

**Comment from the Advisory Committee on the Constitution
on Item 06-03 (On Amending G-6.0108b, “Freedom of Conscience - Within Certain
Bounds” to Safeguard the Amendment Process)**

The Advisory Committee on the Constitution advises the 217th General Assembly (2006) to disapprove Item 06-03.

Rationale

Item 06-03 seeks to amend G-6.0108b to add an additional sentence that would make certain “specific” standards of the *Book of Order* essentials of the Reformed faith and polity for officers of the church. The rationale for the overture states that its purpose is to preclude the authoritative interpretation of G-6.0108b offered by Recommendation 5. of the Report of the Theological Task Force on the Peace, Unity, and Purity of the Church.

The Advisory Committee on the Constitution does not believe that the proposed amendment to G-6.0108b offered by Item 06-03 accomplishes the intent stated in the rationale. The premise of this overture is that the task force recommendation treats G-6.0106b as nonessential. This premise is incorrect.

The impact of the proposed overture cannot be understood apart from the actual language of G-6.0106b:

Those who are called to office in the church are to lead a life in obedience to Scripture and in conformity to the historic confessional standards of the church. Among these standards is the requirement to live either in fidelity within the covenant of marriage between a man and a woman (W-4.9001), or chastity in singleness. Persons refusing to repent of any self-acknowledged practice which the confessions call sin shall not be ordained and/or installed as deacons, elders, or ministers of the Word and Sacrament.

The overture assumes that this provision contains an unambiguous standard that the task force report seeks to circumvent. However, as the Advisory Committee on the Constitution has advised with respect to other overtures, by using the mandatory term “shall” to refer to the phrase “practice which the confessions call sin” rather than delineating practices that bar ordination, G-6.0106b creates an intersection between belief and practice. A person can only repent of conduct he or she genuinely believes to be sinful. If a person does not believe conduct to be sinful, he or she may abstain from that conduct out of concern for the wellbeing of the community (e.g., 1 Corinthians 8), but he or she cannot be said to repent of that conduct. The authoritative interpretation offered by the task force would allow an ordaining or installing governing body, when faced with a particular practice that is described as sinful at some place in the confessions, that the candidate does not believe to be sinful, to ordain or install the candidate on the basis that the candidate’s belief that the practice was not sinful does not depart from the essentials of the Reformed faith. This interpretation is not an attack on the mandatory nature of the “shall not” in G-6.0106b, but a recognition of the variety of belief as to which practices “the confessions call sin.”

Accordingly, the Advisory Committee on the Constitution does not believe that the amendments to G-6.0108b accomplish the intent described in the overture’s rationale. The amendment does not affect the variety of belief as to which practices the confessions call sin, and thus would not prevent an ordaining or installing body from deciding that a candidate could be ordained and/or installed even if that person did not believe that some conduct the confessions call sin was not sinful, and therefore unrepentantly engaged in that conduct, as long as the governing body found that *belief* not to be a departure from the essentials of the Reformed faith.

To the extent the assembly desires to accomplish the intent set forth in the rationale of these overtures, it should propose amendment to G-6.0106b replacing the language “practices the confessions call sin” with a list of the practices that would preclude ordination or installation, or approve an authoritative interpretation defining as specifically as possible the practices that the confessions call sin, either by delineating each practice the assembly believes G-6.0106b refers to or by stating that G-6.0106b refers literally to any practice in any way described as sinful by any portion of *The Book of Confessions*.