

# No Ordination Essentials “For All Time and All Persons”? Ten Reasons Why the Achtemeier Overture Is Extremist and Invalid

**Robert A. J. Gagnon, Ph.D.**

Associate Professor of New Testament, Pittsburgh Theological Seminary  
[gagnon@pts.edu](mailto:gagnon@pts.edu), [www.robgagnon.net](http://www.robgagnon.net)

Feb. 24, 2008

Do you believe that when presbyteries and sessions examine individual candidates for ordained office they should have a right to declare faith in Christ and abstinence from adultery nonessential requirements? If you are among the overwhelming majority of reasonable persons in the church who think otherwise, you disagree with Mark Achtemeier, a professor of theology at Dubuque Seminary,<sup>1</sup> and the majority of voting members attending the Feb. 16 meeting of the John Knox Presbytery.<sup>2</sup> For such would be the theologically insane effect of the [overture](#) that [Achtemeier pushed for](#)<sup>3</sup> and the John Knox Presbytery passed, if the overture were interpreted according to its Rationale.

According to Achtemeier et al., there are no *identifiable churchwide essentials* for ordained office—at least so long as the candidate is able “to perform the constitutional functions unique to his or her office (such as administration of the sacraments).”<sup>4</sup> The overture rationale states categorically:

---

<sup>1</sup> Achtemeier is also a former member of the now defunct and ever controversial “Peace, Unity, and Purity” Task Force.

<sup>2</sup> John Knox Presbytery encompasses parts of Wisconsin, Iowa, and Minnesota.

<sup>3</sup> The Presbyterian Layman reports from an unnamed source that Achtemeier wrote the overture, which is also suggested by the fact that he has been appointed overture advocate by the John Knox Presbytery (“Overture seeks to ‘hopefully overturn’ court ruling upholding ‘fidelity/chastity’ ordination standard,” [Feb. 22, 2008](#)). We also know that Achtemeier wrote a cover letter for the overture to members of the John Knox Presbytery on Feb. 15 (<http://www.jknox.org/GAOverture.pdf>). In the letter Achtemeier apologizes for “bringing a matter of this weight and complexity before the Presbytery on such short notice” and assures readers that “we will do everything we can at the Presbytery meeting to carefully explain what the PJC ruling says and how our proposed overture seeks to respond to it.” Of note is that a number of the sentences in the overture Rationale appear verbatim, without quotation marks or attribution, in a recent [guest commentary](#) for the *Presbyterian Outlook* (Feb. 20). The author is Doug Nave, a New York lawyer who serves on the Board of Directors of the Covenant Network. Were both Achtemeier and Nave drawing on a common Covenant Network playbook? Did Nave plagiarize from Achtemeier (which is what I suspect) or vice versa?

<sup>4</sup> One might argue that reciting the first ordination vow (“Do you trust in Jesus Christ your Savior, acknowledge him Lord of all. . . .?”) is one of “the constitutional functions unique to his or her office” so that belief in Christ as one’s Savior and as Lord of all would be an essential even under the Achtemeier overture. However, that is unlikely, for two reasons. First, it is questionable whether taking vows is best described as a “constitutional function” in the sense of serving the church through the administration of sacraments. And even if it were, it is not clear that *believing* the vows would be a constitutional *function*, much less that a change of mind after having once taken the vow in good faith would be prohibited. The overture is quite insistent in framing a virtually absolute right to freedom of conscience and in denying that

For any governing body to declare a standard ‘essential’ in the abstract, for all time and persons, is wholly at odds with the historic practice and theological commitments of the Presbyterian Church. (point 5)

That means that Achtemeier et al. believe that it is “wholly at odds” with the PCUSA to declare that faith in Christ as Savior and Lord (or that one is not saved by personal merit, or that God is ultimately sovereign, etc.) or refraining from adultery (or sexual promiscuity, or sex with one’s parents, or bestiality, etc.) is an essential for officers of the church “for all time and all persons.” *Everything* is to be decided “on an individual, case-by-case basis” because, who knows, the candidate in question may have some other virtues that would offset *any* given violation. So zealous are Achtemeier and the voting majority of the John Knox Presbytery to make it possible to ordain homosexually active candidates that they are willing to have such absurdities take place if that is the price that must be paid.

As bad as this development would be—and we will elaborate on it further at the end of this article—it is only one of at least ten major problems with the “Achtemeier overture” (as I shall refer to it). The author of the Rationale of the overture repeatedly shows a penchant to bend the truth about Scripture, the history of the church, the church’s theology, and the constitutional documents of the PCUSA in order to reach, by any means necessary, a predetermined ideological objective.

It’s worth noting that Achtemeier and the majority voters at John Knox Presbytery are opposing a unanimous decision by the GAPJC, a court that contains a number of persons (perhaps a majority) who would not mourn the loss of a male-female prerequisite for a valid sexual bond enshrined in G-6.0106b. Yet even these members of the court had the constitutional integrity to recognize that the “fidelity and chastity” provision, like it or not, has all the earmarks of an essential ordination standard. Achtemeier et al. now stand to the extreme left of those judges, which says something about the lack of constitutional integrity and reasonableness in their own stance.<sup>5</sup>

---

*any* standard can be elevated to an “‘essential’ in the abstract, for all time and persons.” Secondly, the overture adds the qualifier “unique to his or her office.” Belief in Christ as Savior and Lord is *not* unique to any one office, unlike the “administration of the sacraments,” which is largely the domain of ministers of the Word and Sacrament (cited as an example by the overture). The first ordination vow is the same for deacons, elders, and ministers of the Word and Sacrament. Indeed, believing in Christ as Savior and Lord is a requirement that is not even limited to officers of the church. According to G-5.0100, “one becomes an active member of the church through faith in Jesus Christ as Savior and acceptance of his Lordship in all of life.” Therefore, believing in Christ as Savior and Lord would not qualify under the wording of the overture as an ordination essential from which departures are not permitted. One can see the absurdity here of limiting what is essential to that which is “unique to one’s office.” It is precisely the fact that faith in Christ as Savior and Lord is required even of all members of the church, not just leaders, that underscores its foundational, essential character for officers. Yet the overture would make it just one among many standards that an examining body may choose to view as nonessential. It is revealing that both in the overture proper and in the Rationale Achtemeier cites as his *only* example of an inviolable “constitutional function” the “administration of the sacraments.”

<sup>5</sup> Achtemeier’s stance in this overture puts the lie to his earlier claim that he represents the “middle” of the church. Cf. my article, “‘I Am of the Middle’: The Subgroup of the ‘Middle’ and Its Accommodation to Sexual Immorality: A Response to Mark Achtemeier” (July 12, 2006; 4 pgs.; online [here](#)).

## Some Background Information

The Achtemeier overture is an attempt at overruling, through a General Assembly “Authoritative Interpretation” of G-6.0108,<sup>6</sup> the days-old decision in *Bush, et al. vs. the Presbytery of Pittsburgh* rendered by the PCUSA’s high court, the GAPJC.<sup>7</sup> The latter put an end to permitted departures from the “fidelity and chastity” provision of G-6.0106b, which confines the sexual relations of officers of the church to “the covenant of marriage between a man and a woman” (for analysis see my “GAPJC Scraps Scruples” article [here](#)).<sup>8</sup> The GAPJC did so in part—but, as we shall see, only in part—by distinguishing between churchwide “manner of life” or “behavioral” standards and at least some “beliefs and opinions,” making the former often more necessary for compliance than the latter.<sup>9</sup>

The Achtemeier overture allegedly would make “the requirements of G-6.0108 apply equally to all ordination standards,” both belief and behavior standards. The overture is worded thus:

The requirements of G-6.0108 apply equally to all ordination standards of the Presbyterian Church (U.S.A.). G-6.0108 requires examining bodies to give prayerful and careful consideration, on an individual, case-by-case basis, to any departure from an ordination standard in matters of belief or practice that a candidate may declare during examination. However, the examining body is not required to accept a departure from standards, and cannot excuse a candidate’s inability to perform the constitutional functions unique to his or her office (such as administration of the sacraments).

Achtemeier et al. think that this will have the desired effect of allowing examining bodies to ordain homosexually active candidates for church office. Here are ten reasons why the Achtemeier overture is extremist and invalid.<sup>10</sup>

- 1. The overture’s first sentence about equalizing all standards is contradicted by the overture’s last sentence and by G-6.0108.**
- 2. Ordaining violators of the “fidelity and chastity” provision of G-6.0106b would be an act “obstructing the constitutional governance of the church”(G-6.0108a) and would permit ordained officers to scruple women’s ordination.**

---

<sup>6</sup> G-6.0108 is the “Freedom of Conscience” clause in the *Book of Order*, to which is attached the qualifier in paragraph b “Within Certain Bounds.”

<sup>7</sup> The General Assembly Permanent Judicial Commission.

<sup>8</sup> For a pdf version of the article go [here](#).

<sup>9</sup> Pages 4-5. At the same time the GAPJC states: “a determination as to whether the candidate for office has departed from essentials of Reformed faith and polity . . . does not rest on distinguishing ‘belief’ and ‘behavior’” (p. 5, repeated nearly verbatim in headnote 1 on p. 1). How can the GAPJC both make such a distinction as one of the reasons for its decision and then insist that the determination of essentials “does not rest on” such a distinction? It makes no sense to me.

<sup>10</sup> One could easily add to this list, most notably the problem that arises when a legislative body such as the General Assembly attempts to assert itself over a judicial body such as the Permanent Judicial Commission, which has equal authority, without recourse to amending the Constitution. See the helpful [Presbyweb.com Viewpoint](#) on Feb. 21 by Winfield Casey Jones entitled “Nurturing a weaker form of checks and balances in the PC(USA).”

3. **The overture has no impact on the GAPJC’s main distinction between a specific standard singled out from amongst all other standards and broad, undifferentiated standards.**
4. **The overture dishonestly ignores the singling-out effect in G-6.0106b when it treats the sexuality requirement as merely “one among many standards.”**
5. **The overture’s Rationale pretends that the GAPJC has acted in an unconstitutional and anti-Presbyterian manner by making the “fidelity and chastity” requirement the “single exception” to no essentials; yet the Presbyterian Church itself through the Constitution has singled out this and other identifiable essentials.**
6. **Contrary to what the overture Rationale claims, neither G-6.0108 nor its 2006 “Authoritative Interpretation” prohibits a determination of essentials outside the context of examining an individual candidate; indeed, the reverse is the case.**
7. **The wording of the overture, read carefully, does not appear to accomplish what its Rationale says it will accomplish.**
8. **The idea that an examining body has carte blanche to permit any departure from ordination standards is supportable neither from Scripture (Paul) nor from Reformed history (Calvin, the Westminster Standards, the Adopting Act of 1729).**
9. **The overture Rationale’s appeals to unity as a basis for eliminating identifiable churchwide essentials are self-serving, irrelevant to constitutional obligations, and inaccurate.**
10. **The claim that there are no essentials of the Christian faith “for all time and persons” has the theologically insane effect of giving any examining body the right to ordain candidates who deny even the most basic Christian beliefs and engage in the most unethical and immoral behaviors.**

The rest of the article consists of commentary on each of these points.

### **1. The Overture’s First Sentence about Equalizing All Standards Is Contradicted by the Overture’s Last Sentence and by G-6.0108**

The first problem with the overture’s validity is that the overture contradicts itself on the matter of equalizing all ordination standards, to say nothing of contradicting G-6.0108 itself. It begins by stating that G-6.0108 would apply equally to “all” ordination standards but ends by making a huge exception for behavioral standards that have to do with the

performance of “constitutional functions.” This means that, contrary to the wording of the overture, G-6.0108 would *not* be applied equally to “all” ordination standards. Indeed, G-6.0108 *cannot* be applied equally to all ordination standards since G-6.0108 itself rejects the notion that all ordination standards are equal. It explicitly prohibits “serious departure” from standards (i.e. departure from essential standards), departures from standards that involve “the rights and views of others,” and departures from standards that involve “the constitutional governance of the church.” The fact that the first sentence of the overture is contradicted by the last sentence and by G-6.0108 signals that the overture is convoluted and unconstitutional.

## **2. Ordaining Violators of the “Fidelity and Chastity” Provision of G-6.0106b Would Be an Act “Obstructing the Constitutional Governance of the Church”(G-6.0108a) and Would Permit Ordained Officers to Scruple Women’s Ordination**

A second problem for the overture’s validity is that every standard that speaks to who can and cannot be ordained arguably involves “the constitutional governance of the church” (to use the language of G-6.0108a) and thus a “constitutional function” of ordained officers (to use the language of the Achtemeier overture), certainly of ordained officers involved in the process of examining, ordaining, or installing candidates for church office. This would obviously include the “fidelity and chastity” provision of G-6.0106b since it clearly specifies whom a governing body may not ordain. G-6.0106b specifically singles out candidates for church office who do not abide by “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” as among those who “*shall not be ordained and/or installed* as deacons, elders, or ministers of the Word and Sacrament.” Therefore any participation by an officer of the church in ordaining homosexually active candidates would be, by definition, an act “obstructing the constitutional governance of the church” and thus a violation of G-6.0108a.

This is exactly the conclusion that the GAPJC came to in the *Bush* case: “It would be *an obstruction of constitutional governance* to permit examining bodies to ignore or waive a specific standard that has been adopted by the whole church, such as the ‘fidelity and chastity’ portion of G-6.0106b, or any other similarly specific provision” (p. 7, emphasis added). There is nothing in the explicit language of the Achtemeier overture that suggests any other interpretation—in the Rationale, yes, but in the overture itself, no. Indeed, and ironically, candidates who declared an intention not to comply with the “fidelity and chastity” requirement would necessarily be declaring a desire not to perform their very first “constitutional function,” namely, to refrain from participating in the ordination of persons whom the *Book of Order* expressly forbids from being ordained—in this case, themselves.

This overture also jeopardizes the essential character of affirming women’s ordination. The prohibition not to ordain homosexually active candidates and the enjoining of women’s ordination in the *Book of Order* are inextricably connected as regards their effect on “constitutional governance.” To ordain or install homosexually active

candidates would necessarily entail “obstructing the constitutional governance of the church,” *every bit as much as choosing not to ordain or install women candidates because they are women*. If the act of refusing to ordain women on the grounds of a freedom-of-conscience scruple would be an impermissible act “obstructing the constitutional governance of the church” (in the words of G-6.0108a) and a failure to perform “the constitutional functions unique to [the candidate’s] office” (in the words of the Achtemeier overture), then so too would be the act of ordaining homosexually active candidates in direct violation of the specific provision in G-6.0106b not to ordain such candidates.

By the same token, if the Achtemeier overture made it possible to ordain someone who declares a scruple against the “fidelity and chastity” portion of G-6.0106b then it would necessarily also make it possible to ordain someone who declares a scruple against the affirmation of women’s ordination. The degree to which refusing to participate in the ordination of a qualified female candidate would be or would not be an obstruction of constitutional governance is the degree to which participating in the ordination of an unqualified homosexually active candidate would be or would not be an obstruction of the same constitutional governance. Consistency is required here.

### **3. The Overture Has No Impact on the GAPJC’s Main Distinction between a Specific Standard Singled Out from amongst All Other Standards and Broad, Undifferentiated Standards**

A third problem for the overture’s validity is that in attempting to eliminate a distinction between behavioral standards and belief standards (however inconsistently), the overture does not do away with the whole of the GAPJC’s argument against scrupling the sexuality standard in G-6.0106b. An integral part of that argument is the fact that “the church has decided to *single out* this particular manner of life standard and require churchwide conformity to it for all ordained church officers” (p. 5, emphasis added). G-6.0106b explicitly singles out this one requirement for specific mention from “among” all “the historic confessional standards of the church” and does so for the obvious purpose of stressing compliance. In effect, the church is saying: At least *this particular* ordination requirement must be maintained without permitted departures.

Moreover, the GAPJC makes a clear distinction between “the *broad* reference” in the last sentence of G-6.0106b to “any self-acknowledged practice which the confessions call sin,” and “a *specific* standard that has been adopted by the whole church, such as the ‘fidelity and chastity’ portion of G-6.0106b” (p. 7, emphases added). An examining body has a responsibility to sort through which of the practices that “the confessions call sin” are essential when the reference is vague. However, when a practice cited in the *Book of Order* is “specific” and expressly singled out as a practice that would necessarily bar a candidate from ordination, then the examining body has an equal responsibility not “to ignore or waive” that standard (ibid.). The GAPJC concluded that the “fidelity and chastity” portion of G-6.0106b, in distinction to the broad reference in the last sentence of

G-6.0106b, is formulated in such a manner as to leave little doubt that the church deems “conformity [to it] to be necessary or essential” (p. 4).

Thus the GAPJC bases its decision on the grounds of the specificity of the “fidelity and chastity” portion of G-6.0106b and its being singled out in the *Book of Order* from amongst all other confessional standards, and not merely on the grounds of a distinction between belief standards and behavior or practice standards. The GAPJC *Bush* decision does not rule out that certain *beliefs* are also essential, in addition to behaviors. The GAPJC would undoubtedly concur that the first ordination vow, which singles out a *belief* standard (i.e., faith in Christ as one’s “Savior” and “Lord of all”), is *also* an essential ordination requirement. In fact, this belief standard is also explicitly mentioned in G-6.0106a: officers of the church “should be persons of strong faith, dedicated discipleship, and love of Jesus Christ as Savior and Lord.”

The distinction between “belief” and “behavior” is therefore much less significant for the GAPJC decision than the distinction between “specific” and “singled out” on the one hand and “broad” and undifferentiated on the other hand. In fact, the GAPJC explicitly states that determinations “as to whether the candidates for ordination and/or installation have departed from essentials of Reformed faith and polity. . . . do not rest on distinguishing ‘belief’ and ‘behavior.’”<sup>11</sup> Accordingly, since the Achtemeier overture does not address the GAPJC’s crucial distinction between centuries-old undifferentiated standards in the *Book of Confessions* and standards explicitly singled out in the recent memory of the church for compliance in the *Book of Order* from amongst all other “historic confessional standards of the church,” it does nothing to overturn the GAPJC decision against departures from the “fidelity and chastity” provision in G-6.0106b.

#### **4. The Overture Dishonestly Ignores the Singling-Out Effect in G-6.0106b When It Treats the Sexuality Requirement as Merely “One Among Many Standards”**

A fourth problem for the overture’s validity is that the overture, at least as interpreted by its own Rationale, is in express violation with the constitutional wording of G-6.0106b. The Rationale claims that this overture “would restore [G-6.0106b] to its proper status as one among many standards . . . applied in case-by-case assessments of fitness” (point 7). Yet the church through the *Book of Order*, the polity half of our Constitution, expressly rejected the premise that this was just “one among many standards.” G-6.0106a broadly states that the “manner of life” of officers of the church “should be a demonstration of the Christian gospel in the church and in the world.” G-6.0106b immediately follows with a special, explicit singling out of the “fidelity and chastity” requirement from “among” all “the historic confessional standards of the church” as a specific instance of compliance for this “manner of life.” If it were just “one among many standards” there would have been no point in the church singling it out for compliance. The church would have been content to limit its mention to other parts of the Constitution where it would be merely “one among many standards,” some of which are essential and some of which are not.

---

<sup>11</sup> P. 1, headnote 1; reiterated nearly verbatim on p. 5.

The GAPJC rightly discerned that in singling out this one standard from amongst all the rest the church had made its decision to regard conformity to this specific standard as “necessary or essential” (p. 4). This is so obvious a point that a reasonable person would have to be deliberately obtuse in order to deny it. Since “authoritative interpretations” of the Constitution are supposed to interpret the Constitution, not contradict it, the Achtemeier proposed A.I. would be invalid if it were to have the constitutional effect of treating “as one among many standards” a standard that the Constitution explicitly singles out from amongst all other standards for the purpose of emphasizing that no departures are to be permitted. There can also be no doubt that this was the intent of singling out the sexuality requirement, since the events surrounding its passage and two subsequent retentions are all in the recent memory of the church. That intent is clearly communicated in the constitutional wording of G-6.0106b.

Any attempt on Prof. Achtemeier’s part, or on the part of others supporting the overture, to claim that the significance of the Constitution’s singling out the “fidelity and chastity” provision is unclear would be an instance of sheer duplicity. Let’s suppose that Prof. Achtemeier were to tell students at the start of any course that they are obligated to read and comply with all the requirements of the Seminary’s *Student Handbook* that pertain to coursework. Let’s suppose too that he then made a special point of singling out for specific mention only one rule; namely, that cheating on an exam or plagiarizing a paper would result in a failing grade in the course and referral to the faculty for dismissal. Would the significance of that singling out be unclear to his students? Would Prof. Achtemeier himself, upon catching a student cheating or plagiarizing, accept the student’s rationale that the prohibition had been presented in class only as “one among many standards” in an undifferentiated *Student Handbook*, some of which standards are followed to the letter and some of which are not?

I dare say that Prof. Achtemeier would regard such reasoning as perverse. Yet when Prof. Achtemeier, who is a bright person, faces a church that has done something similar by singling out the “fidelity and chastity” provision from amongst all other standards, he pretends that the significance of this is to convey “its proper status as one among many standards” that are to be decided on a “case-by-case” basis. This reasoning is no less ridiculous and no less duplicitous than the reasoning of the student in the example given above, especially when it comes from the mind of an intelligent person. It is beneath him to argue in this way and leads to a serious loss of credibility.

**5. The Overture’s Rationale Pretends that the GAPJC Has Acted in an Unconstitutional and Anti-Presbyterian Manner by Making the “Fidelity and Chastity” Requirement the “Single Exception” to No Essentials; Yet the Presbyterian Church Itself through the Constitution Has Singled Out This and Other Identifiable Essentials**

A fifth problem for the overture’s validity occurs in the Rationale’s related false argument that by prohibiting departures from the “fidelity and chastity” provision of G-6.0106b the GAPJC has made one and only one standard essential, “a single exception,”



thereby elevating it “above all other standards,” a finding that, allegedly, is “contrary to our Constitution, history, and theology as Presbyterians” (point 6). This argument is misguided in at least four ways.

In the first place, the GAPJC *Bush* decision has not made this the *only* exception in the *Book of Order*. It has referred explicitly to the sexuality standard in G-6.0106b because this is the one clearly essential standard that is being contested in some presbyteries. Yet the high court has established a general principle by which other standards in the *Book of Order* could be regarded as essential; namely, “specific” ordination standards “singled out” by the church to make a special point about compliance:

[T]he church has required those who aspire to ordained office to conform their actions ... to certain standards, in those contexts in which the church has deemed conformity to be necessary or essential. Section G-6.0106b contains a provision where conformity is required by church officers “to live either in fidelity within the covenant of marriage between a man and a woman (W-4.9001), or in chastity in singleness.” The church has decided to single out this particular manner of life standard and require churchwide conformity to it for all ordained church officers. (pp. 4-5)

In the second place, as the above citation makes clear, *the church itself* has made a special point of “singling out” for necessary compliance this standard. It did so by way of constitutional amendment when the majority of presbyteries approved the overture’s wording in 1996-97 and then denied by ever greater margins vigorous attempts to remove it in 1997-98 and 2001-2002. So it can be hardly be unconstitutional and anti-Presbyterian to single out a sexual morality standard as essential if the Constitution itself does exactly that. Achtemeier et al. can *wish* that it were not so but the mere act of wishing doesn’t in fact make it so. Incidentally, this route of amending the Constitution is something that the PUP Task Force in 2006 was afraid of taking, and Achtemeier is now again afraid of taking, because they knew then, as he knows now, there is little likelihood that a majority of presbyteries would approve their “interpretations” of the Constitution.

It is true that the PCUSA has been reluctant to draw up a comprehensive list of essentials for ordination ever since the fundamentalist controversy in the early twentieth century. Since that time the PCUSA has approached the issue of essentials more on a need-to-know or as-conflict-arises *ad hoc* basis. In other words, when an historic or newly developed essential comes under attack or questioning, or attempts are made to circumvent it, the PCUSA has acted to assert its status as essential through specific reference in the *Book of Order*. This has been true in at least three matters, cited below.

In defining particular essentials in the *Book of Order* as the need arises, Presbyterians do not wish to imply that there are no other obvious churchwide essentials. Anyone can think of dozens of others. Many of them are only implicit but not for that reason any less essential. We won’t ordain persons who believe that God is in no way sovereign over anything. We won’t ordain any card-carrying, active members of the Klu Klux Klan or skinhead Nazi groups. We won’t ordain any persons who regularly beat their spouse. We won’t ordain any candidates having regular sexual intercourse with their parent or sibling, even if the relationship is “committed” and monogamous. On and on one could go. No reasonable person would seriously argue that any of these offenses are not

violations of implied churchwide essentials or that candidates who commit them may conceivably have other redeeming qualities that would offset these offenses. The only reason why the PCUSA doesn't explicitly refer to them as essentials in the *Book of Order* is because no one seriously contests them as implied ordination essentials. That they are not defined as identifiable churchwide essentials has absolutely nothing to do with a reluctance to define them as such.<sup>12</sup>

In the third place, there are other ordination essentials in the *Book of Order* that are clearly identifiable as such, besides the "fidelity and chastity" provision in G-6.0106b. As I have argued [elsewhere](#)<sup>13</sup> these include: the first ordination vow requiring faith in Christ as one's "Savior" and "Lord of all" (W-4.4003) and the affirmation of women's ordination, which is affirmed in numerous places and in diverse contexts of the *Book of Order*.<sup>14</sup> The very fact that an acknowledgement of Jesus as Savior and Lord is put in an ordination vow, and the first one at that, so that the candidate has to swear specific compliance to it, is a clear indicator that this standard is essential for ordination. Otherwise, what is the point of requiring someone to swear to it? The fact that the *Book of Order* affirms women's ordination often and in diverse contexts of the Form of Government and even sets up a committee to insure its continuing affirmation in the actions of the church is ample indication that this is being treated as essential.<sup>15</sup>

---

<sup>12</sup> Parenthetically, I doubt that the kind of silly arguments raised by the Achtemeier overture would ever have been raised if the sexuality standard in G-6.0106b had prohibited absolutely to ordained officers only adultery, bestiality, 'committed' polyamory, intercourse with prostitutes, pedophilia, and promiscuous unmarried intercourse (all of which are implicitly rejected in the restriction of sexual relations to "the covenant of marriage between a man and a woman"). In point of fact, the "fidelity and chastity" requirement prohibits not only one sexual behavior as a violation of an essential standard but also many other sexual behaviors. Homosexual practice is getting the attention because it is the only one that is being contested in many quarters. Were other elements of the prohibition to be widely contested at some future date, would Achtemeier and his cohorts argue that it is unconstitutional to single out any of these as absolutely forbidding departures "for all time and persons"? Would he want to demand, for example, that examining bodies be allowed the right to ordain persistent and unrepentant participants in adultery, bestiality, polyamory, promiscuous fornication, or pedophilia? The question is obviously rhetorical. Neither he nor any of the supporters of the overture has any personal objection to the PCUSA operating under *some* identifiable churchwide essentials for ordination. It is really only one such essential that he and they object to, and only one application of that essential, namely, the absolute prohibition of homosexual practice. In order to make a case against that single essential, he and they have to argue *as if* there are *no* identifiable churchwide essentials. But not even he or they believe that. It is all a deceptive rhetorical ploy.

<sup>13</sup> "Three Clear Indicators in the *Book of Order* Regarding Ordination Essentials: A Plea for Theological Sanity and Constitutional Honesty" (Feb. 5, 2008; 7 pgs.; online [here](#)).

<sup>14</sup> G-6.0105 makes clear that "both men and women *shall* be eligible to hold church." Likewise, G-14.0221 states: "Every congregation shall elect men and women from among its active members . . . to the office of elder and to the office of deacon." G-9.0105a ("Committee on Representation") mandates: "Each governing body above the session shall elect a committee on representation, whose membership shall consist of equal numbers of men and women." A specific duty of this committee is to "advocate for the representation of . . . women" (c). According to G-13.0111a, "Consideration shall be given to the nomination of equal numbers of ministers (both women and men)." G-1.0100b ("Christ calls the church into being") refers to Christ "exercising his authority by the ministry of women and men." G-3.0401b ("Called to Openness") states: "The Church is called . . . to a new openness" about "becoming in fact as well as in faith a community of women and men."

<sup>15</sup> The Pittsburgh Presbytery has forwarded an overture to amend G-6.0108b in such a way as to make explicit what is already implicit in the *Book of Order*: "This responsibility [i.e., to determine whether a candidate has departed from essentials of Reformed faith and polity] does not give the governing body

A person doesn't have to be Albert Einstein to figure these things out. It's a fairly elementary observation, which is as it should be. One would have to be making a concerted effort to deny the obvious, likely out of a desire to protect some other ideological interest, in order to reach any other conclusion. It is not necessary for the *Book of Order* to use the explicit word "essential" for each of these ordination standards. The fact of locating a specific standard in an ordination vow or oft repeating it in diverse contexts, as with explicitly singling out a standard for compliance from amongst all other standards, is tantamount to using the word "essential," as any reasonable person knows. To take the example used earlier, if Prof. Achtemeier were to make his class swear not to cheat on an exam or plagiarize ("raise your right hand and repeat after me . . .") or were to repeat throughout the course of the term the penalties for cheating or plagiarizing, only a student bent on arriving at a perverse interpretation could argue that no indicator had been given that this standard was essential.

In the fourth place, as already noted, the Achtemeier overture itself makes a huge exception to his claim that there are no identifiable churchwide ordination essentials in the *Book of Order*. In point 6 the Rationale for the overture states that it is unconstitutional to single out the sexuality standard as such an essential (cited above). In point 5 its states starkly: "For any governing body to declare a standard 'essential' in the abstract, for all time and persons, is wholly at odds with the historic practice and theological commitments of the Presbyterian Church." Yet in writing such things he fails to see the blatant contradiction with his assertion in point 4 that, oh by the way, standards that have to do with performing constitutional functions remain essential: "An examining body *cannot* find a person fit for office unless that person is willing to perform all of the constitutional functions unique to his or her office (e.g. a person . . . must be willing and able to administer the sacraments)" (emphasis added).

One is tempted to ask Achtemeier et al.: What do you mean by "cannot"? Do you mean "absolutely under no circumstances"? Or do you mean it in the sense of your interpretations of the "shall not's" of the *Book of Order*, namely, something that is "binding" but not necessarily a barrier to ordination? Obviously Achtemeier et al. mean it in the absolute sense, which shows their inconsistency when it comes to standards in the *Book of Order* that they don't like. Assuming the absolute sense, how then can Achtemeier et al. possibly claim that the high court has unconstitutionally made one and only one standard in the Constitution an ordination essential? Apparently the overture treats being ready and able to administer the sacraments as another essential and doubtless would add other functions beyond that one. So the "single exception" argument is a complete red herring.

---

constitutional grounds to define essentials in ways that ignore clear indicators in the Book of Order regarding what is essential. These indicators include standards specified in ordination vows in the Book of Order; standards singled out in the Book of Order for compliance from amongst other standards; and standards oft repeated in diverse contexts in the Book of Order" (OVT-054: On Amending G-6.0108b Freedom of Conscience "Within Certain Bounds," to Include a Freedom of Ordaining Bodies within Certain Bounds). The overture with its rationale can be found [here](#).

## **6. Contrary to What the Overture Rationale Claims, Neither G-6.0108 Nor Its 2006 “Authoritative Interpretation” Prohibits a Determination of Essentials Outside the Context of Examining an Individual Candidate; Indeed, the Reverse Is the Case**

A sixth problem for the overture’s effectiveness is its claim that neither G-6.0108 nor the 2006 “Authoritative Interpretation” allows for ordination essentials outside the *ad hoc* context of ordaining bodies examining individual candidates for ministry. This claim, which “Covenant Network” types repeat over and over again as though it were a religious mantra, was dealt with in my “GAPJC Scraps Scruples” article [here](#). Here are five arguments that show why it is untrue.

First, as we have seen in Reason 5, the *Book of Order* itself provides clear indicators of at least three identifiable churchwide essentials; namely, standards that are highlighted for compliance by being placed in ordination vows (i.e., the affirmation of Christ as Savior and Lord), standards that are explicitly singled out from amongst other standards (i.e., the “fidelity and chastity” clause in G-6.0106b), and standards that are oft-repeated in diverse contexts (i.e., the affirmation of women’s ordination). The existence of these three clear indicators within the *Book of Order*—indeed, one of these, the singling out of the sexuality standard, occurs just two paragraphs before G-6.0108—makes it impossible to interpret G-6.0108 as disallowing predetermined ordination essentials in the *Book of Order*.

Second, the *Book of Order* requires that those who are to be ordained must respond with a “yes” to the third constitutional question of the ordination vows: “Do you sincerely receive and adopt the essential tenets of the Reformed faith?” (W-4.4003c). The Achtemeier overture makes this question ludicrous. How can one “receive and adopt the essential tenets of the Reformed faith” if there are absolutely no *identifiable, predetermined, churchwide* “essential tenets”? How can a candidate for ordained office sign off to “essential tenets” if these essentials are subject to change with each and every examination and otherwise cannot be assumed? This constitutional question about “essential tenets” implies that the Constitution does possess within its pages some identifiable churchwide essentials that rise above any *ad hoc* circumstances.

Third, nothing in the wording of G-6.0108b precludes a predetermination of one or more essentials in the *Book of Order*. G-6.0108b states only that “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.” The “ultimately” is stated in relation to the candidate’s self-determination of essentials, *not* the national body’s predetermination through the *Book of Order*.

G-6.0108b does *not* say: The decision becomes the responsibility of the governing body *only at the time of the examination process and without reference to any prior determination of essentials by the Constitution itself*. Nor could it say such a thing without making a mockery of (a) the clear indicators in the *Book of Order* for *some* predetermined essentials and (b) the ordination question about receiving and adopting the essential tenets of the Reformed faith.

G-6.0108b does not even forbid presbyteries from *predetermining* essentials in circumstances where the *Book of Order* does not provide clear indicators of essentials (the GAPAC *Bush* decision erred in arguing otherwise). If a presbytery wanted to declare, for example, that no one shall be ordained who is found to be an unrepentant wife-beater (or, in rare cases, husband-beater), that presbytery has a right to make explicit what is obviously implicit in the Constitution of the PCUSA.

Technically, G-6.0108b doesn't even say that the examining body can *determine essentials*. Rather, it affirms only that the examining body has a responsibility to decide "whether a person had departed from essentials." The determination of an essential could already be predetermined in various ways by the *Book of Order* itself, as the GAPJC *Bush* decision suggests. In that event, the examining body's job would not be the determination of essentials but rather more a fact-finding exploration as to whether the particular candidate has by words or actions demonstrated noncompliance with the predetermined essential.

Fourth, not even the 2006 Authoritative Interpretation of G-6.0108b, strictly speaking, prohibits a predetermination of essentials when it states:

Ordaining and installing bodies . . . have the responsibility to determine . . . 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. Whether the examination and ordination and installation decision comply with the constitution of the PCUSA . . . is subject to review by higher governing bodies.

That last sentence—namely that ordination decisions are “subject to review by higher governing bodies” to assess compliance with the Constitution—assumes that a prior determination of essentials is already self-evident in the *Book of Order*. If this were not the case—that is, if essentials could *only* be determined in the context of *ad hoc* examinations of individual candidates—then a higher governing body would not be in a position to determine that a given ordination or installation decision violated the Constitution, since there would be no body of identifiable churchwide essentials independent of the judgment of the examining, lower-governing body. When the 2006 General Assembly voted to insert this statement about higher review into the proposed PUP A.I., it did so against the wishes of the PUP Task Force, which had hoped for total regional and local autonomy to approve departures from G-6.0106b. The Task Force didn't get what it wanted.<sup>16</sup> Since the Achtemeier overture says nothing about denying higher review, it is incorrect in its assumption that individual examinations are the sole venue for determining ordination essentials.

Fifth, the view taken by the Achtemeier overture is nonsensical on pragmatic grounds. What if several examinations of candidates have to be conducted in the same day? Should the examining body do its best to forget whatever it determined as essentials in the immediately preceding examination? Should it give up the assumption that failing to believe in Jesus or committing serial adultery would violate essentials because now it is

---

<sup>16</sup> I do not believe that it is mere coincidence that when the Rationale for the Achtemeier overture summarizes the 2006 Authoritative Interpretation it fails to say a word about higher review.

dealing with the special circumstances of a new candidate? How would it induce such memory loss, to say nothing of theological and intellectual suicide, so that the new candidate could be dealt with in a ‘non-prejudicial’ fashion?

### **7. The Wording of the Overture, Read Carefully, Does Not Appear to Accomplish What Its Rationale Says It Will Accomplish**

A seventh problem for the overture’s validity or at least effectiveness is that the wording of the overture itself, taken independently of the Rationale, does not require that ordination essentials be determined *only* on an *ad hoc*, case-by-case basis, independent of predetermined essentials in the *Book of Order*. Here we can pick up on points already made above.

The first sentence reads:

The requirements of G-6.0108 apply equally to all ordination standards of the Presbyterian Church (U.S.A.).

This sentence cannot be interpreted to mean that examining bodies have a right to declare any or all ordination standards nonessential. (1) The overture itself declares, in its last sentence, that “the examining body . . . *cannot* excuse a candidate’s inability to perform the constitutional functions unique to his or her office.” So it admits that examining bodies do not have equal license to allow departures in all circumstances. (2) G-6.0108 itself makes distinctions in different types of ordination standards. An examining body is not at liberty to allow “freedom of conscience” when at issue is a “serious departure from . . . standards” in the Constitution, an “infring[ment] on the rights and views of others,” or an “obstruct[ion of] the constitutional governance of the church.” (3) This statement must be read in light of the “fidelity and chastity” provision in G-6.0106b just two paragraphs earlier in the *Book of Order*, which by its very wording makes the ordination of violators both a “serious departure from [constitutional] standards” and an “obstructing [of] the constitutional governance of the church.” (4) As noted in Reason 6 above, G-6.0108 does not state that examining bodies can make their determination of departure from essentials independent of any predetermination of essentials in the *Book of Order*. The fact that the 2006 A.I. on G-6.0108 retains the right of higher review of a lower governing body’s decision makes this point quite nicely. Given that the *Book of Order* offers examining bodies clear indicators of some essential ordination standards, these indicators cannot be waived or ignored.

The second sentence reads:

G-6.0108 requires examining bodies to give prayerful and careful consideration, on an individual, case-by-case basis, to any departure from an ordination standard in matters of belief or practice that a candidate may declare during examination.

There is nothing in this statement that indicates that the examining body is the *sole* venue for determining essentials. Indeed, the fact that such decisions are “subject to review by

higher governing bodies” (so the 2006 A.I. on G-6.0108) proves that they are not the sole venue for such determinations. Nor is there anything in the statement that says that a responsibility on the part of the examining body to consider departures on a “case-by-case basis” grants that body constitutional grounds for ignoring or circumventing some clear indicators in the *Book of Order* regarding what is essential.<sup>17</sup>

*Of course*, every examining body should “give prayerful and careful consideration . . . to any departure from an ordination standard.” If an examining body finds out that an individual candidate doesn’t believe in Jesus as Savior and Lord, or thinks Calvin was an agent of Satan, or is currently sleeping with two other persons concurrently, or expresses the conviction that all persons of African descent should be denied ordained office, let the examining body give all the prayerful consideration that it wants to give. But let not that examining body deceive itself into thinking that it has any constitutional right, let alone scriptural right, to ordain such a candidate.

The third and final sentence reads:

However, the examining body is not required to accept a departure from standards, and cannot excuse a candidate’s inability to perform the constitutional functions unique to his or her office (such as administration of the sacraments).

The sentence is not without its problems but a declaration that the examining body is free to ignore clear indicators of essential ordination standards in the *Book of Order* is not one of them.<sup>18</sup> Although “the examining body is not required to accept a departure from standards” it is required to be in compliance with the Constitution when it considers departures. It cannot grant any departure when the *Book of Order* signals that the standard in question is essential. Accordingly, it cannot grant a departure from the requirement that the candidate acknowledge Christ as Savior and Lord. It cannot grant a departure when the candidate does not affirm women’s ordination. It cannot grant a departure if the candidate is engaged in sex outside the context of “marriage between a man and a woman,” whether that intercourse involves adultery, polyamory, fornication, homosexual practice, pedophilia, or bestiality. And, according to the overture itself, it cannot grant a departure when “a candidate’s inability to perform the constitutional functions unique to his or her office” is involved.

In short, there is nothing in the precise wording of the overture that *requires* governing bodies to interpret the overture in the manner prescribed by the Rationale. Therefore, even if the overture were to pass GA, it wouldn’t necessitate an overturning of the

---

<sup>17</sup> I.e., situating a specific standard in an ordination vow, explicitly singling it out for compliance from amongst all other standards, or repeating it often in diverse contexts.

<sup>18</sup> The same complaint that Achtemeier and others have raised about interpreting as essential all mandatory “shall’s” in the *Book of Order* could just as well be raised with the overture’s undifferentiated view of “constitutional functions.” Moreover, as noted in Reason 1, this last sentence is at odds with the first sentence for the first sentence gives equal weight to belief and behavior whereas the last sentence treats a subset of behavioral standards as essential, namely, those having to do with an exercise of “constitutional functions unique to his or her office.”

GAPJC's key ruling in the *Bush* case that departures from the "fidelity and chastity" standard in G-6.0106b are not permitted examining bodies.

### **8. The Idea That an Examining Body Has Carte Blanche to Permit Any Departure From Ordination Standards Is Supportable Neither from Scripture (Paul) Nor from Reformed History (Calvin, the Westminster Standards, the Adopting Act of 1729)**

An eighth problem for the overture's validity is that the Rationale makes a case based on a distorted view of Scripture and Reformed history.

a. *Paul*. In an instance of bad exegesis of Scripture the overture rationale cites three texts from Paul (Rom 14:1-13; Gal 5:1-6; Col 2:16-23) that allegedly elevate the freedom of the individual conscience with respect to the interpretation of Scripture to a nearly unrestricted sacrosanct status ("the sacred court"; point 2). In fact, all three texts appear in a broader context that warns against extending such freedom to the area of the core gospel and sexual practices. The text in Rom 14:1-13 applies only to matters of indifference such as diet and calendar, where eating and drinking can have no affect on one's standing with the Lord. In the same letter Paul explicitly rejects the idea that the commission of sexual immorality, including homosexual practice, is ever a matter of indifference like diet and calendar issues (1:24-27; 6:15-23, esp. 6:19; 13:11-14). In 6:1-8:17 Paul gives an extended warning against construing the gospel of grace as a license to live under the control of the sinful impulse operating in "the flesh." Later he warns the Gentile believers in Rome that if they do not continue in God's kindness they too, along with the "Israel branches," will be "cut off" (11:22).

Galatians 5:1-6 occurs in a context where Paul, far from promoting freedom of conscience with respect to defining the gospel, actually declares that anyone who adds circumcision to his proclamation will be "discharged from (the employ or service of) Christ." Earlier he had pronounced a curse on anyone who proclaimed a gospel contrary to one that Paul had proclaimed (1:8-9). Later in ch. 5 he warns the Galatians against using their newfound freedom as "a staging ground for the flesh." If they commit "sexual immorality, uncleanness, licentiousness" (three terms for sexual offenses that lead off Paul's vice list) and other offenses, they "will not inherit the kingdom of God" (5:13, 18-21). One can compare texts in 1 Corinthians where Paul both insists that unrepentant participants in sexual immorality be put out of the church—including participants in adult incest, adultery, same-sex intercourse, sex with prostitutes—and establishes belief in Christ's atoning death and resurrection as essential for salvation and inclusion in the church (5:1-13; 6:9-10; 15:1-4).

Finally, Col 2:16-23, like Rom 14:1-3, speaks only against enforcing laws having to do with diet, calendar, and contagions. It specifically rejects any comparison between these practices and matters involving "sexual immorality, uncleanness, lust, evil desire" (four terms that focus on sexual offenses), which must be put to death lest God's wrath fall on the perpetrators (3:5-6). Ephesians amplifies this point considerably, stressing that "sexual immorality and uncleanness of any kind . . . must not even be named among you"



in approving terms, let alone that allowance be made for “departures”; that “no sexually immoral person or sexually unclean person . . . has any inheritance in the kingdom of Christ and of God” because “the wrath of God” falls on such; and that the believers should not even “become associates of theirs,” despite the exhortations to unity in 4:1-6 (4:17-24; 5:3-12).<sup>19</sup>

The same points can be made about the Rationale’s use of Eph 4:1-3, Phil 2:3-11, Col 3:12-13, and 2 Tim 2:24-25 to emphasize a “duty of forbearance” (point 3). Paul never would have applied the principle of “forbearance” to *any* sexual intercourse outside of the covenant of marriage between a man and a woman,<sup>20</sup> at least not in the sense in which the Rationale applies it (i.e., permitting departures from God’s standard for sexual purity). Forbearance extends only to gentleness and patience in correction, not to tolerance of the sinful behavior (2 Tim 2:24-25). In cases of severe sexual immorality, such as incest, adultery, and same-sex intercourse, persistence in sin is dealt with by temporarily removing the offender from the fellowship of believers (1 Cor 5; 6:9-10).

**b. Calvin and the Westminster Confession of Faith.** The idea that Calvin—we’re talking about Calvin here—would have supported the view that freedom of conscience meant no identifiable, absolute, churchwide essentials for ordained officers is so historically preposterous as to require no other defense than to say simply: read or reread the *Institutes*.

The same applies to the Westminster Confession of Faith. The overture rationale cites a single line in a lengthy list of things forbidden by the first commandment, namely, not making “men the lords of our faith and conscience” (*Book of Confessions* §7.215). Yet the line is clearly a reaction against anti-biblical “papist” teaching (alluding to Matt 23:9, which forbids calling any religious figure “father”). It can hardly be used to justify, as the overture does, the negation of any identifiable churchwide essentials, especially since atheism and idolatry are at the top of the list of prohibited offenses. Absolutely no case can be made for claiming that the Reformers who framed these standards would have entertained the possibility that an examining body might in some circumstances legitimately ordain someone who did not believe in Christ as Savior and Lord or who engaged in sexual intercourse outside the covenant of marriage between a man and a woman, especially same-sex intercourse. We’re talking about seventeenth-century church history here.

For example, the Westminster Confession states: “the principal acts of saving faith are, accepting, receiving, and resting upon Christ alone for justification, sanctification, and eternal life, by virtue of the covenant of grace” (*Book of Confessions* §6.079). The expression “principal acts of saving faith” is tantamount to saying “essentials of the faith,” not only for officers of the church but also for rank-and-file members (similarly,

---

<sup>19</sup> Compare my earlier critique of the PUP Task Force [here](#) for their truncated downplaying of sexual purity issues in Ephesians.

<sup>20</sup> Or adult, committed incestuous bonds.

the Shorter Catechism, questions 85-86, §7.085-86). It is historically untenable to pretend this was not an identifiable churchwide essential “for all time and persons.”<sup>21</sup>

It would be equally ludicrous to suggest that the Westminster Assembly extended to any presbytery the option of ordaining someone actively engaged in same-sex intercourse and adultery. The level of hostility that any homosexual act would have generated for seventeenth-century Reformers is simply off the charts. The first series of offenses said to be forbidden by the seventh commandment against adultery is: “adultery, fornication, rape, incest, sodomy, and all [other] unnatural lusts,” using as proof texts for the last two items Rom 1:26-27 on homosexual practice and Lev 20:15-16 on bestiality (§7.249). Based on knowledge of the period, the order within this first series probably arises from (1) putting adultery first because it is explicitly prohibited by the seventh commandment, not because it is worse than incest, sodomy, and bestiality; and (2) listing other sexual offenses in the order from least severe to most severe: fornication; heterosexual, non-incestuous rape; incest; sodomy; bestiality (similar to Scripture’s ranking).<sup>22</sup> The idea that the Reformers would have extended to any governing body the right to declare any of these serial-unrepentant acts non-essential violations represents the worst form of revisionist history.

c. ***The Adopting Act of 1729.*** Although appeal to the Adopting Act of 1729 was a major pillar in the PUP Task Force’s Rationale and is briefly cited again in the Achtemeier overture (point 4), this Act never established that presbytery examining bodies have *carte blanche* and sole autonomy to permit departures from *any* given standard or standards by ministers and candidates for ministry. For convenient online access to the relevant documents go [here](#); for a brief explanation of the background go [here](#).<sup>23</sup>

In the 1729 Act Preliminary to the Adopting Act, the Synod of Philadelphia, the first synod formed in America (1716) and comprising by 1729 four presbyteries, received the Westminster Confession of Faith with the Larger and Shorter Catechisms as “the confession of the church’s faith.” Current ministers and future candidates for ministry were required to declare, either by “subscribing”<sup>24</sup> in writing or by “verbal declaration,” both their “agreement” with and “approbation” or approval of the Westminster Standards “in all the essential and necessary articles.” If the minister or candidate for ministry had “any scruple “in doctrine, worship or government” with respect to “any article or articles of [the Westminster] Confession or Catechisms,” he had to state this “to the Presbytery or Synod” “at the time of” of his declaration of agreement with the Westminster Standards. “If the Synod or Presbytery” judged the scruple to be about “essential and necessary articles of faith,” it had to declare him “incapable of Communion with them.”

---

<sup>21</sup> The Westminster Confession doesn’t even permit the possibility that persons “not professing the Christian religion,” can “be saved in any other way whatsoever,” let alone allow an officer of the church to declare a valid scruple on such things (§6.067).

<sup>22</sup> Cf. my article, “How Bad Is Homosexual Practice According to Scripture and Does Scripture’s Indictment Apply to Committed Homosexual Unions?” (2007; 11 pgs.; online [here](#)).

<sup>23</sup> Cf. also the more extensive works on Presbyterian history by [Charles Hodge](#) (1839), [Ezra Hall Gillett](#) (1864), and [Charles Augustus Briggs](#) (1885).

<sup>24</sup> It bears noting that the battle at this time was not over *whether* there should be subscriptionism but rather over *what form* subscriptionism should take.

In the Adopting Act proper, “all the Ministers of this Synod” declared that the Westminster Standards were

the confession of their faith, excepting *only* some clauses in the twentieth and twenty-third chapters, concerning which clauses the Synod do unanimously declare, that they do not receive those articles in any such sense as to suppose the civil magistrate hath a controlling power over Synods with respect to the exercise of their ministerial authority; or power to persecute any for their religion, or in any sense contrary to the Protestant succession to the throne of Great Britain. (emphasis added)

In effect, the Synod declared agreement with the entirety of the Westminster Standards to be essential and necessary, excepting “only” a particular interpretation of ch. 20, sec. 4, and ch. 23, sec. 3 that would give the state control over the synods or “power to persecute any for their religion.”<sup>25</sup> No scruple with respect to theology proper or ethics was permitted. Moreover, the decision applied not merely to a single minister in a single examination but to all the ministers collectively.<sup>26</sup> Later in 1736 the Synod adopted an “Explanation of the [Adopting] Act” in which it attempted to reassure those who were concerned for an even more rigorous subscriptionism by declaring that the Synod “adopted, *and still do adhere to the Westminster Confession, Catechisms, and Directory, without the least variation or alteration, and without any regard to said distinctions*” between those articles deemed essential and those not so deemed, *excepting “only”* certain interpretations of clauses pertaining to the authority of the state over the church noted in the Adopting Act of 1729 (emphases added).<sup>27</sup>

---

<sup>25</sup> Cf. Charles Hodge, *The Constitutional History of the Presbyterian Church in the United States of America: Part I: 1705 to 1741* (Philadelphia: William S. Martien, 1839), 185: “There can be no doubt, therefore, that the adopting act, as understood and intended by its authors, bound every new member to receive the [Westminster] Confession of Faith and Catechisms, in all their parts, except certain specified clauses in chapters twentieth and twenty-third.”

<sup>26</sup> It is in this larger context that one must understand the following disclaimer at the beginning of the Act Preliminary to the Adopting Act: “the synod do not claim or pretend to any authority of imposing our faith upon other men’s consciences, but do profess our just dissatisfaction with and abhorrence of such impositions, and do utterly disclaim all legislative power and authority of such impositions, and do utterly disclaim all legislative power and authority in the Church.” The Synod did not want to give the appearance that it was legislating on finer points of Reformed doctrine that exclude from the ministry “all such as we have grounds to believe Christ will at last admit to the kingdom of heaven.” However, the Synod went on to maintain that it was still “obliged to take care that the faith once delivered to the saints be kept pure and uncorrupt among us.” Accordingly, it required that “all the Presbyteries within our bounds shall always take care not to admit any candidate of the ministry into the exercise of the sacred function” unless the candidate in question subscribed to “all the essential and necessary articles” of the Westminster Standards. Cf. Charles Hodge, 175: “By legislative power in the church was then understood the power to legislate about truth and duty, to make laws to bind the conscience. The disclaimer of such power is perfectly consistent with the assertion and the exercise of the right to make rules for the government of the church. To make the language . . . include the denial of this latter right reduces the act to so glaring an absurdity, that no set of rational men could have enacted it.”

<sup>27</sup> It is true that this “explanation” was the product of a “minority” Synod since less than half of the members attended. Yet Hodge shows that those who were absent on the whole adopted the same view of things (p. 187 n. 1). It is also true that from a modern-day perspective the restriction of scruples to the *single* point about church-state relations seems to be an overly strict interpretation. Nevertheless the “explanation” gives an adequate sense of how limited the options were for deviating from the church’s confessional standards. The “explanation” did not deviate from the Adopting Act in giving ultimate

In view of the considerable misrepresentation of the Adopting Act and its Preliminary Act by many in the PCUSA it is important to make the following points.

First, it was not just the presbytery that had the power to permit or deny scruples. The synod too had that power and as such could overrule the presbytery. As there was no national Presbyterian church at the time in America the “synod” today would stand for both the national denomination and the provincial synod.

Second, the reference to resolving scruples at the time of the minister’s or candidate’s declaration was a restriction on the minister or candidate, designed to prevent candidates from entering into ministry, or current ministers from continuing in ministry, on false pretenses. Contrary to the Rationales for both the PUP Task Force A.I. and (implicitly) the Achtemeier overture, it was *not* an insistence that the Westminster Standards in no way communicated, through various clear indicators, any identifiable, predetermined, and churchwide essentials of faith. Nor was it an insistence that essentials were determinable *only* in the context of an individual examination or that a determination once made would apply *only* to that particular examination. The determination in 1729 of one and only one instance of a valid scruple to the Westminster Standards was affirmed in 1736 as binding on future candidates.

Third, and following from the last point, the Synod did *not* intend by its qualification “in all the essential and necessary articles” to give examining bodies a blank check with regard to determining any (or every) article in the Westminster Standards as nonessential. Only one point was under dispute: the right of the state to control the synod and thus to punish offenders. Agreement with everything else in the Westminster Standards was treated as “essential and necessary” for future candidates. The issue had always and only been over finer points of Calvinist doctrine that were contained in voluminous, undifferentiated confessions and teachings.<sup>28</sup> The Synod was not allowing presbyteries to accept as ministers persons who scrupled basic Christian teachings such as belief in Christ as Savior and Lord, much less to engage in immoral sexual behavior of any sort.<sup>29</sup>

In short, the Achtemeier overture provides no credible basis in Scripture and church history for the extremist proposals that no identifiable churchwide essentials exist and

---

authority to determine essentials to the synod or parent governing body when the lower governing body (the presbytery) abuses the responsibility to permit an occasional scruple. Nor did it deviate from the Adopting Act in viewing prior limitations on scruples as precedent-setting actions for future candidates.

<sup>28</sup> The Westminster Standards comprise about 120 pages of material in the *Book of Confessions*. Obviously not every doctrine is of equal weight and importance in such extensive documents.

<sup>29</sup> To the extent that the outdated 1927 Swearingen Commission Report restricts the process of defining essentials *solely* to the *ad hoc* occasions when individual candidates for ordination are examined—if in fact that is the case—it is in conflict with, and superseded by, both the presumption of higher review in the 2006 A.I. and the several clear indicators in the *Book of Order* itself as to essential ordination standards. In reality, not even the authors of Swearingen could have held this position absolutely in their own day, as if believing in God and Christ remained for them indeterminate as regards essential status until each and every new examination of a candidate arose. The Swearingen Report cites the Adopting Act of 1729 as precedent for its view; but, as we have just seen, this Act did not establish the examination of individual candidates as the sole or absolute venue for determining essentials.

that “essentials” of the church can only be essentials for a particular person at a particular time.

### **9. The Overture Rationale’s Appeals to Unity as a Basis for Eliminating Identifiable Churchwide Essentials Are Self-Serving, Irrelevant to Constitutional Obligations, and Inaccurate**

A ninth problem for the overture’s validity is that its Rationale’s ultimate appeal to unity is unpersuasive and misplaced. The final point of the Achtemeier overture contends that the unity of the PCUSA can be maintained only by adopting its peculiar perspective that there are no identifiable churchwide essentials in the Constitution of the PCUSA or Scripture (point 7; also point 3). Needless to say, such an argument is self-serving: Only by agreeing with the view of Achtemeier et al. that persons should not be refused ordination on the grounds of homosexual practice can the whole church unite. It is also a bit abusive. Unless the “Covenant Network,” “More Light” Presbyterians, and others of that persuasion are allowed to circumvent the clear word of Scripture and the Constitution of the PCUSA they won’t allow the church to have any peace. So, they contend, give us what we want and *then* we will promote the unity of the church. If they were really in favor of promoting unity, then they would drop their anti-scriptural and unconstitutional agenda.<sup>30</sup>

The realities of the past two years also have not verified the claim that getting rid of identifiable churchwide essentials in the Constitution will bring peace and unity. This past year has witnessed increasing conflict in the church, certainly at the presbytery level. The PUP A.I. has increased court action significantly. The 2008 General Assembly will continue to be a battleground for this issue. The PCUSA General Assembly Council has just projected the largest membership loss in a year since the PCUSA was formed in 1983: nearly 100,000 members (twice that of the average annual loss since 2002).<sup>31</sup> A number of churches have left and disputes about property persist. I see no evidence that the debate on homosexual practice has become less “polarized” or draws less of the church’s energies. A good case can be made for the opposite. All that the PUP A.I. has done is bring greater confusion to the issue of PCUSA policy on homosexual behavior practiced by candidates for church office and provided a transitional stage for the full acceptance of homosexual unions among its ordained officers. No sooner had the GAPJC clarified the whole mess with its *Bush* decision than along came the Achtemeier overture to introduce the mess all over again.

The Achtemeier overture isn’t going to bring more unity to the church. It is going to lead to the marginalization of the majority within the PCUSA who faithfully hold to a male-female requirement for marriage. Furthermore it will make a mockery of the constitutional process by effectively invalidating three successive actions, by ever-increasing majorities of the presbyteries from 1997 to 2002, to prohibit in all

---

<sup>30</sup> Of course their agenda could be made constitutional (though not scriptural) if they went the route of amending the Constitution. Instead, however, they seek to amend the Constitution through the guise of an “authoritative interpretation.”

<sup>31</sup> “PCUSA projects largest membership loss ever in 2007,” *Presbyterian Layman*, 2/19/08 (online [here](#)).

circumstances the ordination of anyone who is sexually active outside of a man-woman marriage. If it would be such a unifying measure to go the route that Achtemeier et al. propose, let them submit their overture as a constitutional amendment in order to give the presbyteries throughout the country a vote. The reason why the overture was brought forward as an “authoritative interpretation” is that Achtemeier et al. know that they don’t have the votes nationally to push forward their views. At most they can only secure approval at the General Assembly level, whose delegates on the whole are more left-of-center than the rank-and-file of the church, especially on sexuality issues. The fact that Achtemeier et al. can’t win on a national vote of presbyteries confirms that his measure is not the tool for unification that they claim it to be.

The Achtemeier overture plays the unity card in order to distract attention from the extremist, unscriptural, and unconstitutional character of its proposal. Whatever Achtemeier et al. believe about unity and how it is best produced (i.e. by agreeing with them), it can have no bearing on the question of whether ordaining homosexually active candidates is scriptural and constitutional. Unity is not a mere sociological phenomenon. It is first and foremost a christological concept steeped in fidelity to the teaching of Jesus and the apostolic witness to that teaching. Unity that is not based on obedience to this, whether in the area of sexuality or some other area, cannot promote any kind of unity that is worth preserving. The scriptural case for viewing a male-female requirement in marriage as foundational is overwhelming.<sup>32</sup> Nothing to date has been produced by scholars in the PCUSA that makes a persuasive case otherwise.<sup>33</sup> As we have shown here, in partial agreement with the GAPJC, the constitutional case against the Achtemeier overture is also very strong. Therefore, the unity arguments used in the Achtemeier overture are not only incorrect but also irrelevant.

#### **10. The Claim That There Are No Essentials of the Christian Faith “for All Time and Persons” Has the Theologically Insane Effect of Giving Any Examining Body the Right to Ordain Candidates Who Deny Even the Most Basic Christian Beliefs and Engage in the Most Unethical and Immoral Behaviors**

---

<sup>32</sup> For a brief presentation see my article, “How Bad Is Homosexual Practice According to Scripture and Does Scripture’s Indictment Apply to Committed Homosexual Unions?” (2007; 11 pgs.; online [here](#)). Also: “Why the Disagreement over the Biblical Witness on Homosexual Practice? A Response to Myers and Scanzoni, *What God Has Joined Together?*” *Reformed Review* 59 (2005): 19-130 (online [here](#)); *Homosexuality and the Bible: Two Views* (with Dan O. Via; Minneapolis: Fortress, 2003); *The Bible and Homosexual Practice: Texts and Hermeneutics* (Nashville: Abingdon, 2001); and many online articles about various topics relating to the issue of homosexuality at <http://robgagnon.net/ArticlesOnline.htm>.

<sup>33</sup> For a rebuttal of the work of Jack Rogers see on my website: “Does Jack Rogers’s Book ‘Explode the Myths’ about the Bible and Homosexuality and ‘Heal the Church’?” (2006; in four installments totaling 45 pgs., [here](#), [here](#), [here](#), and [here](#); with a rejoinder to Rogers’ response [here](#)); and “Jack Rogers’s Flawed Use of Analogical Reasoning in *Jesus, the Bible, and Homosexuality*” (2006, 12 pgs.; found [here](#)). My critique of Stacy Johnson’s work will appear later this year in the *Scottish Journal of Theology*. The case made by both Rogers and Johnson is based heavily on a misrepresentation and/or ignoring of numerous counterarguments to their position and a lack of knowledge about the historical and literary context for Scripture.

A tenth problem for the overture's validity is that denying the existence of *any* identifiable and predetermined churchwide essentials for ordained office produces theologically absurd outcomes. We have already noted at the start of this article that such a view requires the church to concede that examining bodies have a right to permit departures from the requirement to have faith in Christ as Savior and Lord or from the prohibition of adultery. To accomplish this all the examining body needs to do is to declare any constitutional standard of its choice a nonessential standard. It is as simple as that. If the claim that there are no ordination essentials that are valid "for all time and persons" is accepted, then, logically, exceptions should be permissible for every single explicit and implicit constitutional standard, up to and including ordaining persons who are not Christians or persons who are active, unrepentant adulterers or racists. Can anyone who makes such a claim any longer be taken seriously?

But why stint oneself only to the confession of Christ as Savior and Lord or sexual fidelity to one's spouse? There is whole bucketful of practices and ideas to which one could apply this theological insanity. An examining body in any individual case, indeed in as many individual cases as it chooses, would have the option of ordaining a candidate even if that candidate declared an intent to commit one or more of the following sexual misbehaviors:

- Pursue an unchaste sexual relationship with the church secretary or with the spouses of fellow parishioners.
- Participate in a sexual "threesome."
- Have sex with his or her parent or sibling, persons of the same sex, prostitutes, or even children and animals.

By the same token, according to the logic of Achtemeier and the John Knox Presbytery, a presbytery or session could ordain, and indeed should have the right to ordain, an individual candidate who declared any or all of the following beliefs or opinions:

- God is not sovereign and does not predestine anything.
- Salvation is based on human merit and not on God's grace.
- Jesus did not rise from the dead in any meaningful sense.
- There is no afterlife for anyone.
- Jesus did not atone for anyone's sins.
- There is no such figure as a "Holy Spirit."
- The idea that anyone is "in Christ" in any meaningful sense is a crock.
- Women, persons of African descent, and the poor are inferior beings.
- God is a cosmic sadist and masochist.
- God has no real existence.

So long as candidates go through the motions of performing their distinct "constitutional functions" like baptizing infants or putting out the bread and wine for communion, everything is fair game, regardless of how the Constitution highlights things to make a special point of compliance. And since there are, allegedly, no identifiable churchwide essentials for office, the church as a whole could do nothing about such developments,

apart from passing another authoritative interpretation or a constitutional amendment stating otherwise—something which Achtemeier et al. do not want to see happen.

### **Conclusion**

At no level does the Achtemeier overture make sense—not theologically, not constitutionally, and not historically. It is difficult to envision that such an irresponsible overture could pass the 2008 General Assembly. However, strange things have happened before at GA so it is important to get the word out about just how bad and how extremist this overture is.