

# Evaluation of “The Final Report of the [PCUSA] Task Force on Peace, Unity, and Purity of the Church”

## Part 1: A Local Option Trojan Horse

by

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*A confessional standard that The Book of Order specifically requires, singles out, and highlights from among all the historic confessional standards of the church is by definition essential. Such is the case with the sexuality standard against homosexual practice in G-6.0106b. Ordaining and installing bodies have no constitutional right or responsibility to demote such an explicitly mandated practice in The Book of Order to a merely recommended practice. To do so is to promote local option and destroy the connectional unity of the PCUSA.*

*Imagine a federal task force recommending that the U.S. Constitution remain our standard but allowing every governing body in the United States to determine for itself which parts of the Constitution were essential and thereby necessary to keep, subject only to the higher review of left-leaning courts or legislatures. Imagine left-leaning courts and legislatures having the right to determine not only whether any given practice is constitutional but also which parts of the U. S. Constitution itself should be enforced. Instead of operating with the mindset that the whole of the U. S. Constitution, as amended, is to be enforced, the operating assumption would change to: We have to abide by only those parts of the U.S. Constitution that left-leaning courts and legislatures expressly declare to be essential. That is the kind of “no change” coming if the PCUSA Task Force's key recommendation is approved by the General Assembly in 2006.*

*Local option will be limited largely to those who are not left of center on sexuality issues. Those who are left of center on sexuality issues can count on a generally left-of-center General Assembly (GA) or GA Permanent Judicial Commission (GAPJC) to support their views on sexuality. The GA and GAPJC will have the sole right to declare which mandatory standards of The Book of Order are, in fact, mandatory for all congregations nationwide. Since the GA and GAPJC have shown themselves to be significantly to the left of nationwide presbytery votes and the average parishioner—contrast, for example, the near supermajority of GA votes to delete G-6.0106b in 2001 (60.4%) and the overwhelming supermajority of presbyteries to reject this GA overture in 2001-2 (72.7%)—the left can effectively undo anything that the right and center of the church puts in the Constitution, turning every constitutional amendment of the latter into local option. The opposite, however, does not hold true. What the left is able to put in the Constitution, that the GA or GAPJC will insist on being “essential” and thus mandatory for all governing bodies. Local option will mainly be a one-way street: local option for what the left doesn’t like, mandatory universal observance for what the right doesn’t like.*

For many persons, reading “[A Season of Discernment: The Final Report of the \[PCUSA\] Task Force on Peace, Unity, and Purity of the Church](#)” will be like eating an apple with a worm in it. Though there are parts of the apple left untouched by the worm that in isolation might taste just fine, the overall effect of the worm’s presence is to destroy the eating experience as a whole.

I am sure that the members of the Task Force did their very best in trying to come up with a document that would answer to the needs of the church and would uplift the hearts of readers and edify their minds. I truly wished and prayed that the outcome would match the intent. Sadly, it does not.

Although there are some good elements within the Final Report and doubtlessly the report reflects some genuine goodwill, nearly the whole of the Final Report attempts to move readers in various ways to the dangerously false conclusion that a male-female prerequisite for a God-ordained sexual union is, whether or not a serious matter, a *nonessential* feature of New Testament and Reformed sexual practice. This is true of the sections on unity and identity (pp. 2-8), Christology (pp. 13-14), biblical authority and interpretation (pp. 14-15), of course sexuality and ordination (pp. 15-18), the resources for peace, unity, and purity (pp. 18-28), and certainly of the recommendations that flow from the preceding discussion (pp. 28-38) as well as the final word (pp. 38-39).

So desperate was the Task Force to reach this false conclusion that even ‘ecclesiasts’ serving on the Task Force were apparently willing to sacrifice on the altar the real authority of the *Constitution of the Presbyterian Church (U.S.A.)* and so the very connectional structures that bind this denomination together. *For all its attempts at obscuring the fact, the fact of the matter remains that the Task Force promotes a variant of a local option model.* While I predicted that the majority on the Task Force would find some way of pushing for functional local option on

homosexual practice without actually calling it local option explicitly, seeing the prediction come to pass is anything but satisfying (for the prediction see the write-up on my talk to the New Wineskins Convocation, “Seminary professor predicts PCUSA task force will follow Lutheran task force example on ordaining active homosexuals,” *The Layman* [[Aug. 2005](#)], p.9 or go [here](#)).

Recommendation 5 encourages *every* ordaining and installing body to see its role as determining *for itself* whether *any* expressed standard or requirement in the *Constitution* is essential, including of course the sexuality standard for officers in G-6.0106b. If the GA approves this recommendation, then the image of a worm in an apple, which I used to describe the experience of merely reading the Report, would not adequately describe the effect that GA approval would have on the polity and morality of the PCUSA. For ultimately the adoption of Recommendation 5 would call into question any claim that this transient denominational structure might have to being an adequate institutional representation of the church of the Lord Jesus Christ to the world. No national institutional structure can officially give license to local ordaining and installing bodies to demote specific, highlighted requirements in its constitution to the status of a “nonessential requirements” (an oxymoron) without eventually losing the trust and respect of its members and sowing the seeds of its own destruction. Nor can such a structure long give *official* countenance to practices among its own officers that would have appalled Jesus and the entire apostolic witness of Scripture and expect to be considered a viable vehicle for Christ’s work in the world. The damage caused to the PCUSA would be the undoing of the very unity that the Task Force was charged with promoting.

Since there is no specific standard or requirement in the *Constitution* that is explicitly tagged with the adjective “essential” (as any concordance search reveals), every explicitly mandated constitutional provision, including in the Form of Government of *The Book of Order*, would be fair game for not being upheld as mandatory. This would apply no matter how obvious it was from wording or context that the *Constitution* itself held the standard or requirement to be essential. For if the ordination standard and requirement for sexual behavior in G-6.0106b could be treated by any ordaining and installing body as not required, as the Final Report itself suggests, then no standard or requirement is safe from being ignored. As we shall see below (section VI), the wording and context of G-6.0106b make abundantly clear that *The Book of Order* presents this standard as essential.

Not even the recommendation’s reminder that the decisions of ordaining/installing bodies are “subject to review by higher governing bodies” would prevent widespread departures from explicit constitutional provisions (see section IV below).

It would be foolish to think that the Task Force’s recommendations, if adopted, would bring us to a terminus or finishing point on the polity question of homosexual practice. This is merely a temporary way station. The recommendations of the Task Force, if adopted, will pave the way for an ultimate legitimizing of homosexual practice throughout the denomination. If renewal-type members of the Task Force think that they have arrived at a solution that will insure their own freedom of conscience on this question for a decade or more to come, they are sadly mistaken (see section V below).

The Task Force proposes to effect this radical change without even taking the matter to the presbyteries for a vote. How can they do that, one might ask? They do it by claiming, erroneously, that they are only giving “authoritative interpretation” to an existing rule in *The Book of Order* (G-6.0108) rather than advocating any change in the *Constitution* (see section VI below). Majority approval of the General Assembly would suffice to effect this sweeping change. The Task Force even denies that it is proposing a variant on the local option model, mistakenly so (see section III below). For these two reasons the proposed ‘clarification’ deserves to be called a “local option Trojan horse.”

The Task Force’s recommendation, if adopted, will have the effect of functionally thwarting, by mere General Assembly approval, three prior churchwide expressions of the will of the presbyteries of the PCUSA on sexuality standards. Two of these, incidentally, were rejections, by increasing supermajorities of presbyteries, of overtures to gut or delete G-6.0106b that came out of the *General Assembly*. Yet now by a mere *General Assembly* vote a standard that was constitutionally *mandated* for all ordaining and installing bodies could become reduced to a standard that is merely *recommended, commended as suitable, or permitted*. This is representative government at work for us? All persons who respect the integrity of constitutional procedures should be outraged. The Task Force surely knows that if it ever put its recommendation to a vote among the presbyteries it would stand little or no chance of passage.

Here in Part 1 I shall focus on the most alarming failing of the Report: Recommendation 5. Alongside it I shall give a brief assessment of its companion recommendation, Recommendation 6. I propose two alternative recommendations to these two recommendations. Part 1 is subdivided as follows:

- I. An ELCA Déjà Vu: Effecting Radical Change While Claiming None*
- II. Beyond Interpretation of The Book of Order to Its Functional Nullification*
- III. A Task Force in Denial about Local Option*
- IV. Why “Subject to Review” Is an Inadequate Safeguard*
- V. How This Will Devolve Into Coercive Acceptance of Homosexually Active Officers*
- VI. An Abuse of the Freedom of Conscience Section in G-6.0108*
- VII. Outdoing one another in honoring one another’s decisions?*
- VIII. Other Task Force Rationales*
- IX. A Brief Assessment of Recommendation 6*
- X. Alternative Recommendations or Amendments*
- Appendix: The Text of Recommendations 5 and 6 in the Task Force’s Final Report*

In Part 2 I shall address the problems with most of the other recommendations and with the other sections of the Final Report.

### ***I. An ELCA Déjà Vu: Effecting Radical Change While Claiming None***

The wording of Recommendation 5 at first glance looks harmless enough (see the appendix at the end of this article for the text of the recommendation). Moreover, the Task Force rationale for the recommendation assures us that Recommendation 5 merely “clarifies potentially ambiguous words or phrases” in G-6.0108 (p. 32). “No elements of the proposed authoritative interpretation are new” (p. 33). “In a word, the proposed authoritative interpretation introduces no innovations”

(p. 34). Somewhat confusedly, though, readers are also told, “the authoritative interpretation might, however, introduce at least two changes in current practices of ordination” (p. 33).

Closer inspection shows that Recommendation 5 is a masterful example of obscuring from readers the reality of radical change. In this it reminds me of the dissembling of the Task Force and Church Council of the Evangelical Lutheran Church in America (ELCA). In January 2005 the ELCA Task Force recommended that the following policy in *Vision and Expectations: Ordained Ministers in the ELCA* be retained but not enforced: “Ordained ministers who are homosexual in their self-understanding are expected to abstain from homosexual relationships.” In so doing, the ELCA Task Force ignored the obvious point that a policy not enforced is, for all intents and purposes, a policy no longer in force. While being retained in name, functionally the policy would be defunct in synods that chose not to enforce it. The ELCA Church Council revised that very slightly, claiming that the ELCA would continue to “affirm and uphold the standards for rostered leaders as set forth in *Vision and Expectations*” while allowing “exceptions” for officers in committed homosexual relationships, determined on a synod-by-synod basis. Since few if any advocates for homosexual practice in the ELCA advocate for promiscuity, an “exception” for *committed* homosexual unions would, in effect, be an exception that overturns the entire rule about ordained ministers abstaining from homosexual practice. For a critique of the recommendations of both the ELCA Task Force and the ELCA Church Council, see my “[A Faithful Journey Through the Bible and Homosexuality?](http://www.robagnon.net/ArticlesOnline.htm)” at <http://www.robagnon.net/ArticlesOnline.htm>). Fortunately a narrow majority of delegates at the 2005 ELCA Churchwide Assembly in Orlando defeated the Council’s recommendation (503-490), recognizing it to be the stealth attempt at radical change in policy that it was. We may pray and hope for a similar fate for Recommendation 5 of the PCUSA’s Task Force.

Now it should be noted that in the ELCA Churchwide Assembly vote, while the majority opposing the recommendation was only slight, a two-thirds vote in favor of the change was required for passage since a change of ELCA by-laws was involved. ELCA Churchwide Assembly votes are final, requiring no subsequent approval by synods. The PCUSA has a different, and I think more effective, safeguard. Although a motion to change the PCUSA constitution needs only a simple majority for passage at a PCUSA General Assembly, this proposal must then be ratified by a majority of the presbyteries. However, as noted above, the PCUSA Task Force is trying to effect radical change by doing an end-run around this vital constitutional safeguard.

## ***II. Beyond Interpretation of The Book of Order to Its Functional Nullification***

What has the Task Force proposed? Slightly different from the ELCA recommendations but along a similar trajectory, the PCUSA Task Force with its Recommendation 5 proposes that each ordaining and installing body has the right to decide for itself “whether *any* departure” from the scriptural and constitutional standards for ordination and installation “constitutes a failure to adhere to the essentials of Reformed faith and polity” (point 3b; p. 31). As the Report itself notes (p. 35), the specific ruling that this is most apt to affect in the short-term is G-6.0106b. G-6.0106b was added to the *Constitution* in 1997 to specify what had been understood for centuries; namely, that among the historic confessional/behavioral standards of the church that

the PCUSA should absolutely insist upon for ordination was “the requirement to live either in fidelity within the covenant of marriage between a man and a woman, or chastity in singleness.”

**b. Those who are called to office in the church are to lead a life of 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 Word and Sacrament.** (boldface added)

This amendment was added *precisely* in order to take away from all ordaining bodies the right to decide for itself whether this standard for ordination was essential.

Yet, says Recommendation 5, every ordaining and installing body can ignore this obvious intent. Every such body may decide for itself not merely what G-6.0106b *means* but whether it is *essential*, or more particularly whether the standard implicitly deemed essential therein is in fact essential. *This goes beyond interpretation and application of The Book of Order to legislating by functional nullification against the clear intent of The Book of Order.* Any local ordaining or installing body can regard as nonessential for ordination, and thus not in force, what *The Book of Order* itself has very specifically, very explicitly, and very recently singled out from among all the confessional standards of the church to be absolutely binding on all ordaining bodies. Recommendation 5 will change the primary way that ordaining and installing bodies view themselves, from instruments for upholding the requirements of *The Book of Order* to active determiners of which “requirements” are essential to uphold.

Let no one think that the Task Force did not understand the implications of its recommendation for G-6.0106b. For the recommendation was clearly formulated with G-6.0106b in view. The one specific example that it gives of how Recommendation 5 might be used involves G-6.0106b:

If an ordaining or installing body determines that an officer-elect has departed from G-6.0106b, a manner-of-life standard, the ordaining/installing body must then determine whether this departure violates essentials of faith or polity. . . . If the departure is judged not to violate the essentials of Reformed faith and polity, after the ordaining/installing body has weighed the departure in the full context of a candidate’s statement of faith and manner of life, then there is no barrier to ordination. (p. 35)

Moreover, the Task Force clearly contends that this option will allow all ordaining bodies “to gain the broadest visions of each officer-elect’s faith, manner of life, and promise” (p. 34). This is code for discounting what *The Book of Order* treats as an essential requirement if ‘in other respects’ the ordaining body judges the candidate acceptable for ordination. The ordaining body can choose not to consider serial unrepentant homosexual practice on the part of the candidate to be a disqualifying factor if it feels that other parts of the candidate’s life offset this requirement. Thus the ordaining body will have more “flexibility” to discount what *The Book of Order* strongly intimates is essential for ordination and so be free from “strict compliance required on all points of conduct and polity.” And anyway, we are told, “because Presbyterian standards for office are ideals . . . , all candidates for office will depart from them in some ways, in both belief

and practice” (p. 34). “Standards are aspirational in character. No one lives up to them perfectly” (p. 32). (For a critique of these arguments see section VIII below.)

So, by this reasoning, *if* an ordaining or installing body wants to consider self-affirming homosexual activity as a violation only of ‘nonessential’ standards—or, for that matter, any other form of proscribed sexual activity, from multiple short-term sexual relationships to committed multiple-partner unions, from adult committed incestuous unions to adult-adolescent committed unions—it may choose of its own accord not to consider the sexual behavior in question as a necessary disqualifying factor. Members of the Task Force may protest that they intend no such thing. Yet there is nothing either in the wording of Recommendation 5 or in the Rationale given for it that excludes this possibility. In fact, there isn’t *any* specific doctrine or practice that couldn’t be functionally nullified. Why couldn’t an ordaining body treat as nonessential any of the Constitutional Questions in G-14.0405b, including the first about trusting Christ as one’s Savior and acknowledging him as Lord of all? The word “essential” is nowhere used of a specific standard in *The Book of Order*. The end result is that the *Constitution* becomes virtually meaningless to the life and polity of the PCUSA, something very close to what the Book of Judges declared when it characterized the depravity of Israel as “a man does what is right in his own eyes” (Judges 21:25). Only here we should substitute “every individual ordaining body” for “a man.”

### ***III. A Task Force in Denial about Local Option***

It is interesting that it takes the Task Force seven pages to lay out Recommendation 5 and its Rationale—exactly twice as long as the space allotted to the six other recommendations and rationales combined. The very length is suggestive that a significant change to the *Constitution* is being introduced, not merely an interpretation.

At least one prominent Task Force member, Prof. Stacy Johnson of Princeton Seminary, has been quoted as denying that the Task Force is recommending a kind of local option proposal, saying that “No matter what a particular governing body does, I think first they have to keep the standards in place. . . . Anyone who wants to claim this is local option has a hard point to prove” (go [here](#)). The Final Report itself declares that this new “authoritative interpretation” does “not permit the kind of ‘local option’ arrangements that some have proposed, in which each ordaining and installing body sets its own standards. Such a procedure would be new, and it would be un-Presbyterian” (p. 33). The key words that must be parsed here are “kind,” “some,” and “set.”

Granted, the Task Force is not recommending *the same kind* of local option arrangement that *some* have proposed. But it is nevertheless *a kind* of local option arrangement that *others*, by the Report’s own tacit admission, have proposed (so p. 32: “Some ordaining/installing bodies have maintained that the *Constitution* gives them the right to overlook or dispense with certain churchwide standards”). It is a variant form of a local option model. An ordaining or installing body may not be able to “*set* its own standards” in terms of *introducing* new standards. But it will be granted the express power to *functionally nullify or ignore* any ordination requirements that they wish, even those that are expressly and recently singled out by *The Book of Order* among the confessions of the church as standards not to be dispensed with. *The distinction*

*between allowing ordaining/installing bodies to discard the standard in G-6.0106b and allowing them to demote the mandatory standard therein to a nonessential standard is a distinction without much of a functional difference.*

The end result of this proposed policy would be radically different notions of what constitutes *essential* ordination standards existing throughout the country. If one ordaining or installing body can treat an explicitly insisted upon requirement in *The Book of Order* as nonessential while another ordaining or installing body can treat the same requirement as essential, then for all intents and purposes local option on that “requirement” reigns. The “local” part is clear enough and the “option” is the option to treat as nonessential what *The Book of Order* itself patently treats as essential. (For the clarity with which G-6.0106b presents its sexuality standard as essential for ordination/installation, see VI. below.) If homosexually active officers have their ordination recognized in some churches, presbyteries, or synods but not in others, isn’t this a form of local option? Yes, the confessional “standard” remains *formally* in place. But that’s all it is: a mere formality for those who opposed G-6.0106b all along.

The Task Force wants us to believe that this new national circumstance, where there is a dividing line between ordaining and installing bodies that want to ordain unrepentant participants in homosexual practice and those that don’t, will underscore our connectionalism and help bring us all together. Clearly it will have the exact opposite effect. The only thing that the Task Force will accomplish by their “authoritative interpretation” will be to thwart the thrice-expressed will of the presbyteries on G-6.0106b and thereby give proponents of homosexual practice the upper hand in an ongoing struggle for defining sexuality standards in the PCUSA. And it won’t end there.

#### ***IV. Why “Subject to Review” Is an Inadequate Safeguard***

To be sure, the Task Force Report assures us, these ordination decisions are “subject to review by higher governing bodies” (point 4 of Recommendation 5, reiterated on pp. 32-33, 36). Yet one might fairly ask: How much of a safeguard is this against significant and arbitrary deviations from the *Constitution*?

Instead of operating with the assumption that explicit provisions of *The Book of Order* formulated with a “shall” or referred to as “requirements” are mandatory and essential, governing bodies may assume that such indicators mean nothing. Rather, they have the right to decide for themselves, explicit constitutional provision by explicit constitutional provision, which if any are essential. If there is to be any uniformity in the application of *The Book of Order*, we will have to wait for the “higher governing bodies,” and ultimately the General Assembly or the GA Permanent Judicial Commission, to go through *The Book of Order*, provision by provision, and declare to the church that this explicit mandatory provision is essential and that one is nonessential. Until they do this it is every man and woman—I mean, governing body—for itself.

Even decisions by the GA or GAPJC would create a ‘canon within canon’ as far as *The Book of Order* is concerned. A national majority vote by the presbyteries to amend *The Book of Order*



would be virtually meaningless since by definition it would be up to the GA or GAPJC on a national level, not the amenders, to decide whether the amendment is truly mandatory and essential or merely has the appearance of being so. Normally the way courts are supposed to work, though, is to evaluate whether any given regulation is constitutional. They are not supposed to decide whether a constitutional provision is mandatory or not. When they get that power then the courts become the constitution, not just the guardians of the constitution. Likewise, a legislative body cannot alter something in the constitution apart from a special amendment process.

Giving the power to determine whether an explicit constitutional requirement is required—I realize the oxymoron here but the Task Force proposal does not—only to the GA and GAPJC on a national level, and taking it away from the collective will of the presbyteries through the amendment process, means subjecting the rules and standards of the church much more easily to shifting political and ideological winds. An example of this is already at hand in the Task Force’s proposal. For although the GAPJC has already ruled in the 2000 Londonderry case (see section VI below) that the sexuality standard in G-6.0106b is a mandatory provision, the Task Force’s rationale presupposes that whether it is or isn’t is still up for grabs (p. 35; see section II). Perhaps the Task Force thinks that its Rationale for Recommendation 5 overrules this GAPJC verdict? Or does it expect that since the GAPJC operated with the sane assumption that Recommendation 5 no longer accepts—namely, that express provisions of the *Constitution* must be complied with—this GAPJC verdict (like the women’s ordination verdict in 1974?) is voided by the new “authoritative interpretation”? Or is the Task Force implicitly projecting onto the future landscape an additional “authoritative interpretation” that, it is expected, will rescind the 2000 decision? However the Task Force conceives it, the end result underscores the serious erosion of constitutional protections for maintaining institutional stability.

Some of the same tendencies that are reflected in left-of-center churches and presbyteries are reflected in left-of-center presbyteries and synods. So presbyteries and synods often cannot be counted on to correct abuses. General Assemblies vary in theological mood from year-to-year but nearly always drift to the left of the theological center prevailing in the pews and presbyteries, often significantly so. The leftward tilt of GAs can be seen in the repeated selection of GA moderators whose views on sexuality do not reflect those of over 60% of Presbyterians (according to the Presbyterian Panel Survey). But it is most vividly illustrated in the disastrous GA attempts (1997 and 2001) to translate GA decisions for gutting or deleting G-6.0106b into a constitutional amendment. On sexuality issues, at least, the GA no longer functions as a truly representative body of the PCUSA.

*Background Note:* In 1996 the General Assembly approved G-6.0106b, known at the time as “Amendment B,” and the presbyteries went on to ratify it in 1997 by a vote of 97-74-1 (56.4% for G-6.0106b, 43% against). In 1997 the GA reversed itself, voting to change the language of G-6.0106b so that it would not limit sexual activity to a man-woman marriage (i.e., from “live either in fidelity within the covenant of marriage between a man and a woman, or chastity in singleness” to “demonstrate fidelity and integrity in marriage or singleness, and in all relationships of life”). Yet presbyteries rejected the attempt to gut G-6.0106b by a significantly greater margin than they had approved G-6.0106b only one year earlier: 114-59 (65.9% against deletion of G-6.0106b, 34% for). In 2001 the GA voted for an amendment to delete G-6.0106b by a landslide vote of 317-208 (60.4% for, 39.6% against). Once again the presbyteries defeated the attempt to nullify G-6.0106b. This time they more than reversed the GA percentages with a whopping 125-46-1 vote against the proposed amendment (72.7% against, 26.7% for). So as the GA increasingly

opposed G-6.0106b, presbyteries increasingly favored it, to a point where they became near mirror opposites.

One may also detect a left-of-center drift in Permanent Judicial Commissions of many presbyteries and synods and in the General Assembly Permanent Judicial Commission. The latter rendered a decision in 2000 (*Benton v. Presbytery of Hudson River Presbytery*, Remedial Case 212-11) that allowed the PCUSA ministers to conduct homoerotic union ceremonies, even on church property, so long as the word “marriage” is not explicitly used. The GAPJC rendered this decision even though G-6.0106b explicitly declares that such unions are constituted in sin. Before that, in 1995, there was a concurring opinion by seven of the fifteen members of the GAPJC to void the 1978 Definitive Guidance that spurred the passage of “Amendment B.” Consequently, there is little basis for believing that “higher governing bodies” will impede substantially serious leftward departures from Scripture and the *Constitution*.

Moreover, should the 217<sup>th</sup> General Assembly approve Recommendation 5, it doubtlessly would do so in agreement with the Rationale given on p. 35 of the Final Report (cited above), which explicitly states that an ordaining or installing body could use the “authoritative interpretation” to treat the ordination requirement in G-6.0106b as a nonessential matter of faith and polity. It was not because the Task Force wanted the church to *retain* a churchwide ordination policy against unrepentant homosexual practice that it put Recommendation 5 in the Final Report. If the Task Force had wanted to do that, it would have recommended instead an “authoritative interpretation” of the “freedom of conscience” clause in G-6.0108 that was not at odds with the ordination standard for sexual behavior in G-6.0106b. For G-6.0106b was clearly put in *The Book of Order* to prevent local option on this issue.

If the “authoritative interpretation” proposed by the Task Force can subvert a constitutional amendment as clear as the sexuality standard in G-6.0106b, then nothing passed nationally by the presbyteries and put into the *Constitution* can have any meaning, no matter how clearly worded as an essential requirement. Power will shift radically from the collective, grassroots will of the presbyteries to the more elitist and less representative General Assembly and GAPJC and to the fragmentary will of individual churches, presbyteries, and synods on the regional level. Confidence in the integrity of the *Constitution* will wane, creating a void that will be filled by cynicism and hypocrisy. Many will perceive that the plain meaning of the *Constitution* counts for nothing in the face of clearly contrived, deconstructionist “interpretations.” If any ordaining/installing body or even the GA or GAPJC can declare any or every provision or amendment to the *Constitution* nonessential, then the system of checks and balances devised by Presbyterians will have collapsed. *Imagine the U.S. Congress or the U.S. Supreme Court or, worse, any local or state legislature or court having the right to determine whether any explicit provision of the U.S. Constitution is essential.* Such is the chaos that would ensue in the Presbyterian Church (U.S.A.).

It might be fairly asked: Why must any ordaining or installing body consider a *GA or GAPJC* ruling binding when it doesn’t have to consider any explicit provision of the *Constitution* binding? Why should any consider this proposed “authoritative interpretation” compelling, if it passes the GA, when a more authoritative ruling—an amendment passed by a majority of the presbyteries—does not have to be treated as compelling?

It seems likely that eventually the General Assembly Permanent Judicial Commission will step in and declare that it is unconstitutional to have two different sets of “essential” ordination standards around the country with a unique class of ministers and other officers whose ordination is recognized in some parts of the PCUSA but not in others. The GAPJC can simply declare that, since so many governing bodies of the PCUSA have found the sexual standard enunciated in G-6.0106b to be nonessential, G-6.0106b has indeed become nonessential to the life of the church. A standard for ordination that isn’t observed as essential by up to a third of the PCUSA, whose disobedience is sanctioned by a GA “authoritative interpretation,” is by definition a nonessential standard of the church. An alternative scenario is that another General Assembly meeting can just pass an additional “authoritative interpretation” to resolve the confusion nationwide. It doesn’t take a rocket scientist to figure out on which side of the dispute the GA would fall.

When the national will to resist endorsement of homosexual practice has been sapped by this local option model, those who support the proposed “authoritative interpretation” precisely because they want to see allowances made for committed homosexual unions are going to ‘rediscover’ that the PCUSA is a connectional church after all. They are content for the moment to have a local option arrangement of sorts because the only connectionalism on homosexual behavior currently available is one that doesn’t support their position. Moreover, nearly all of them have been supportive of the current national uniform standard against ordaining and installing anyone who does not support women’s ordination. But since the principle of connectionalism asserted for women’s ordination does not support their ideological interests as regards homosexual behavior they allow ideological objectives to trump principle and throw connectionalism to the wind. In the future they will defend this unseemly flip-flop by saying that they really were for connectionalism all along but had to support a local option arrangement temporarily in order to arrive at a connectionalism that matched their ideological aims.

#### ***V. How This Will Devolve Into Coercive Acceptance of Homosexually Active Officers***

The Final Report throws a bone to “conservatives”—I put the label in quotation marks because those who support the clear witness of Scripture and Jesus Christ for an other-sex prerequisite and against homosexual behavior and who do so out of love for God, the church, and homosexual persons are in every sense the centrists and moderates in this discussion. They stand in the center of Scripture, the center of the lordship of Christ, and the center of the worldwide church. But what’s the “bone”?

If [G-6.0106b] were to be removed, or others were to be added, the authoritative interpretation, with its emphasis on the right of ordaining/installing bodies to apply the standards in a given case, would continue to ensure that an ordaining body could not be forced to ordain a person whose faith or manner of life it deems to constitute a departure from essentials of Reformed faith and practice established in *The Book of Confessions* and the Form of Government in the *Book of Order*. (p. 37)

In other words, look at the bright side, you conservatives and moderates. With our proposed “authoritative interpretation” of G-6.0108 in place, you will be able to deem nonessential any future amendment to the *Constitution* that would require the ordination of homosexually active persons.

Think about what this assurance says about the Task Force's view of the *Constitution*. It seems to assume that there is no conceivable wording for an amendment to *The Book of Order* that could impose a binding obligation on all ordaining and installing bodies. Apparently not even if proponents of homosexual unions succeeded in passing an amendment that prohibited 'discrimination' against homosexually active candidates and explicitly designated such a prohibition "one of the essentials of Reformed faith and polity" could *The Book of Order* mandate compliance on the part of all ordaining and installing bodies. Ordaining and installing bodies would still have the "right" to declare nonessential a standard that *The Book of Order* itself explicitly and specifically designated as "essential." Perhaps the members of the Task Force were not thinking clearly when they made this argument. But if they knew what they were doing, then it confirms that they believe that their "authoritative interpretation" gives to ordaining and installing bodies *carte blanche* to ignore *any* standard in *The Book of Order* under virtually any circumstance. This, in turn, confirms how unreasonable their interpretation of G-6.0108 really is.

As it is, the Task Force's argument that their proposed "authoritative interpretation" would preclude any ordaining/installing body from ever being forced to ordain persons actively engaged in unrepentant homosexual practice is unrealistic. There are a number of different routes by which precisely such a course of coercive action could take place.

- The General Assembly Permanent Judicial Commission could subsequently disagree with the interpretation that the Task Force gives to its own Recommendation 5 and assert that a standard in the *Constitution* explicitly tagged with the label "essential" would override any scruples of an ordaining or installing body. Then proponents of homosexual unions, knowing how to play the game, could formulate an amendment to the *Constitution* that used the magic word "essential" and make the standard binding on all ordaining and installing bodies. Alternatively, without a GA court ruling, proponents of homosexual unions might get their amendment passed and then correct or overturn the "authoritative interpretation" at the next General Assembly meeting.
- What if a governing or judicial body in a presbytery or synod made the determination that a departure from G-6.0106b did not constitute a failure to adhere to the essentials of Reformed faith and polity? Could it not, then, compel all ordaining and installing bodies within its jurisdiction to treat the requirement in G-6.0106b as nonessential? Couldn't the General Assembly issue another authoritative interpretation that declared as much, or for that matter the GA court? And let's not forget that any parishioners that happen to be in a church where the scriptural position on homosexual practice is deemed nonessential may find themselves pastored, against their wishes, by a homosexually active person. Moreover, "ordaining bodies" are not monolithic entities. A minority of persons in an ordaining/installing body would be forced to ordain homosexually active persons if the majority votes for it.
- The immediate effect of the passage of this "authoritative interpretation" will be to erode the church's resistance to homosexual practice. It will probably also lead to a number of churches pulling out of the PCUSA, possibly to a major split, quickly making opposition to homosexual practice a minority view. Large numbers of violations of the obvious intent and wording of G-6.0106b, sanctioned by the "authoritative interpretation" of G-

6.0108, will desensitize the PCUSA to homosexual unions and acclimate it to the idea of ordaining homosexually active persons. Those supportive of homosexual practice will ratchet up the rhetoric comparing opposition to homosexual practice with racism and sexism. They will become more empowered to marginalize and ultimately silence any remaining courageous voices upholding Scripture's witness on homosexual practice in churches, presbyteries, synods, and the General Assembly. In such a climate the idea that ordaining and installing bodies could not be coerced to accept homosexually active officers seems incredible.

All this underscores that the only way to keep out coercive acceptance of homosexual practice is by doing the near opposite of what the Task Force recommends; namely, by recognizing that the sexuality standard put forward in G-6.0106b is binding on all ordaining and installing bodies.

In section VII below I discuss how Recommendation 5, point 5, strongly infers that all Presbyterians and all governing bodies will be expected to recognize the ordination and installation of homosexually active persons by other governing bodies (see also section IV above).

## ***VI. An Abuse of the Freedom of Conscience Section in G-6.0108***

The entire case for treating Recommendation 5 as an "authoritative interpretation" that does not need to be approved by a majority of presbyteries rests on the Task Force's interpretation of G-6.0108. The text reads as follows:

a. 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 [i.e., the first major division of *The Book of Order*]. 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.

b. 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.

This section of *The Book of Order*, which is labeled in the left margins "Freedom of Conscience" (a) and "Within Certain Bounds" (b) cannot bear the weight of the so-called "authoritative interpretation" put forward by the Task Force.

***The meaning of G-6.0108a.*** Paragraph (a) has in view "freedom of conscience with respect to the interpretation of Scripture" for officers of the church, not the freedom of a governing body to disregard a spelled-out and specific requirement for ordination in *The Book of Order*. This sort of freedom of conscience is already being offered officers of the church who believe (erroneously) that committed homosexual unions are not strongly prohibited by Scripture. The PCUSA does

not deny anyone ordination who has an interpretation of homosexual practice that is at odds with Scripture, the historic confessions of the church, and the clear pronouncement in G-6.0106b that sexual activity outside of a man-woman marriage is sin. (In fact, a dirty little secret of most PCUSA seminaries is that, with the exception of an occasional token, the best way for most candidates to a faculty position to shoot themselves in the foot is to come out strongly *in favor of* the current sexuality standards in the *Constitution* during interviews.) However, ordaining and installing bodies do not have the freedom to “obstruct the constitutional governance of the church” by ignoring an explicit and specific ordination requirement in *The Book of Order*, let alone one placed in *The Book of Order* a scant two paragraphs before the “freedom of conscience” paragraph. Nor do officers have the freedom to engage in homosexual *behavior* and thereby commit an obvious “serious departure from these standards.”

***Why G-6.0106b is one of the “essentials” of G-6.0108b.*** The intent of paragraph (b) of G-6.0108, as the caption in the left-hand margin states, is not to expand on the “freedom of conscience” outlined in paragraph (a) but rather to circumscribe that freedom “within certain bounds”—in other words, to place limitations on that freedom. “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” (emphasis added). He or she must not “depart from essentials of the Reformed faith and polity.”

*It is unreasonable to suggest that one of the standards of the church to which a candidate’s or officer’s conscience might not be captive, one of the essentials from which he or she may depart, would be the very standard for sexual conduct **singled out** among all “the historic confessional standards of the church” just two paragraphs earlier as a mandatory standard for all candidates and officers.* What is the point of singling out from among all “the historic confessional standards of the church” the standard of “fidelity within the covenant of marriage between a man and a woman . . . or chastity in singleness,” if not to say: This standard in particular cannot be abridged; it is essential? There is no point otherwise in singling it out. The best way for *The Book of Order* to communicate that an other-sex prerequisite for the sexual activity of its officers might not be an essential standard would be simply to omit all mention of it. Conversely, the best way for *The Book of Order* to communicate its essential status would be to single it out from among all other standards for explicit mention.

The point of the singling out—making a confessional standard “express” or “explicit”—is easily illustrated by looking at the first and third ordination vows (G-14.0207, G-14.0405, G-14.0801). The first ordination vow includes expressing trust in Jesus Christ as one’s Savior and acknowledging him as Lord of all. The third ordination vow involves receiving and adopting “the essential tenets of the Reformed faith expressed in the confessions of our church as authentic and reliable expositions of what Scripture leads us to believe and do” and being “instructed and led by those confessions.” Now “the essential tenets of the Reformed faith” are not explicitly named beyond stating that they are “expressed in the confessions of our church.” But surely the confession of Jesus as one’s Savior and as the Lord of all is among those essentials. Otherwise there would be no point to the specification in the first ordination vow. *And yet the word “essential” is never directly used in connection with the beliefs expressed in the first ordination vow.* Does that mean that there is a possibility that some ordaining body could legitimately argue that the beliefs expressed in the first vow are nonessential since not everything

written in *The Book of Confessions* is an essential standard of faith? Or that there is a need for formulating an “authoritative interpretation” to clarify that it is up to the ordaining and installing bodies to decide if *The Book of Order* treats the confession of Jesus as Savior and Lord?

Not only does G-6.0106b single out one “confessional standard” among all “the historic confessional standards of the church,” but it also calls the limitation of sexual activity to marriage between a man and a woman a “**requirement**” for officers, not merely a “recommendation.” My *Webster’s* dictionary defines a “requirement” as “something required,” “something *essential* to the existence or occurrence of something else”; “require” as “to demand as necessary and *essential*”; and “requisite” as “*essential*, necessary.” What exactly, then, is a “nonessential requirement”? This is like referring to a “nonessential essential.” It is an oxymoron. The preface of *The Book of Order* concurs, for it carefully distinguishes between

1. “practice that is mandated”
2. “practice that is strongly recommended”
3. “practice that is commended as suitable”
4. “practice that is permissible but not required”

A comparison of (1) and (4) indicates that “practice that is mandated” is the same as “practice that is required”; that is, “mandated” and “required” are synonyms (an obvious point, to be sure).

Practice that is specifically and explicitly mandated or required demands the highest level of compliance and thus signals something that is essential. Contrary to what the Task Force says, an ordaining or installing body has no right under the *Constitution* to demote a standard that is specifically classified as a “requirement,” a mandated practice, to the status of a standard that is merely strongly recommended, commended as suitable, or (what the “authoritative interpretation” appears to have in mind) just permitted.

As if to confirm the above point, G-6.0106b uses the language “**shall not** be ordained and/or installed as deacons, elders, or ministers of the Word and Sacrament” (emphasis added). The preface to *The Book of Order* states explicitly that “shall” signifies “practice that is mandated.” By implication, “shall not” signifies a *mandatory* prohibition. If the intent of G-6.0106b had been to communicate merely that the non-ordination of such unrepentant offenders was “strongly recommended,” the language “should not” would have been used; or if merely “commended as suitable,” the language “is not appropriate”; or if merely permitted but not required, the language “might not” (compare “may” for an affirmation). However, G-6.0106b does not say that such impenitent offenders “should not” be ordained and/or installed. It does not say that “it is not appropriate” to ordain and/or install such impenitent offenders. Much less does it say that they “might not” be ordained and/or installed. It states clearly that they “shall not” be ordained and/or installed. Compliance here is mandatory, required, and so essential.

No one thought in 1997 when Amendment B (G-6.0106b) was being voted on that all that was being proposed was a standard that could be overridden or offset by other factors in the candidate’s or officer’s favor. Neither proponents nor opponents thought this. Virtually everyone who voted for or against the amendment knew that the vote was for or against a binding, essential sexual standard for all officers. I can say with some degree of confidence that, among

Task Force members, Prof. Stacy Johnson thought this. Prof. Mark Achtemeier thought this. Rev. Jack Haberer thought this. Certainly Rev. Mike Loudon thought this. And almost certainly all the other members of the Task Force thought this. I don't recall anyone making the argument: "Oh, what's the big deal since we are not adding an obviously essential standard to Reformed faith and polity?" If the wording of G-6.0106b had been unclear, there would have been no need for the 1997-98 attempt by opponents of G-6.0106b to change the wording from "live either in fidelity within the covenant of marriage between a man and a woman, or chastity in singleness" to "demonstrate fidelity and integrity in marriage or singleness, and in all relationships of life." All of this is testimony to the plain meaning of the G-6.0106b's language. It is only now, after several years of trying to figure out how to do an end run around amending G-6.0106b, that the majority of the Task Force have convinced themselves and the rest of the Task Force that it is *possible* that some ordaining body could legitimately argue that *The Book of Order* doesn't clearly present the two-sex model for sexual conduct in G-6.0106b as a binding standard for all officers of the church. That members of the Task Force do think that it is possible to view G-6.0106b legitimately as nonessential is, again, apparent both from the very existence of Recommendation 5, which is designed to address the issue of homosexual practice and otherwise would be superfluous, and from the specific reference to such a possibility in the Rationale on p. 35.

These two facts—(1) the obvious implications of *The Book of Order's* singling out from among all the other "historic confessional standards" a sexual standard for special mention as a "requirement" that "shall not" be abridged and (2) the fact that even persons in the Task Force didn't think at the time of Amendment B's passing that there was something nonessential about the amendment—gives the *appearance* of disingenuousness in the Final Report's Rationale for Recommendation 5.

***The contextual meaning of the crucial last sentence of G-6.0108b.*** Returning now to the wording of G-6.0108b, let's look at the third and last sentence on which the Task Force hangs virtually the whole case for their "authoritative interpretation":

**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.** (boldface added)

The context for this remark is not: None of the standards and requirements of the *Constitution* are obviously and plainly essential so it is up to the governing body to make the determination at every point. Rather the context suggests: The individual who deviates from the standards doesn't get to decide if he or she "has departed from essentials of Reformed faith and polity" but rather that one's "governing body" will decide. The emphasis is *not* on any latitude that a governing body might allegedly have in treating a pointed requirement of the *Constitution* as nonessential. Instead, the emphasis is on a governing body *applying* the pointed requirements of the *Constitution* to *restrict* the freedom of conscience of the candidate or officer. The proposed "authoritative interpretation" inverts this emphasis. As such, it is more a *correction* of G-6.0108b than an interpretation, for which a constitutional amendment would be required.

Previous decisions by the General Assembly Permanent Judicial Commission would seem to confirm the point made above. In 2000 the GAPJC rendered a decision in *The Session of*



*Londonderry Presbyterian Church v. Presbytery of Northern New England* that is of particular relevance to the Task Force's "authoritative interpretation" (see pp. 575-82 of the *Minutes* of the 213<sup>th</sup> General Assembly [2001] or go to <http://www.pcusa.org/ga213/business/12ogapjc.htm>). The Session of Christ Church Presbyterian in Burlington, Vermont vowed that, since G-6.0106b was allegedly at odds with other parts of the *Book of Order* that affirm inclusivity, they would "continue welcoming persons living singly or in committed relationships, regardless of sexual orientation, into the life, membership and leadership of this congregation on an equal basis, including eligibility for election and ordination as a ruling elder or deacon." The session of Mid-Coast Church, Topsham, Maine, adopted a similar resolution. The Presbytery of Northern New England at first mandated, but then rescinded, a directive that both sessions be in compliance with *The Book of Order*. However, though the dominant ethos of the GAPJC was hardly 'conservative,' the GAPJC ruled that

**there are no constitutional grounds for a governing body to fail to comply with an express provision of the *Constitution***, however inartfully stated. **Assertions of inconsistency, confusion, or ambiguity** may justify the right to protest. They **do not create a right to disregard any part of the *Constitution***. Furthermore, no court in our denomination has the authority to amend the *Constitution* or to invalidate any part of it. This is exclusively a legislative process (G-18.0300). (12.1069, boldface added)

Some may argue that this decision is not relevant to the "authoritative interpretation" being proposed by the Task Force inasmuch as the latter's proposal does not (allegedly) *challenge* any standard but merely allows the ordaining/installing body the right to determine whether the standard is essential. Yet such an argument would not grasp the point here. The GAPJC found that an intent not to apply the "express provision" of G-6.0106b as a *mandatory* rule was to "violate the *Constitution*" (12.1070). This leaves no scope for what the "authoritative interpretation" proposes; namely, that a governing body could decide to ordain/install an unrepentant, homosexually active candidate or officer on the grounds that G-6.0106b's prohibition was nonessential and thus not mandatory. According to the GAPJC ruling, it is the intent to ordain/install a homosexually active person that represents noncompliance "with an express provision of the *Constitution*." The self-rationalization used to get to that intent is irrelevant. Governing bodies must "comply with the *express* corporate judgment of the Church in *an explicit constitutional provision*"; failure to do so "exceeds the constitutional bounds of freedom of conscience" (citing G-6.0108a; 12.1065-66, emphasis added). The Presbytery of Northern New England, in allowing these two sessions to declare that they would not let homosexual activity be a necessary and sufficient barrier to ordination/installation, had not "upheld the *Constitution*" or the "connectional obligations" associated with G-6.0106b (12.1070).

Obviously, then, the GAPJC in 2000 believed that G-6.0108 could *not* be interpreted in such a way as to permit an ordaining/installing body to do anything contrary to what is prescribed or proscribed in an "*express/explicit* constitutional provision." And the GAPJC rightly recognized the obvious about G-6.0106b: G-6.0106b *expressly/explicitly* proscribes the ordination and/or installation of any person participating consensually and unrepentantly in sexual relations outside the "covenant of marriage between a man and a woman." We might add: *A confessional standard that The Book of Order specifically requires, singles out, or highlights from among all the historic confessional standards of the church is by definition essential. Ordaining and*

*installing bodies have absolutely no right, authority, or responsibility to demote an essential standard in The Book of Order to a nonessential, merely recommended standard. To do so is to promote local option and destroy the connectional unity of the PCUSA.* Many persons on the Task Force and elsewhere in the PCUSA may not *like* the fact that G-6.0106b puts forward an essential constitutional provision. But the fact remains that it does and the *only* constitutional recourse for complainants is to excise G-6.0106b from *The Book of Order* through the amendment process—something that two prior attempts (1997 and 2000) failed to accomplish by wide margins.

That the provision in G-6.0108b cannot be read in such a way as to conflict with an “express/explicit constitutional provision” elsewhere in *The Book of Order* is clear also from the circumstances surrounding the origination of G-6.0108. Michael Walker, Executive Director of Presbyterians for Renewal, rightly calls our attention to this in his online essay “[Lordship of Jesus, Local License: Responding to the Task Force Report](#)” (Aug. 26, 2005):

Perhaps ironically, the initial intention of G-6.0108 [added in 1983] was to *restrict* ordination, particularly to prevent the ordination of those who disagreed with the ordination of women, which the church determined to be an essential of reformed polity (see Maxwell/Kenyon decision of the GAPJC). (n. 3)

In the early 1970s Walter Kenyon was ordained by the Pittsburgh Presbytery. Soon thereafter Rev. Jack Martin Maxwell filed a complaint claiming that Kenyon’s ordination was invalid because Kenyon did not subscribe to women’s ordination. Now Kenyon was only expressing a dissenting opinion. Although he personally would not ordain a woman to his church’s session, he declared that he would not obstruct his session’s wishes to do otherwise but would get another minister to do the ordination (see <http://www.layman.org/layman/news/2004-news/presbyterians-enforced-ordination.htm>). Yet the GAPJC of the old United Presbyterian Church (USA), the Northern denomination, ruled in 1974-5: “**Neither a synod nor the General Assembly has any power to allow a presbytery to grant an exception to an explicit constitutional provision**” (*Maxwell v. Presbytery of Pittsburgh*, p. 257 of 1975 *Minutes* of the General Assembly; boldface added). As G-6.0106b is also clearly “an explicit constitutional provision,” governing bodies have no right to circumvent the mandatory prohibition against ordaining persons who are sexually active outside the covenant of marriage between a man and a woman. The point of putting G-6.0108b in *The Book of Order* was obviously not to enable ordaining/installing bodies to avoid implementation of “an explicit/express constitutional provision” (note the similar wording in the GAPJC decisions of 1974 and 2000) but rather to insist on the opposite; namely, that no ordaining/installing body has a right to avoid implementation of an explicit, mandatory constitutional provision.

Contrary to what the proposed “authoritative interpretation” promotes, it is not the job of the members of an ordaining or installing body to decide whether they personally think that a standard against homosexual practice should be one of the essentials of Reformed faith and polity. Rather, it is their job to look for indications in the *Constitution* itself of a given standard’s essential or nonessential character. As it is, the wording of G-6.0106b (the singling out of the sexuality standard, the word “requirement,” the expression “shall not”) and its placement (a scant two and three paragraphs before “essentials of Reformed faith and polity” is mentioned)—not to mention the intention behind G-6.0106b’s genesis and the near universal understanding of its import by both proponents and opponents alike during the amendment process—give absolutely

no hint that this “requirement” for candidates and officers was intended as a nonessential ordination standard or as a “should be” or “might be” rather than a “shall be.” To the contrary: Every indication from *The Book of Order* itself and from the facts surrounding its inclusion point in the direction of an essential standard.

This is not a postmodernist game where the text is only so many ink scratches until readers impute their own meaning. The text itself often puts significant and even decisive controls on the latitude of interpretation possible. Contrary to what the Task Force’s rationale states, G-6.0108b does not say that “essentials” are merely “those matters of faith and polity that the officer-elect’s governing body discerns are indispensable for ordained service” (p. 32). *The third and final sentence of G-6.0108b doesn’t say that the governing body decides what the essentials of Reformed faith and polity are. It says that the governing body decides whether the candidate or officer “has departed from essentials of Reformed faith and polity.” There is a difference.* “Essentials” are those matters of faith and polity that the *Constitution* itself indicates are indispensable for ordained service, which the governing body is bound and obligated to apply when the candidate or officer is unwilling to recognize that his or her professed beliefs and behaviors are in violation of such. The indicators that *The Book of Order* treats the sexuality standard as essential are so clear that any ‘determination’ otherwise would necessarily be a prejudicial one borne of personal antipathy to an other-sex requirement for sexual relations. It would not be a reasonable discernment of the plain meaning of G-6.0106b or a correct application of G-6.0108b.

***The faulty comparison with the Adoptive Act of 1729.*** That is why the Task Force’s oft-cited comparison with the Adopting Act of 1729 is misplaced (pp. 22, 33, 34). The Task Force gives an adequate description of this Act:

The then highest judicatory of the church, the synod, adopted the Westminster standards as its basis of faith and required all ministers to subscribe to them. . . . The question of freedom of conscience under Scripture emerged immediately, however, because some ministers of the synod considered certain articles in the standards to be at variance with, or at least not explicitly enjoined by, Scripture. The synod resolved the conflict of conscience by permitting these ministers and, later, candidates for ministry to declare their disagreements (“scruples”) with particular articles of the Westminster standards. It then delegated to the examining body the responsibility for determining whether the candidate’s disagreement concerned an essential article of the church’s “doctrine, worship or government.” Although the Adopting Act was later modified, it established a precedent. . . . (p. 22, citing *Minutes* of the Presbyterian Church in America, 1706-1788, Guy S. Klett, ed. [Philadelphia: Presbyterian Historical Society, 1976], 103-104)

However, the Task Force’s comparison between this Act and how G-6.0108 might affect a reading of G-6.0106b doesn’t work. The reason why it doesn’t work is not just because those who today want to deviate from the confessional standards of the church as regards homosexual practice have, unlike the dissenters in 1729, absolutely no clear basis in Scripture for doing so. Both pointed scriptural texts and the larger scriptural witness from the creation texts of Genesis to the final judgment texts of the Book of Revelation speak decisively against any accommodation to homosexual practice. The historical context for these texts confirms that Scripture’s opposition to homosexual practice was limited neither to particularly exploitative forms nor by any assumption that all persons who engage in homosexual practice are primarily heterosexually oriented.

Moreover, the reason why the Advisory Act of 1729 doesn't work as an analogue is not just because the "the times have changed" argument might apply in one case but not the other. The *Westminster Confession of Faith* was formulated some eighty years earlier than, and in somewhat different circumstances from, the setting in which American Presbyterianism took on these standards. In the case of G-6.0106b one cannot speak of any significant historical or cultural gap between its formulation and adoption and its reconsideration by the Task Force. For it was adopted within the past decade and has been twice reconfirmed by the presbyteries since then and within the same context of American Presbyterianism (U.S.A.). And there's no doubt about original intent.

The biggest reason why the alleged analogy doesn't hold is the simple fact that requiring subscription to all the standards of a voluminous text such as the *Westminster Confession of Faith* (which runs some 50 pages in our current *Book of Confessions*) is very different from requiring compliance to a pointed three-sentence paragraph amendment to *The Book of Order* that singles out one specific standard for behavioral adherence from among all other confessional standards. Given the *hundreds* of formulations in the *Westminster Confession*, not all of equal weight, some degree of limited flexibility is understandably required in the degree of adherence expected for each individual doctrinal formulation. The case is entirely different when the *Constitution* puts the spotlight on *one* particular standard, expressed in a succinct one sentence, for which adherence is expressly *required*. There is no possibility of someone appealing to a long series of uneven standards here. Evasive action is simply not possible without violating both the letter and the spirit of this requisite (i.e., essential) standard.

***Compromising standards because of personal prejudice.*** The Final Report assures readers: "The interpretation proposed here makes clear that *standards may not be compromised merely because they are unpopular in a particular locale*" (p. 34; emphasis added). The inference is that standards *may be compromised for some better reason* (the context for this sentence in the Final Report confirms this inference). This is precisely what the Task Force recommendation is guilty of doing: compromising the standards of the faith by their interpretation of G-6.0108.

At any rate, readers should have absolutely no confidence in their assurance (or exhortation) that "standards may not be compromised merely *because they are unpopular*" (emphasis added). Comments like this throughout the Report are indicative of a lack of realism and/or candor. It is obvious that the norm will be to compromise standards that are not appreciated. Does anyone in the Task Force or anywhere else really and truly believe that the vast majority of officers strongly opposed to the sexuality standard in G-6.0106b are going to treat the sexuality standard as essential if the "authoritative interpretation" is passed? For example, perhaps the Task Force can tell us the name of even one Task Force member who, opposed to the passing and retention of G-6.0106b in 1997, 1998, and 2002, is now prepared to say that if Recommendation 5 passes s/he will advocate that the sexuality standard in G-6.0106b be viewed as "essential." Just one. Prof. William Stacy Johnson? Prof. Frances Taylor Gench? Barbara Wheeler? Scott Anderson? Victoria Curtiss? Jenny Stoner? John Wilkinson? Barbara Everitt Bryant? Martha Sadongei? Sarah Sanderson-Doughty? Mary Ellen Lawson? Joan Kelly Merritt? It doesn't take a cynical person to recognize that supporters of committed homosexual unions are, almost to a person, going to "discern" that the sexuality standard in G-6.0106b is nonessential. This will not be a

coincidence. It will reflect the fact that prejudice against the sexuality standard, not anything in the wording of G-6.0106b, will determine what is to be “discerned.”

Undoubtedly the major motivation for most people on the Task Force itself to get behind this “authoritative interpretation” was their own personal antipathy toward G-6.0106b or at least toward its absolute language. Although they may have wanted to see a complete removal of G-6.0106b from *The Book of Order* they knew that the presbyteries in 2006-7 would never support such a move. So they got the best deal that they could. They could comfort themselves with the fact that passage of the “authoritative interpretation” will lead ultimately and irrevocably to the eventual removal of G-6.0106b. Is there anyone on the Task Force who believes that passage of the “authoritative interpretation” will not accelerate a process culminating in the removal of G-6.0106b? Is there anyone who believes that ordaining large numbers of persons who engage openly in ‘committed’ homosexual activity will buttress the standard against homosexual practice in G-6.0106b? Apparently no one on the Task Force believes such because the Task Force itself acknowledges that some standards, notably G-6.0106b, will be compromised by their “authoritative interpretation.” When that happens, the ultimate collapse of G-6.0106b will not be far off.

I acknowledge too that a few on the Task Force may have had other motivations. One motivation may have been the terribly misguided hope that the “authoritative interpretation” is somehow going to strengthen the unity of the church. It will clearly have the opposite effect by creating two distinct ordination standards and thwarting the will of the majority of the presbyteries who passed, and twice voted to retain, G-6.0106b on the premise that it established a binding standard. Another motivation may have been the mistaken view that by agreeing to this compromise they stave off for the time being removal of the sexuality standard altogether. In truth, however, a recommendation by the Task Force to remove the standard would not have passed the presbyteries in the foreseeable future. A third motive may have been the false feeling that a good faith effort required them to compromise since left-leaning members were meeting them ‘halfway.’ In reality, *proponents of committed homosexual unions gave up nothing that they already had and nothing that they might reasonably hope to get passed.*

## ***VII. Outdoing one another in honoring one another’s decisions?***

The Task Force *strongly recommends* in point 5 of Recommendation 5—note the “should” language—that:

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.

I do not see how it will be possible for many to “honor”—if honor means “according the presumption of wisdom”—any “decision” or determination by an ordaining or installing body that neither Scripture nor *The Book of Order* regards a two-sex prerequisite to sexual activity as essential. A decision that violates the clearly expressed witness of Scripture and distorts a directive of *The Book of Order* cannot, by definition, be the product of wisdom. No one who cares about the lordship of Jesus Christ over this church and who understands the degree to

which Christ and the authors of Scripture would have been appalled by the undermining of the two-sex character of marriage ordained by God at creation could possibly “honor” the ordination and/or installation of persons engaged in serial unrepentant homosexual activity.

The Task Force also strongly urges us to “honor” (i.e., accord the presumption of wisdom to) “the General Assembly, with presbyteries’ approval, in setting standards.” The fact of the matter is that the Task Force itself, with its proposed “authoritative interpretation,” does not “honor” the decision once made and twice affirmed by the majority of the presbyteries, which was manifestly a decision to establish a *mandatory* sexuality policy for candidates and officers, not just a strongly recommended policy. So the Task Force’s recommendation here lacks credibility.

It is not possible to get one’s brain logically around the notion that a “presumption of wisdom” should be accorded *both* (a) ordaining/installing bodies that recognize that unrepentant homosexual practice is a necessary and sufficient barrier to ordination/installation *and* (b) those that do not so regard homosexual practice. It isn’t possible because the positions are mutually exclusive. A person can’t believe simultaneously *both* that Scripture (and *The Book of Order* in conformity to Scripture) strongly affirms that homosexual practice of any sort is a very serious affront against God (on the level of incest or adultery, putting the offender at grave risk of not inheriting God’s kingdom) *and* that it is an act of wisdom to ordain/install persons who are *unrepentantly* engaged in such activity. At least one can’t believe in the wisdom of both positions without becoming schizophrenic. That the Task Force does not recognize this most basic of points is surely alarming. To accord wisdom to the ordination/installation of homosexually active persons requires that one first accept the false notion that homosexual activity is not a serious affront to God after all.

Point 5 of Recommendation 5 raises a critical issue: *Will all governing bodies and indeed all Presbyterians be required to recognize the ordination/installation of homosexually active officers?* Point 5 of Recommendation 5 infers that such recognition is at least strongly recommended. For since point 5 strongly recommends to persons opposed to homosexual practice that they “honor” (i.e., accord the presumption of wisdom to) the *decision* of a governing body to ordain/install homosexually active persons, then perforce it is strongly recommending that all “parties” “honor” (i.e., recognize) the ordination/installation of such persons. Certainly if the “authoritative interpretation” is adopted, the pressure will be very great to coerce acceptance, including promoting the admonition of those who do not comply with this strong recommendation. It is only a hop, skip, and a jump from that point to mandate such recognition (which could come from a GAPJC ruling or another “authoritative interpretation” by the GA). If a large enough number of ordaining bodies determine a standard to be nonessential, or if the GA or GAPJC comes to such a conclusion for the whole church, then there is little justification for withholding recognition of the ordination/installation of officers who violate the standard. And from there it is only another hop, skip, and a jump to overturning G-6.0106b and coercing acceptance of committed homosexual unions.

### VIII. Other Task Force Rationales

The Task Force Report uses three other rationales to defend the proposed “authoritative interpretation.”

***No one lives up to the standards perfectly?*** The Final Report tells us that it is acceptable to compromise standards because: “Standards are aspirational in character. No one lives up to them perfectly” (p. 32). “Because Presbyterian standards for office are ideals . . . , all candidates for office will depart from them in some ways, in both belief and practice. There never have been or will be perfect officers-elect” (p. 34). The problems with this type of argument are twofold.

First, not all standards are merely “aspirational” or “ideal.” There are a number of standards, especially negative formulations, that all candidates and officers are expected to keep and not merely to aspire to. As regards sexual behavior, for example, the standards not to commit adultery or incest, engage in same-sex relations, participate in multiple-partner sexual unions even of a committed sort, be sexually promiscuous, fornicate, and have sex with prostitutes, children, or animals are all absolute ordination/installation standards for the New Testament and the PCUSA. All believers are called to a transformed life and, minimally, to a life that does not affirm what Scripture declares categorically to be a major violation of God’s will. This is especially true of ordained leaders of the church. Neither the New Testament nor *The Book of Order* regards the standard to limit sexual activity to a covenant between a man and a woman as merely “aspirational” or “ideal” for leaders of the church.

Second, this argument by the Task Force presupposes that ongoing acts of sin by ministers of the church need not be repented of. Or it requires one to believe that homosexual practice in the context of a committed relationship is not sinful. However, the latter option is not possible here because *even the Task Force’s “authoritative interpretation” operates under the assumption that the church’s standards remain in place.* Consequently, a person who engages in homosexual practice sins, according to the definition of G-6.0106b and, of course, Scripture. If a candidate or officer continues to engage in self-affirmed homosexual practice, that person has not repented of clear acts of sin, according to the Reformed faith and polity. And as such, he or she cannot be ordained. No one is expected to be perfect. But all believers, much more candidates and officers of the church, are required to repent of any clear violations of the standards. That is why G-6.0106b clearly states: “Persons *refusing to repent* of any self-acknowledged practice which the confessions call sin shall not be ordained and/or installed” (emphasis added). *The Task Force’s “authoritative interpretation” seems to be claiming that ordaining and/or installing bodies may ordain and/or install persons who are actively, knowingly, and unrepentantly engaging in behavior that the confessions of the church clearly deem to be sinful.* Yet even if an ordaining/installing body wants to make the patently false argument that Scripture and *The Book of Order* view homosexual practice as a violation of a nonessential standard, the ‘nonessential’ standard is still a confessional *standard* of the church, and the homosexual practice is still repetitive *unrepentant* sinful behavior. How can the ordination or installation of such a person be justified if the standards of the church have not changed?

***Gaining the broadest vision of a candidate’s life?*** The Task Force contends that examinations of candidates too often “lack rigor” because the candidate’s whole life is not

examined. *“The authoritative interpretation lifts up the obligation of the ordaining or installing body to gain the broadest visions of each officer-elect’s faith, manner of life, and promise as it applies standards and makes determinations about essentials”* (pp. 33-34; italics in the original). Here too the Task Force’s reasoning has two problems.

First, one of the main ways in which examinations of candidates “lacks rigor” is in failing to uphold the standards of the church. This is nowhere more flagrant than in the area of sexual behavior. Everyone in the PCUSA is aware of the fact that sometimes ordaining or installing bodies don’t want to examine whether the candidate’s sexual practices conform to G-6.0106b. They don’t want to ask the candidate about it and they don’t want to know about it. Not only does the Task Force proposal do nothing about this problem, it actually exacerbates the problem by giving legitimacy to the view that such matters may be “nonessential.” *Nothing* in the text of the Task Force recommendation requires ordaining/installing bodies to do a more thorough examination of all the areas of a candidate’s life. *The only thing that the text of the Task Force recommendation encourages examining bodies to do is be less concerned about violations of church standards.* This should strike most reasonable persons not as “more rigor” in the examination process but considerably less.

Second, *if an ordaining or installing body already has ample evidence that the candidate is engaged in active and unrepentant violations of the church’s standards, why is a “broader vision” of the candidate’s life needed?* That seems to be superfluous. After all, it is not the ordaining/installing body’s obligation to determine just how badly on a scale of 1 to 10 the candidate fails to qualify. If it becomes known that a candidate—unrepentantly no less—regularly abuses his or her spouse, exhibits a pattern of lies and deception in previous employment, is known to have bilked the elderly out of life savings, is having an affair, is in a committed sexual “threesome” or loving sexual relationship with a parent, sibling, or adolescent, or is in a committed sexual relationship with a person of the same sex, it is really not necessary to continue the examination, is it? It really doesn’t matter how well the candidate performs in other areas of life, does it?

There are no offsetting factors, so far as ordination and installation of officers is concerned, to flagrant, repeated, and unrepentant violations of the standards of the church. Of course, some will protest: That begs the question of whether homosexual intercourse of a committed sort is to be viewed as a flagrant act of sin. My response to this is simple: No, it doesn’t. The question of whether homosexual practice is a flagrant act of sin—when it is deliberately undertaken (i.e., coercion is not involved), clearly undertaken (i.e., sexual intercourse is not an ambiguous act), and unrepentantly undertaken (i.e., the action persists without any acknowledgement of wrongdoing and without any intent to stop the behavior)—is settled not only by Scripture but by the historic confessions of the church (especially G-6.0106b). Since the “authoritative interpretation” allegedly does not change the standards of the church, there can be no disagreement on the question of whether a candidate’s serial, unrepentant homosexual activity is serial, unrepentant sinful activity of a conspicuous sort.

***Put belief and behavior on an equal footing?*** The Task Force claims that its “authoritative interpretation” of G-6.0108



puts “faith and polity”—belief and behavior—on an equal footing, as they were in 1729, when scruples were permitted in matters of “doctrine, discipline and government.” Over time, an imbalance has developed, with flexibility afforded in matters of doctrine and strict compliance required on all points of conduct and polity. By implication, this confers greater authority on the “Form of Government” [of *The Book of Order*] than on the confessions and the Scripture they interpret. . . . Ordaining and installing bodies may exercise judgment in the application of standards of both belief and practice that are deemed by those bodies to be non-essential.

There are many different ways to get at the problems with this rationale.

First, belief and behavior have always been on an equal footing as categories in the PCUSA. Some beliefs are more significant than others, just as some behavioral standards are more significant than others. *The Book of Confessions* is not without behavioral elements and *The Book of Order* is not without doctrinal elements. *The Book of Order* may single out a particular belief to make a special point about compliance, particularly for officers, as it does with the first ordination vow (confessing Christ as Savior and Lord), or a particular behavior, as it does with the ordination requirement in G-6.0106b (locating sexual relations exclusively in a two-sex marriage). Accepting the authority of *The Book of Order* to make such determinations does not put belief and behavior on an unequal footing.

Second, for the connectional character of the PCUSA to survive, adherence to the explicit provisions of *The Book of Order* has to have a certain priority among its officers. The issue here isn’t salvation, except insofar as polity requirements of *The Book of Order* coincide with core beliefs and values of Scripture. The issue is institutional survivability, at least as a connectional body. Giving priority to the express directives of *The Book of Order* does not mean *The Book of Order* is more important overall than Scripture or *The Book of Confessions*. It just means that it is the defining place to go to when one wants to discern what is required of PCUSA officers if PCUSA connectionalism is to survive. That includes mandatory ordination standards. It even has the responsibility of clarifying “the significance of confessions for the faith and life of the church” (*The Book of Confessions*, xxxi). Furthermore, it uses language that carefully distinguishes various levels of compliance, from mandatory to permitted. The Task Force would apparently rather put such responsibilities in the hands of local and regional governing bodies or in GA “authoritative interpretations” that actually legislate against the *Constitution’s* own determination of essentials and vitiate the will of the majority of the presbyteries.

Third, I see no greater respect for either Scripture or the confessions in the Task Force proposal. In fact, I see much less. For the Task Force is seeking a local option solution that would allow for widespread ‘authorized’ departure from a sexuality standard that is essential to Scripture, the confessions, and *The Book of Order*.

## ***IX. A Brief Assessment of Recommendation 6***

### Recommendation 6.a of the Task Force Final Report

strongly encourages a. the 217<sup>th</sup> General Assembly to adopt no additional authoritative interpretations, to remove no existing authoritative interpretations, and to send to the presbyteries

no proposed constitutional amendments . . . on any of the major issues in the task force's report, including Christology, biblical interpretation, essential tenets, and sexuality and ordination.

I suppose that the proposed two-year moratorium on additional authoritative interpretations and constitutional amendments is a bone thrown to conservatives and moderates. Part b seems to be a bone thrown to liberals: No judicial proceedings against alleged violators of the *Constitution* unless "all other efforts fail to preserve the purposes and purity of the church." What is the rationale given for Recommendation 6? "We believe it would create confusion and further conflict to attempt to make major constitutional changes to section G-6.0106 or on other controversial issues before the church has reacquainted itself with the time-tested principles of the proposed authoritative interpretation." Accordingly, Recommendation 6 is predicated entirely on the GA's acceptance of Recommendation 5: "If the 217<sup>th</sup> General Assembly adopts Recommendation 5, the task force strongly encourages. . . ."

Although it would be nice to have a brief moratorium on further attacks on G-6.0106b, this recommendation comes at too high a cost: the acceptance of Recommendation 5. If it were disengaged from the acceptance of Recommendation 5 then the first part (a.) would be acceptable with some modification (see X. below).

It is very unlikely that those who would like to see G-6.0106b go can muster a majority of the presbyteries to amend the *Constitution* to remove G-6.0106b. The last attempt to do this in 2001-2 failed by almost a 3 to 1 margin (72.7% to 26.7%). So as an exchange for passing Recommendation 5 it is hardly a fair trade, especially since Recommendation 5 gives away most of the store to opponents of G-6.0106b anyway. Recommendation 5 gives them everything short of deletion of G-6.0106b: local option to ordain homosexually active persons. Even if the 217<sup>th</sup> General Assembly overturned the "Definitive Guidance" of 1978 concerning homosexuality (which the 205<sup>th</sup> General Assembly [1993] acknowledged to be an authoritative interpretation), this would produce less damage than the passage of Recommendation 5. Unlike Recommendation 5, it would not make application of G-6.0016b optional. Nor would it introduce the dangerous precedent of granting all ordaining and installing bodies the right to demote explicitly highlighted, mandatory constitutional standards to nonessential standards. In addition, overturning the Definitive Guidance of 1978 probably would not have the effect of permitting ordination of homosexually active persons. The case for interpreting "chastity in singleness" in G-6.0106b as allowing sexual intercourse outside the covenant of man-woman marriage is contextually very weak. Moreover, the 2000 GAPJC Londonderry case (section VI above) rejected the stated intent of sessions to ordain homosexually active persons by sole appeal to G-6.0106b. Short of a constitutional amendment to delete G-6.0106b, only the approval of Recommendation 5 would lead certainly to an effective local-option nullification of the force of G-6.0106b, as well as to an across-the-board undermining of connectionalism and constitutional authority.

Passing Recommendations 5 and 6 would simply create the conditions for the 218<sup>th</sup> General Assembly in 2008 to pass on to the presbyteries, with good chance of success, a proposed constitutional amendment to delete G-6.0106b. In the meantime, it would give virtual local option on G-6.0106b. Some deal.

## *X. Alternative Recommendations or Amendments*

Task Force members may have had noble motives in proposing Recommendation 5. But Recommendation 5 is one of the worst proposals for an “authoritative interpretation” imaginable. It is not just that Recommendation 5 will disempower (one is tempted to say disembowel) the sexuality standard in G-6.0106b. Recommendation 5 for all intents and purposes will destroy the connectionalism of the PCUSA. It will breed massive cynicism and disillusionment around the authority of the *Constitution* and the plain meaning of the *Constitution*’s words. And it will seriously weaken constitutional safeguards invested in the collective will of the presbyteries and the amendment process. All of this will irreparably damage the unity of the church. It clearly deserves to be rejected by the 217<sup>th</sup> General Assembly. However, the question remains: Should something be offered in its place?

There are good arguments for answering “no.” Offering in its stead an authoritative interpretation or a constitutional amendment might seem to give some validity to the false claims that G-6.0106b does not clearly present as an essential the sexuality standard lifted up therein or does not clearly mean by “chastity in singleness” abstinence from sexual intercourse. Similarly, it might support the notion that G-6.0108b does not clearly withhold from ordaining and installing bodies the right to disallow express constitutional provisions. Furthermore, given the usual left-leaning tendencies of GA, it would be difficult to obtain GA approval for an alternative authoritative interpretation or for a constitutional amendment that would then have to be sent to the presbyteries for approval. Defeat might galvanize opponents and lead to the passage of Recommendation 5. Even if an alternative proposal passed, there would still be an uncertain future ahead. An authoritative interpretation passed by the 217<sup>th</sup> General Assembly could be replaced by a simple majority vote of a future General Assembly. A constitutional amendment would be more difficult to dislodge but getting a majority of presbyteries to approve it would be an arduous battle.

On the other hand, there are good arguments for answering “yes.” Passage of an alternative would be a proactive stance rather than merely a reactive one. It could galvanize the growing outrage for the disregard being shown the *Constitution* and confessions of the PCUSA, not to mention Scripture. It would preempt any possible judicial activism. A constitutional amendment, in particular, would end efforts to do an end run around the *Constitution* through specious authoritative interpretations and flawed judicial rulings. It would bring greater stability to the PCUSA as a whole.

Here are possible alternative wordings to Recommendations 5 and 6 if one went the route of authoritative interpretations:

**It is recommended that the 217<sup>th</sup> General Assembly adopt in place of Recommendation 5 of the Task Force’s “Final Report” the following authoritative interpretation of the relationship of sections G-6.0106b and G-6.0108:**

**(1) G-6.0108 shall not be construed as giving ordaining and installing bodies or any other governing body the right to regard as nonessential to Reformed faith and**

**polity the explicit sexuality standard in G-6.0106b or any other standard expressly highlighted and mandated in the Form of Government from amongst the historic confessional standards of the church.**

**(2) G-6.0106b shall be interpreted as prohibiting absolutely the ordination and/or installation of all persons actively engaged in sexual behavior outside the covenant of marriage between a man and a woman and/or who have not repented of such activity.**

**(3) Higher governing bodies shall not permit noncompliance with such standards but shall, in a timely fashion, bring the offending party to compliance or, failing that, implement the discipline of the church.**

### **Rationale**

G-6.0106b in the Form of Government within *The Book of Order* explicitly singles out from among all “the historic confessional standards of the church,” as a “requirement,” the standard that “those who are called to office in the church *are to*. . . live either in fidelity within the covenant of marriage between a man and a woman (W-4.9001), or chastity in singleness.” It also expressly states that “persons refusing to repent . . . *shall not* be ordained and/or installed as deacons, elders, or ministers of the Word and Sacrament.” The singling out of this sexuality standard from among the historic confessional standards of the church, the reference to it as a “requirement,” and the use of language reserved for mandatory practices as opposed to merely recommended or permitted practices (“are to,” “shall”) all confirm the essential character of this ordination standard.

G-6.0108a does not allow “freedom of conscience with respect to the interpretation of Scripture” to be maintained when it constitutes a “serious departure from these standards” and threatens to obstruct “the constitutional governance of the church.” It does not empower ordaining or installing bodies with the right to declare nonessential those historic confessional standards that the Form of Government specifically singles out for the apparent purpose of conveying their essential status. Rather it was intended to limit the freedom of conscience allowable to officers of the Presbyterian Church (U.S.A.) by making an officer’s conscience “captive to the Word of God as interpreted in the standards of the church.”

A confessional standard that *The Book of Order* specifically requires, singles out, or highlights from among all the historic confessional standards of the church is by definition essential. Ordaining and installing bodies have no right, authority, or responsibility to demote an essential standard in *The Book of Order* to a nonessential, merely recommended standard. To do so is to promote local option and destroy the connectional unity of the PCUSA.

**It is recommended that the 217<sup>th</sup> General Assembly adopt in place of Recommendation 6 of the Task Force’s “Final Report” the following recommendation:**

**The 217<sup>th</sup> General Assembly adopt no additional authoritative interpretations, remove no existing authoritative interpretations, and send to the presbyteries no proposed constitutional amendments that would have the effect of changing denominational policy on sexuality and ordination.**

### **Rationale**

The PCUSA is in need of a period of stability and respite from debates about sexuality standards. A constitutional attempt to remove G-6.0106b is likely to fail. Attempts to remove the 1978 authoritative interpretation are likely to increase conflict in the church. The church will be better able to focus on its mission to the world, while remaining faithful to Scripture and to historic confessional standards of the church, if it allows the present stance of the church on homosexual practice to remain as it is for the next two years.

\* \* \*

If, in place of Recommendation 5, one went the route of sending to the presbyteries a proposed constitutional amendment rather than an alternate authoritative interpretation, the proposal might read:

**It is recommended that the 217<sup>th</sup> General Assembly adopt in place of Recommendation 5 of the Task Force’s “Final Report” the following proposed constitutional amendment to send to the presbyteries:**

**(1) The following addition be made to The Form of Government as G-6.0106c:**

**c. The requirement to live either in fidelity within the covenant of marriage between a man and a woman, or chastity in singleness, shall be understood as an essential of Reformed faith and polity. In accordance with the historic confessional standards “chastity in singleness” shall be understood as including abstinence from all sexual relations.**

**(2) The following addition be made to the Form of Government at the end of G-6.0108b:**

**This responsibility given to the governing body shall not be construed as granting it the right to declare nonessential those historic confessional standards that the Form of Government specifically singles out for the apparent purpose of conveying their essential status.**

### **Rationale**

See the Rationale given above for an alternative authoritative interpretation to Recommendation 5.

**Recommendation 5**

**5. The task force recommends that the 217<sup>th</sup> General Assembly adopt the following authoritative interpretation of section G-6.0108 of the *Book of Order*:**

**(1) *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.**

**(2) 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.**

**(3) 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:**

**a. 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.**

**b. 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.**

**(4) 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.**

**(5) 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.**

**Recommendation 6**

**If the 217<sup>th</sup> General Assembly adopts Recommendation 5, the task force strongly encourages**

- a. the 217<sup>th</sup> General Assembly to adopt no additional authoritative interpretations, to remove no existing authoritative interpretations, and to send to the presbyteries no proposed constitutional amendments that would have the effect of changing denominational policy on any of the major issues in the task force's report,**

**including Christology, biblical interpretation, essential tenets, and sexuality and ordination.**

- b. all church members to acknowledge their traditional biblical obligation, as set forth in Matthew 18:15-17, Matthew 5:23-25, and the Rules of Discipline in the Book of Order, “to conciliate, mediate, and adjust differences...prayerfully and deliberately” (D-1.0103) and to institute administrative or judicial proceedings only when other efforts fail to preserve the purposes and purity of the church.**