

Constitutional Musing # 11 Examining Officers

The Office of the General Assembly offers these thoughts about the adoption by the 217th General Assembly of the amended report of the Theological Task Force on the Peace, Unity and Purity of the Church. This musing does not carry constitutional authority, but is instead our best advice about some of the questions that we are being asked.

1. Can a session/presbytery have a list of questions that it asks of every candidate for office?

Yes, we believe an examining body may use such a tool and that the lists should include the subjects covered by the ordination questions (G-14.0207 & G-14.0405), since those are the questions the candidates will have to answer in ordination/installation.

We also note that a pre-set of questions can be detrimental to an adequate examination of candidates for it often discourages an ordaining body from doing helpful and necessary “follow up” to the pre determined questions.

2. May presbyteries impose requirements on officers of their congregations?

No, we do not believe the new authoritative interpretation gives one ordaining body the authority to impose on another governing body particular requirements greater than those imposed by the *Constitution*. Rather, the new AI recognizes the historic¹ duty imposed upon each ordaining body to examine its own members. We believe such an attempt by a presbytery would be irregular.

3. Can a session/presbytery include a question in its examination such as “Are you able to answer all the ordination questions without exception? And if not, which ones and why not?”

Yes, that is probably the constitutional minimum an examining body should ask.

4. Can additional questions be included in such a list?

Of course. And they might cover a wide range of areas of inquiry. The Department of Constitutional Services is aware of a large number of presbyteries that currently utilize a list of questions, either written out or almost always asked of candidates. We believe such practice is permissible, even, and perhaps especially, in light of the new Authoritative Interpretation.

Descriptive lists are appropriate but we do NOT believe the *Constitution* permits requiring a particular answer to any of these questions, so prescriptive answers are not permitted. No one “size” (question) fits all candidates. An examining body needs to consider the answers and practices of each candidate individually. There can be no pre-

¹ PCUSA, 1927, pp. 58-86, Report of the Special Commission of 1925 (Swearingen Commission)

determined answers, for no two candidates will be, nor answer, precisely alike. Examination is a process of discerning whether the Lord has called a particular individual to a particular service.

We believe that a governing body that creates both questions and their required answers would commit a delinquency for it would have failed to examine a particular candidate as an individual. For instance, a candidate may be able to answer the question in the prescribed manner and still not understand the question in the way intended, or may not live a manner of life consistent with the answer. Having prescribed answers is an abdication of the duty the new Authoritative Interpretation imposes on ordaining bodies.

Such practice comes dangerously close to the practice of subscription; that is, requiring a candidate to subscribe to a particular interpretation of the Scriptures or *Constitution*. Subscription is a practice that has been prohibited for over 70 years.² The most recent authoritative interpretation on the subject came from the GA PJC in 1981 with the *Rankin v. National Capital Union* case, where the panel noted that subscription is not an acceptable practice.³

Relating this conclusion to presbytery's examination within constitutional confessional standards, we believe there are implications that a different focus for candidates examinations may be appropriate. Whereas, formerly, the candidates' examination sought to determine if the candidate could subscribe to the system of doctrine and the propositional statements that were a part of the Westminster Confession and Catechisms; now the focus of the examination is on the candidate's ability to use a number of confessional formulations to learn from, be guided by, and lead the people of God. **Formerly the Constitution prescribed empirical standards, as set out in the vows, the Westminster Confession, and the Larger and Shorter Catechisms, by which the candidate's theology was judged. Now the Constitution places the primary focus of the candidate's examination not on his or her conformity with theological prescriptions but rather on the candidate's willingness and commitment to be instructed by the Confessions of our Church and continually guided by them in leading the people of God.** The necessary implication of this current focus is that the presbytery has been assigned greater responsibility in determining the sufficiency of the candidate's commitment to be instructed by the Confessions of our Church and his or her willingness to use them in leading and guiding the people of God. The presbytery, therefore, must be vested with sufficient authority to carry out these many constitutional obligations. This determination is a judgment for which higher judicatories should substitute their judgment only for the most extraordinary reasons. As noted in the report of the Special Commission of 1925: "The Presbytery is the only body whose members see the candidate and hear him officially. It is the body qualified

² PCUSA, 1927, pp. 58-86, Report of the Special Commission of 1925 (Swearingen Commission)

³ UPCUSA, 1981, p.113, *Rankin v. National Capital Union*

and constitutionally appointed to judge, at first hand, concerning his spirit and bearing, and his general attitude toward the service of Christ."
(Minutes of the General Assembly, 1927, page 65.)

5. Must every candidate affirm the question "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"⁴

Yes

6. May a candidate declare a scruple on a mandatory provision?

An individual may declare a scruple concerning the appropriateness of a mandatory provision. But a governing body cannot excuse a mandatory provision, for it lacks the power to set aside a provision of the *Constitution*. However, a candidate may still be ordained or installed so long as she/he is still willing to comply with the mandatory provisions. This was confirmed by the GA PJC in the *Hambrick* decision⁵:

The Commission recognizes the right of individuals to hold views contrary to the Constitution of the PCUS but, for the sake of order, actions contrary to the Constitution are not sanctioned. The record of Mr. Mark's examination by Presbytery is rather ambiguous on the point of whether in fact he would or would not participate in the ordination of duly-elected church officers who are female. This question should be put to the candidate in a straightforward manner and should be answered in the same fashion. If the answer is in the affirmative, Presbytery would be justified in receiving the candidate even though he retains scruples in his views on these matters.

7. Does the new Authoritative Interpretation overturn any previous authoritative interpretations?

No, it simply clarifies the ordination process. It reminds the church that ordaining bodies are responsible for applying nationally approved standards to the manner of life and beliefs of individual candidates. Further, it reminds the church that the process utilized and the standards applied are subject to review. This in no way overturns any current authoritative interpretations concerning ordination.

8. Is language such as "self-acknowledgment must be plain, palpable and obvious"⁶ still the standard for inquiry?

Yes.

⁴ G-14.0207c for elders and deacons, and G-14.0405b(3) for ministers of the Word and Sacrament

⁵ PCUS, 1983, 43, *Hambrick v. PJC, Synod of NC*

⁶ See 2002 GAPJC case, *Wier v. 2nd PC, Ft. Lauderdale*, that addresses this specifically

9. Can both a delinquency (failure to adequately examine) and an irregularity (applying the wrong constitutional standard) be reviewed?

Yes. This is clear from the text of section “d” of the new AI and the text of G-9.0408 in 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.

G-9.0408 Special Administrative Review

If a higher governing body learns at any time of any irregularity or delinquency by a lower governing body, it may require the governing body to produce any records and take appropriate action (G-12.0102n, G-12.0304, G-13.0103k, G-13.0103n)