⁷ The 217th GA left in place the Authoritative Interpretation of 1993 (*Minutes*, 1993 page 322): "Current constitutional law in the Presbyterian Church (U.S.A.) is that self-affirming, practicing homosexual persons may not be ordained as ministers of the Word and Sacrament, elders, or deacons"

its Permanent Judicial Commission) and then to apply those standards to each officer-elect, on a case-by-case basis. This authoritative interpretation affirms the historic practice of depending upon ordaining bodies to make such interpretations and evaluations in determining their own membership.⁸ It does not permit an ordaining body to set aside the national constitutional standards; they are binding upon all ordaining bodies. As covenantally related bodies, we must all be cognizant that “the act of one of them is the act of the whole church...”⁹

The 217th General Assembly’s authoritative interpretation of G-6.0108 did not override existing authoritative interpretations, including the Permanent Judicial Commission’s decision in *Weir II*¹⁰ that, under G-6.0106b, departures may be the subject of questioning only if they are self-acknowledged or the ordaining body has “plain, palpable and obvious” evidence of such departures.

2) Whether any departure constitutes a failure to adhere to the essentials of Reformed faith and polity under G-6.0108 of the *Book of Order*, thus barring the candidate from ordination and/or installation.

The Presbyterian Church (U.S.A.) has historically¹¹ imposed the duty upon ordaining bodies to determine whether a particular belief or practice bars an individual candidate from being ordained. Each ordaining body is responsible to determine whether a particular practice or belief departs from essentials of faith and polity in that individual context.¹² For example, a session might determine that the *Book of Confessions* provision prohibiting usury (Question 142 of the *Larger Catechism*) does not prohibit a senior bank officer from ordination as an elder, because essentials of faith and polity are not involved. If, however, the executive served a financial institution that offered “payday loans” that charged 40% per month interest, the session might determine that the executive should not be ordained because his particular lending practices compromise essentials of Reformed faith and practice, such as those set forth in Section G-6.0106a of the *Book of Order*.

d. Whether the examination and the ordination and installation decision comply with the constitution of the PCUSA, and whether the ordaining/installing body has conducted its examination reasonably, responsibly, prayerfully, and deliberately in deciding to ordain a candidate for church office is subject to review by higher governing bodies.

This section makes it clear that both the process undertaken and the standard applied by the ordaining body are subject to review by a higher governing body. This may be undertaken administratively¹³ or judicially.¹⁴ The standard under both procedures is whether an “irregularity or delinquency” has occurred. In previous cases, the Permanent Judicial Commission declined

⁸ First described in The Adopting Acts of 1729 (pp. 94-95; 1736, p. 126)

⁹ G-9.0103

¹⁰ *Weir v. Second Presbyterian Church, Fort Lauderdale (Minutes, 2002, Part I, p. 339*

¹¹ PCUSA, 1910, pp. 191-193, Request for Doctrinal Deliverance

¹² The practice reflects longstanding Presbyterian polity. The Adopting Act of 1729 (pp. 94-95; 1736, p. 126) provided that a ministerial candidate was to be admitted, notwithstanding his scruples about a particular part of the Westminster Standards, if the admitting body should “judge his scruple or mistake to be only about articles not Essential or necessary in Doctrine, Worship or Government.” The rule was reaffirmed in 1758, when the Synod of New York and Philadelphia reorganized under a Plan of Union that provided for respect of a person’s scruples in all but those matters which the governing body judged “indispensable in doctrine or Presbyterian government.” The principle was again affirmed in the resolution of later disputes over ordination standards in 1870 and 1927.

¹³ G-9.0408 Review trigger is “irregularity or delinquency”

¹⁴ G-9.0411 Review trigger is “irregularity or delinquency”

to substitute its judgment for that of the ordaining/installing body but said that it has the power to do so in extraordinary cases.¹⁵

- e. All parties should endeavor to outdo one another in honoring one another's decisions, according the presumption of wisdom to ordaining/installing bodies in examining candidates and to the General Assembly, with presbyteries' approval, in setting standards.**

This means that ordaining bodies should be given the “benefit of the doubt” in making individual judgments regarding fitness for office. Correspondingly, it means that ordaining bodies are urged to not “push the limits” in making those determinations. While explicitly recognizing the right of review, the commissioners to the 217th General Assembly urged the church to exercise great restraint in utilizing that right, reserving its use to clear cases of abuse of authority by ordaining bodies. We remind the church that it is the duty of both individual Christians and Christian societies to exercise mutual forbearance toward each another (G-1.0305). We pray that all ordaining bodies will exercise restraint and Christian charity.

¹⁵ UPCUSA, 1981, 113, *Rankin v. National Capital Union*