

ASSOCIATION OF STATED CLERKS

**Analysis of Amendments to the Constitution
Proposed by the 221st General Assembly (2014)**

INTRODUCTION

As in prior years, the Association of Stated Clerks is publishing this *Analysis of Amendments to the Constitution* to assist presbyteries in studying and acting on the amendments proposed by this year's General Assembly (2014). The analysis includes a Brief Description of the amendment, the committee and Assembly Action, Arguments Supporting an Affirmative Vote, and Arguments Supporting a Negative Vote. In some instances you will note that there were no specific arguments made either in favor or against some of the proposed changes. You will also note that some of the proposed amendments were approved by a hand or voice vote on the floor of the assembly.

Our purpose has been to present arguments made in favor of and against each amendment both in meetings of the assembly committee that considered the overture leading to the amendment and on the floor of the General Assembly. It is not the role of the Association to make a recommendation either in support of or against any amendment. This analysis is best used in conjunction with the Proposed Amendments to the Constitution published by Office of the General Assembly.

Many presbyteries provide copies of this analysis to their committees responsible for making a recommendation on presbytery action, and we understand that this has assisted those committees as they have done their work. We are glad that these materials are used in that way. Please note that you are free to use them as you wish. We assert no copyright and do not require advance approval of their use.

Please note there are lengthy materials with the Confession of Belhar in the booklet, including Biblical citations and an Accompanying Letter to the Confession of Belhar. The booklet also contains a Note from the Stated Clerk of the General Assembly, Gradye Parsons. The Stated Clerk points out that additional background information on the proposed changes can be found at <http://www.pc-biz.org>.

Thank you to the ASC members who diligently attended committee meetings and provided information about what the pros and cons were for each amendment and to the Office of Constitutional Services for their assistance.

Michael R. Lochow
Stated Clerk
Presbytery of the Northern Plains

PROPOSED AMENDMENTS TO THE CONSTITUTION

14-1 Confession of Belhar

Shall the Confession of Belhar be included in the *Book of Confessions*?

Brief Description

You are referred to the complete text of the Confession of Belhar and the accompanying Biblical citations found in the booklet containing all of the proposed amendments to the constitution published by the Office of General Assembly. A synopsis of the background and rationale regarding the Confession of Belhar is found in that booklet as well.

Assembly Action

The vote of the Assembly Committee on Theological Issues and Institutions and CE (13) to approve the proposed amendment was 46/6/0. The 221st General Assembly (2014) approved the committee's recommendation 551/87/0.

Arguments Supporting an Affirmative Vote

- We need to have a confession which addresses reconciliation and racism
- We need a confession from the Global South

Arguments Supporting a Negative Vote

- Why do we need another confession?

Amendment 14-A. Renunciation of Jurisdiction On Amending G-2.0509 (Item 06-05)

Brief Description

The amendment seeks to prevent a teaching elder who is in the midst of a formal judicial process from renouncing jurisdiction and then continuing to work or volunteer in the church. There was concern that the church may remain vulnerable due to a lack of information regarding the circumstances and facts of the case.

Assembly Action

The vote of the Assembly Committee on Church Polity and Order Ministry (06) on the proposed amendment was 48/7/2. The 221st General Assembly (2014) approved the committee's recommendation by a vote of 309/297/0.

Arguments Supporting an Affirmative Vote

- When a teaching elder avoids the disciplinary process by renouncing jurisdiction and then is allowed to serve the church, what does that say to his or her victim? Where is the justice, the opportunity for the victim to heal? The church has an obligation to help the victim to heal.
- The disciplinary process is designed to protect all parties involved as it seeks to serve justice and bring the body of Christ back to health. When the accused leaves the process by renouncing jurisdiction, the process cannot work.

- Renunciation is the abandonment of the church. Someone who has abandoned the church should not be able to work for it.

Arguments Supporting a Negative Vote

- When a teaching elder renounces jurisdiction, he or she is no longer a member of the PC(USA) and therefore is not under its jurisdiction. The proposed amendment attempts to extend the church's jurisdiction over someone who is not under its jurisdiction.
- The proposed amendment would inappropriately place a provision of the disciplinary process in the Form of Government instead of the Rules of Discipline where it would more appropriately belong.
- There are times when the accused renounces jurisdiction not because he or she is guilty but because he or she does not want to subject himself, herself, or others to a trial. This proposed amendment has the potential for punishing someone who is not guilty.
- It would be difficult to enforce the proposed amendment, particularly if the former teaching elder relocates.
- The church's Constitution is about the "what" not the "who" or the "how" of process. Policies such as the one described in this proposed amendment should be in a council's manual of operation or personnel policies, not in the church's constitution.
- Councils already have the authority to act as this proposed amendment suggests. Indeed they have the responsibility to take due diligence through background checks of those who work for the congregation whether paid or not.
- The basis for this proposed amendment assumes that the accused is likely to repeat the alleged misbehavior. It may have been a one-time offence.
- The action committed by the accused may after a period of time no longer be contrary to the Constitution.
- This proposed amendment too narrowly and unfairly focuses on teaching elders. What about ruling elders or deacons who renounce jurisdiction during the disciplinary process?

Amendment 14-B Special Committee to Review the Preparation for Ministry Process And Standard Ordination Exams (Item 06-12)

Brief Description

The 220th (2012) General Assembly referral: *On Reevaluating the Process by Which Ordination Exams Are Written, Administered, and Graded*, resulted in the formation of a Special Committee. From that Special Committee came these two proposed amendments (Item 06-12, recommendations 11 and 12). Recommendation 11 seeks to distinguish the standard ordination examinations from examination by presbyteries for ordination as well making it clear that candidates are accountable to their presbytery of care. It also makes clear that standard exams are evaluated by written comments but are not graded. Recommendation 12 changes the title of the paragraph to address the perception of some that being an exception is prejudicial in and of itself. The changes intend to clarify that presbytery minutes should include reasons for both waivers and for alternate means of assessment.

**14-B.1. Final Assessment
On Amending G-2.0607 (Item 06-12, Recommendation 11)**

Assembly Action

The vote of the Assembly Committee on Church Polity and Ordered Ministry (06) on the proposed amendment was 54/0/0. The 221st General Assembly (2014) approved the committee's recommendation 578/41/0.

Arguments in Support of an Affirmative Vote

- This proposal eliminates any specific reference to seminary grades as a consideration for a Committee for the Preparation for Ministry to certify a candidate ready to receive a call.
- It also clarifies that the presbytery approving a candidate's readiness must be the presbytery of care, not the calling presbytery or some other presbytery.

Arguments in Support of a Negative Vote

- None were noted.

**14-B.2.
Accommodations
On Amending G-2.0610 (Item 06-12, Recommendation 12)**

Assembly Action

The vote of the Assembly Committee on Church Polity (06) on the proposed amendment was 42/0/0. The 221st General Assembly (2014) approved the committee's recommendation by voice vote.

Arguments in Support of an Affirmative Vote

- The reporter commented that this proposal, as tweaked by the committee, is mostly word-smithing.

Arguments in Support of a Negative Vote

- None

**Amendment 14-C.
Child Protection Policy
On Amending G-3.0106 (Item 08-14)**

Brief Description

The proposed amendment originated from the Advocacy Committee for Women's Concerns and would require that all councils of the church adopt and implement a child protection policy.

Assembly Action

The vote of the Assembly Committee on Mission Coordination (08) on the proposed amendment was 69/0/0. The 221st General Assembly (2014) approved the committee's recommendation by a vote of 554/18/0.

Arguments Supporting an Affirmative Vote

- There was an impassioned speech by an overture advocate and then a sharing by one of the committee members of his own sexual abuse.

Arguments in Support of a Negative Vote

- None

Amendment 14-D. Minimum Composition of a Presbytery On Amending G-3.0301 (Item 06-06)

Brief Description

The amendment would allow presbyteries comprised of less than ten duly constituted sessions and ten teaching elders to continue to exist upon approval by their synod and the General Assembly. The background and rationale provided by the Presbytery of Eastern Oregon emphasized that the PCUSA is a denomination of small churches which continue to do good work within their respective communities despite their size. Mission is not dependent upon size.

Assembly Action

The vote of the Assembly Committee on Church Polity and Ordered Ministry (06) on the proposed amendment was 57/0/2. The 221st General Assembly (2014) approved the committee's recommendation by a vote of 510/9/0.

Arguments in Support of an Affirmative Vote

- There are places in the United States where there are few PCUSA congregations in a large geographic area (e.g., Alaska, Eastern Oregon, Idaho). Distances and remoteness present such a challenge that attempting to configure presbyteries with ten or more sessions and ten or more teaching elders is unrealistic.
- Even in those places where there are more than ten sessions, it is often difficult for there to be ten teaching elders.

Arguments in Support of a Negative Vote

- Once the original recommendation was amended to include the phrase "giving consideration to the responsibilities assigned to presbyteries in G-3.01 and G-3.03", no arguments against the proposed amendment were voiced.

Amendment 14-E. Interreligious Stance On Amending G-5.0102 (Item 07-02, Recommendation 2)

Brief Description

The proposed amendment originated from The General Assembly Committee on Ecumenical and Interreligious Relations as part of their recommendation to approve the policy statement, *The Interreligious Stance of the Presbyterian Church (U.S.A.)*. The amendment updates the language in the current section and adds a sentence regarding the interreligious stance of the PC (USA).

Assembly Action

The vote of the Assembly Committee on Ecumenical and Faith Relations on the proposed amendment was 59/4/0. The 221st General Assembly (2014) approved the committee's recommendation by a hand vote.

Arguments in Support of an Affirmative Vote

- A well known quote of PCUSA: "To be Presbyterian is to be ecumenical"
- The PCUSA and its antecedent churches have been at the forefront of local, regional, national, and global ecumenism.
- This is a new statement for the PCUSA – updating statements from prior ecumenical consultations in the UPCUSA (1981) and the PCUS (1975)
- The statement offers "guidance for how we relate to people of other religious traditions."

Arguments in Support of a Negative Vote

- None

Amendment 14-F. Marriage On Amending W-4.9000 (Item 10-02)

Brief Description

This overture came from the Presbytery of the Cascades with sixteen other presbyteries concurring. The proposed changes to W-4.9000 sets forth the circumstances and conditions under which a teaching elder in the Presbyterian Church (U.S.A.) would be authorized, though not required, to act as an agent of the civil jurisdiction in recording of the marriage contract if the couple wishing to marry meet the requirements of the civil jurisdiction. The session has the authority to permit or deny the use of the church property for a marriage service.

Assembly Action

The vote of the Assembly Committee on Civil Union and Marriage Issues (10) on the proposed amendment was 49/18/0. The 221st General Assembly (2014) approved the committee's recommendation by a vote of 429/175/0.

Arguments in Support of an Affirmative Vote

- The rationale provided by the Presbytery of the Cascades was reiterated in committee
- The current non-discrimination stance in the Book of Order is not in line with the current policy on marriage
- Young people are accepting
- It gives presbyteries and churches options
- Members of the church are not full members by denying the right to marry

Arguments in Support of a Negative Vote

- The state does what it does; the church only what God blesses
- Scripture above all is firm on marriage between a man and a woman
- In favor, but not sure the time is right to amend the Book of Order
- The change will cause major crisis