

*Guidelines for
Examination of Church Officers*

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The Covenant Network of Presbyterians is pleased to make this booklet available as a resource for the Presbyterian Church (U.S.A.). We hope it will provide you with practical and reliable guidance in your service to Christ and the church.

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TABLE OF CONTENTS

INTRODUCTION	1
I: STANDARDS, SCRUPLES, AND FORBEARANCE	1
Churchwide Standards	2
Sessions and presbyteries cannot ignore, or add to, standards	2
Mandates must be interpreted to work together	3
Individual Conscience	4
Conscience is critical to the believer	4
God alone is Lord of the conscience	6
Collective Discernment	8
“Essentials” are identified on a case-by-case basis	9
Scruples may relate to both belief and practice	11
The Limits of Scruples	12
An examining body need not accept a candidate’s scruple	13
A candidate may not refuse to consider the scruples of others	14
A candidate may not refuse to perform unique functions of office	14
II. INTERPRETING OUR ORDINATION STANDARDS	15
Manner of Life	15
Obedience and Conformity	16
G-6.0106b requires study of the confessions	16
Refusal to repent is disqualifying	17
Same-Sex Relationships	19
Sexual practice – not orientation – is important	20

“Self-acknowledgment” usually opens any discussion	21
“Chastity” is not the same as “celibacy”	23
Partnered GLBT people are not “single”	24
Scripture may not rule out same-sex relationships	25
The confessions do not call all same-sex conduct “sin”	25
“Refusing to repent” is not simply disagreeing with the majority	27
Vows of celibacy are forbidden	27
III. AFTER THE EXAMINATION	28
Appeals from Ordination Decisions	28
Continuing the Conversation	29
ENDNOTES	30
APPENDIX: OUR ORDINATION STANDARDS	34
G-6.0106	34
G-6.0108	34
W-4.0403	34
Authoritative Interpretation of G-6.0108 (2006)	35
Authoritative Interpretation of G-6.0108 (2008)	36
Authoritative Interpretation of G-6.0106 (2008)	36

INTRODUCTION

Our Constitution requires sessions and presbyteries to examine candidates for church office. We may not relish the thought of passing judgment on someone's faith journey or personal belief. On the other hand, this is one of the ways that our church maintains its solidarity with our tradition and reassures our people that candidates are prepared to lead them well. We commend to you the process of examination as a good and faithful practice that contributes to the health and vitality of the church.

Maybe it's our memories of school days that give "examination" a negative flavor. But this can be a wonderful opportunity to affirm the importance of our calling and service; to share the faith, and build up the church as we celebrate each other's journey in it; to acknowledge with gratitude the gifts of those who were elected, and those who are retiring; and to affirm our vital connection as part of the PC(USA).

In most cases, examining candidates is a joyful reaffirmation of the faith and polity we share. Sometimes, however, we encounter difficult cases. And sometimes the examination touches tender subjects on which we as a church are closely divided. You will find here some basic understanding of the principles that guide our examination in such cases, including the relationship between churchwide standards and local application, freedom of conscience, and how we discern God's call.

We offer these guidelines in the hope that they may help to chart a course through some of these difficult waters. If you do not find the specific answers you need, please let us know. Covenant Network's staff would be pleased to offer further assistance.

I. STANDARDS, SCRUPLES, AND FORBEARANCE

The assessment of candidates for ordained service involves three things: churchwide standards, the conscience of individual candidates, and collective discernment in applying standards. Each of these is discussed briefly below.

Churchwide Standards

Paul wrote that “there are varieties of gifts,” and that the body of faith consists of people who perform many different tasks (1 Corinthians 12; Romans 12:3-8). Inherent in this is a recognition that not all persons are equally suited to serve as leaders in the church. The Pastoral Epistles caution us, “Do not ordain anyone hastily” (1 Timothy 5:22) and list numerous qualities desired for leadership (1 Timothy 3:2-13, Titus 1:5-9). Our confessions do likewise. The church does not ordain or install its leaders lightly.

Consistent with this, the PC(USA) has adopted constitutional standards for ordained service. G-6.0106a states our fundamental standard: that ministers, elders, and deacons must be “*persons of strong faith, dedicated discipleship, and love of Jesus Christ as Savior and Lord,*” and that their “*manner of life should be a demonstration of the Christian gospel in the church and in the world.*” This standard was supplemented in 1997 with “Amendment B” (G-6.0106b), which will be discussed below. Further standards for ordained service are found in W-4.4003, which requires that officers affirm certain things when they are ordained or installed.*

Sessions and presbyteries cannot ignore, or add to, standards.

Our ordination standards were established, and may be amended, only by action of the General Assembly and ratification by a majority of the presbyteries (G-18.0300).¹ General Assembly also may interpret existing standards for the church (G-13.0103r). Lower governing bodies *apply* church



* The text of all of our ordination standards, and recent Authoritative Interpretations of them, is given in the Appendix to these Guidelines.

standards, but cannot change them, either by ignoring them or by adding to them.

That sessions and presbyteries cannot ignore churchwide standards was affirmed in a case several years ago, when a session declared that it would not apply G-6.0106b. General Assembly, through its Permanent Judicial Commission, held that that declaration was improper.*

Other cases have made clear that sessions and presbyteries may not establish their own ordination standards. After the 217th General Assembly (2006), some presbyteries adopted policies stating that they would treat all mandates in the Book of Order as “essential,” that they would not ordain or install anyone who had declared a “scruple,” or that they would accept only certain answers to a pre-established list of examination questions. Such policies have consistently been found to be unlawful.² Likewise, higher governing bodies have struck down special “litmus tests” for fitness. Thus, it has been held unlawful for a presbytery to adopt its own, so-called “Biblical Standards for Christian Leaders,” and for a session to require that officers-elect make certain affirmations regarding Jesus Christ, the infallibility of Scripture, and forbearance from sexual relations outside marriage between a man and a woman.³

Mandates must be interpreted to work together.

While it is clear that all sessions and presbyteries must apply churchwide ordination standards, there is frequent debate about what those standards require. The Preface to the Book of Order states that the words “SHALL and IS TO BE/ARE TO BE signify practice that is mandated.” However, the Constitution contains many mandates, often stated in very general terms, and it is impossible to treat all of them as absolute

* *Londonderry Presbyterian Church v. Presbytery of Northern New England*, PCUSA Minutes, Pt. 1, p. 577 (2001). Consistent with G-13.0103r, we make no distinction in these Guidelines between authoritative statements adopted by the General Assembly in plenary session and statements adopted by the Assembly through its Permanent Judicial Commission (“GAPJC”). The PC(USA) has no “separation of powers” like one finds in civil government, and the GAPJC is not a separate branch of government; it is a commission appointed by, and answerable to, the Assembly (G-9.0502, D-2.0102). The GAPJC cannot overrule the Assembly, which is “the highest governing body of this church” (G-13.0101).

requirements. Where various provisions of the Constitution are unclear, or appear to be in tension with each other, sessions and presbyteries must wrestle with them and try to be faithful to the whole.⁴

For example, G-6.0106b states that “Persons refusing to repent of any self-acknowledged practice which the confessions call sin *shall not be* ordained or installed” (emphasis added). G-6.0108, in turn, requires that freedom of conscience “*is to be* maintained” (emphases added). Because the Preface to the Book of Order places the words “shall” and “is to be” on a par with each other, some tension between these provisions is unavoidable. Sessions and presbyteries must interpret and apply our standards generously, to avoid conflict where possible.

Individual Conscience

Conscience is critical to the believer.

Each of us has “inner voices” that urge or condemn certain behaviours. Some may come from deep desires or a habit of self-gratification. Some may be echoes of parental judgement. When we talk of conscience in the church we refer specifically to an inner voice that represents the presence of Christ in us by the Holy Spirit. We speak of a “biblically formed conscience” which comes from faithful understanding of the Holy Scripture. Worship helps us to hear this voice. Discussion and study within the community of faith offer correction and encouragement. It is specifically this conscience that we have in mind when we honor the role of conscience in the believer.

Conscience has been called “the authority of the indwelling Word,” which “demands . . . not merely external obedience but an inner obedience, an obedience from the heart.”⁵ John Calvin (1509-1564) called it “a certain mean between God and man” because “it does not allow man to suppress within himself what he knows.”⁶

One of the early Fathers of the Church, John Chrysostom (349-407) wrote that in giving us a conscience, God “shows us more love than a father; for fathers tire of

correcting their children . . . while the conscience admonishes unstintingly without ever tiring.”⁷ When we think or act badly, conscience becomes “the inner tribunal of the soul,” providing “an accusing testimony which is well understood to be the verdict of an incorruptible judge.”⁸ Nor does conscience



only accuse us when we act badly; it is also a guide to what we ought to do. “It is the avowal, formulated within ourselves, that there is a certain good which we have no right to ignore.”⁹

The Scriptures attribute great importance to the conscience. In ancient times, Jeremiah declared God’s covenant with Israel: “I will put my law within them, and I will write it on their hearts” (Jeremiah 31:33-34). Scripture tells us that although Abimelech unknowingly took Abraham’s wife, God spared him because he recognized “the integrity of your heart” (Gen. 20:3-8). Likewise, God honoured Hezekiah’s appeal that God “pardon all who set their hearts to seek God . . . though not in accordance with the sanctuary’s rules” (2 Chronicles 30:17-20). The Psalmist prayed to God for vindication on the grounds that “I have walked in my integrity” (Psalms 26:1).

We find the same themes in the New Testament. Peter described baptism as “an appeal to God for a good conscience” (1 Peter 3:21). Paul wrote that even though the Gentiles lived outside Jewish custom, “what the law requires is written on their hearts, to which their own conscience also bears witness” (Romans 2:15). As he carried the gospel of Jesus Christ around the world, Paul demonstrated the enduring importance of the “testimony of our conscience” (2 Corinthians 1:12).

While the church long has recognized the importance of conscience, it also has recognized that conscience can be defiled, so that one is incapable of discerning or doing right (Titus 1:15, Hebrews 10:22). A person also can have a “weak” conscience, believing that things of indifferent character are bad, or lacking the courage to act on

personal conviction (1 Corinthians 8:7-8). The stirrings of conscience, however compelling, are not always correct.

Despite these problems, Paul emphasized that his Gentile converts must follow their consciences, rather than legalistic traditions that might compromise their reliance on the saving grace of Jesus Christ. For example, when the new Christians doubted whether they could eat meat sold at market after its sacrifice in pagan rituals, Paul was quite clear:

[N]othing is unclean in itself; but it is unclean for anyone who thinks it unclean. . . . The faith that you have, have as your own conviction before God. Blessed are those who have no reason to condemn themselves because of what they approve. But those who have doubts are condemned if they eat, because they do not act from faith; for whatever does not proceed from faith is sin.*

In short, *to act against one's conscience is to sin*. As noted by one of the foremost theologians of the Middle Ages, Thomas Aquinas (1225-1274), “acts are evaluated according to the will of those who perform them. . . . [T]he binding force of the conscience, even the erroneous conscience, is exactly the same thing as the binding force of the law of God.”¹⁰

God alone is Lord of the conscience.

The Christian's conscience is accountable to God alone. Christians in the Reformed tradition long have insisted that although conscience may be instructed by the church, it must not be coerced. The Westminster Confession (6.109) declares that “God

* Romans 14:14, 22-23. The Pastoral Epistles likewise condemned demands that Gentiles forego marriage and abstain from certain foods as “the hypocrisy of liars whose consciences are seared with a hot iron” (1 Timothy 4:1-5), and leaders who required that the new converts adhere to the Jewish law as persons whose “very minds and consciences are corrupted” (Titus 1:10-16). As Paul taught in Romans 14:1-4, “Some believe in eating anything, while the weak eat only vegetables. Those who eat must not despise those who abstain, and those who abstain must not pass judgment on those who eat, for God has welcomed them. Who are you to pass judgment on the servants of another? It is before their own lord that they stand or fall. And they will be upheld, for the Lord is able to make them stand.”

alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship.” This is so fundamental for Presbyterians that we state it first among our Historic Principles of Church Order (G-1.0301(1)). We trust in the power of the Holy Spirit, who “acts upon the reason and conscience of men” (6.052, 6.184).*

Respect for conscience arises from faithful recognition of the freedom that is ours in Jesus Christ. As Paul instructed the Galatians (5:1-6): “For freedom Christ has set us free. Stand firm, therefore, and do not submit again to the yoke of slavery.” Likewise, he emphasized in his letter to the Colossians (2:16-23) that Christians must “not let anyone condemn you in matters of food and drink or of observing festivals” because these are “only a shadow of what is to come, but the substance belongs to Christ.”

Freedom of conscience also enables us to be free *for* Christ. As noted by Calvin, “The whole case rests on this: if God is the sole lawgiver, men are not permitted to usurp the honor.”** The Westminster Divine Robert Saunderson declared that, “There cannot be imagined a higher contempt of God than for a man to despise the power of his own conscience.”***

* We profess that when a person accepts Christ, “the will itself is not only changed by the Spirit, but it is also equipped with faculties so that it wills and is able to do the good of its own accord. . . . Unless we grant this, we will deny Christian liberty and introduce a legal bondage” (5.047). Thus, “we consider the rights of private judgment, in all matters that respect religion, as universal and unalienable” (G-1.0301(1)).

** Calvin, *Institutes*, Bk. IV, Ch. 10, § 8. As noted by one of the earliest Reformed theologians on the issue of conscience, “It is absurd to think that God gives us liberty in conscience from any of his own laws, and yet will have our consciences still remain in subjection to the laws of sinful men.” William Perkins, *Works*, Vol. 1, p. 530 (London: 1612-1618), *quoted in* Van Til, *Liberty of Conscience*, p. 21.

*** Van Til, *Liberty of Conscience*, p. 92. Karl Barth, widely regarded as the leading Protestant theologian of the twentieth century, wrote that there is a “divine mystery in the ethical event” and that “the command of God does not confront us in the guise of rules, principles, axioms and general moral truths”:

In the whole concrete fullness and concentration with which it always applies to man, the command of God is an appeal to his freedom. . . . He is to act rightly as [God’s] confidant, not only in external conformity as ordered, but in genuine agreement and therefore with a good conscience. . . . Casuistry destroys the freedom of this obedience.”

Karl Barth, *Church Dogmatics*, Bk. III, Vol. 4, § 52, pp. 11-13 (G.W. Bromiley & T.F. Torrance, eds.) (T&T Clark, 1961).

Freedom of conscience is not an option or a luxury, but a duty. Calvin warned that in our lives of faith, “Christ is obscured, or rather extinguished, unless our consciences stand firm in their freedom. . . . Unless this freedom be comprehended, neither Christ nor gospel truth, nor inner peace of soul, can be rightly known.”¹¹ The Pastoral Epistles (1 Timothy 1:19) warn that “by rejecting conscience, certain persons have suffered shipwreck in the faith.” Indeed, the confessions (7.215) warn that “making men the lords of our faith and conscience” is idolatrous, and prohibited by the First Commandment (Exodus 20:3): “You shall have no other gods before me.”

Yet another reason for the great importance we place on freedom of conscience is that the church is committed to continual discernment of the ongoing work of God in history. We are a “church reformed, always reforming, according to the Word of God and the call of the Spirit” (G-2.0200, G-18.0101).^{*} The Constitution reminds us that “All synods and councils since the apostles’ time, whether general or particular, may err, and many have erred” (6.175, 3.20). Precisely for this reason, freedom of conscience must be maintained.

Collective Discernment

All candidates depart from our standards in various ways, because we are all fallible human beings, and our standards are high. Recognizing that doesn’t excuse sin – it simply reflects an honest acknowledgment that we live in a fallen world. Governing bodies must make balanced judgments about candidates’ gifts and shortcomings in every case, or the church would have no officers at all. However, inherent human sinfulness aside, these Guidelines focus on a particular kind of departure: Where a candidate states his or her *principled disagreement*, as a matter of conscience, with a standard.

^{*} This is a constant theme in the confessions. See, e.g., the Scots Confession of 1560 (3.19-3.020), the Second Helvetic Confession of 1561 (5.133), and the Confession of 1967 (9.03, 9.40).

Presbyterianism was born in the Protestant Reformation (1517-1648), when Christians in Western Europe began protesting against what they saw as abuses in the Roman Catholic Church. At issue were matters both of belief (e.g. the primacy of Scripture and importance of good works) and of personal conduct (e.g.



church rules that clergy must be celibate). The Reformers protested against such things as matters of conscience, asserting the right to read Scripture and to follow their convictions even if these did not agree with official church positions.

The right to differ from official church positions, as matters of conscience, was affirmed in the “Adopting Act” of 1729, by which Presbyterianism was organized in North America. The Act required all ministers to declare their general acceptance of the Westminster Standards, but also allowed candidates to declare any disagreements (sometimes called “scruples”). A presbytery could not exclude someone unless it believed that the point of departure was so fundamental (“*essential*”) that it rendered the church and the candidate “*incapable of communion*” with each other.¹² This rule has been carried forward in our present Constitution, which requires that persons who are being ordained or installed affirm that they “sincerely receive and adopt *the essential tenets* of the Reformed faith” (W-4.4003c) (emphasis added).*

“Essentials” are identified on a “case-by-case” basis.

Many are surprised to learn that, over the centuries, Presbyterians have never defined a clear list of “essentials.” When the Westminster Standards were first adopted (1643-49), some argued that all of the “essential” matter in Christianity could be found in the plain meaning of the Apostles’ Creed. In 1608, Richard Bernard boiled the matter

* The rule is also reflected in G-6.0108, discussed further below.

down even farther, declaring that “The only fundamental truth in religion is this: that Jesus Christ the son of God, who took our nature from the virgin Mary, is our only and all sufficient savior.”¹³ However, Presbyterians have always resisted defining “essentials” in the abstract. In order to ensure that we honor the individual’s biblically-formed conscience, *we have a conversation, not a checklist.*

What a person believes, and how he or she expresses and lives out those beliefs, may differ significantly from one person to the next. When a session or presbytery is considering a candidate’s fitness for office, it must consider each *particular* candidate in light of its experience with *that candidate* – including his or her statement of faith, answers to questions during examination, demonstrated manner of life, participation in the congregation, interaction with presbytery over the course of care, fit for the office of call, and the like. Our Constitution guarantees each candidate the opportunity to express his or her conscience, and to engage in meaningful discernment with the examining body about what points of difference might mean.

This is nothing new. In 1927, General Assembly reviewed centuries of church practice and declared that:

“[B]y the Act of 1729, the decision as to essential and necessary articles was to be in specific cases. . . . It was clearly the intention that this decision as to essential and necessary articles was to be made after the candidate had been presented and had declared his beliefs and stated his motives personally, and after the examining body . . . had had full opportunity to judge the man himself, as well as abstract questions of doctrine.”¹⁴

The PC(USA) regrettably lost sight of this important principle for some time in its debates over same-sex relationships. However, the 217th and 218th General Assemblies have brought it back into focus for the church. They did so following the recommendations of the Theological Task Force on Peace, Unity and Purity of the Church. After five years of study, the Task Force emphasized that an examining body has an “obligation . . . to gain the broadest vision of each officer-elect’s faith, manner of

life and promise as it applies standards and makes determinations about essentials.” If someone declares a scruple, its significance may be determined only “after the ordaining/installing body has weighed the departure in the full context of the candidate’s statement of faith and manner of life.”¹⁵

The process by which scruples are declared and considered does not constitute “local option,” as some claim, because examining bodies must apply churchwide standards and honestly acknowledge any departures. Likewise, this process does not involve the granting of a “waiver.” Our standards were developed in reliance on the understanding, going back centuries, that they would be applied *with respect for* freedom of conscience. If we did not have a constitutional guarantee of freedom for the biblically formed conscience, the standards we adopted would have been very different.

The Constitution reminds us that “there are truths and forms, with respect to which men [and women] of good characters may differ” and that each of us has “the duty . . . to exercise mutual forbearance toward each other” (G-1.0305(5)). This practice of forbearance reflects a faithful attempt to honor our theological conviction that biblically formed conscience is a sacred forum in which God holds each person accountable.

Scruples may relate to both belief and practice.

Belief and practice are inseparable – and our Constitution guarantees freedom of conscience in both. The 218th General Assembly (2008) affirmed this in an AI stating plainly that 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*.”¹⁶ This is consistent with our confession that the decisions of church governing bodies “are not to be made the rule of faith or practice, but to be used as a help in both” (6.175).

There is a sound theological basis for this. Jesus taught that the connection between faith and practice is so close that a person’s actions tell us what he or she believes: “By their fruits you will know them” (Matt. 7:15-20, Luke 6:43-45). Likewise, our

Historic Principles of Church Order (G-1.0304) declare that “there is an inseparable connection between faith and practice, truth and duty.” In the words of John Calvin, we have “a doctrine not of the tongue but of life.”¹⁷ Our beliefs permeate who we are and how we act, or they are scarcely worth calling “beliefs” at all.

The Presbyterian Church has seen various ruptures over its ordination standards, most notably in 1741-58, 1837-69, and 1910-27. In each case, the church has repaired the breach through a return to the agreement of 1729. In this, we carry forward the tradition of our Reformation forbears, who challenged not only what they perceived to be doctrinal errors, but



also the established church’s efforts to impose celibacy and other disputed rules of conduct on clergy. As the early American church recognized in the 1750s, “everything that appears *plain duty* and truth unto the body may appear at the same time not to be essential. . . . What is *plain sin* and *plain duty* in one’s account, is not so in another’s. . . . [W]e must not make terms of communion which Christ has not made, and we are convinced that he has not made every truth and *every duty* a term.”¹⁸ Because both belief and behavior arise out of *conscience*, our constitutional guarantee of freedom for the biblically formed conscience necessarily applies to both.

The Limits of Scruples

Some have claimed that the practice of forbearance constitutes an abandonment of all meaningful standards. However, membership in the PC(USA) is entirely voluntary, and persons can join only by a personal profession of faith in Jesus Christ (G-5.0100). Our standards will always be high, because we stand on common ground in our shared profession of faith. Moreover, there are three important limits on a candidate’s ability to depart from church standards.

1. *An examining body need not accept a candidate's scruple.*

While a candidate can declare a scruple about many things, the session or presbytery still must decide, after good faith consideration in each case, whether the point of departure should be deemed to be “essential.” That a candidate declares a scruple does not mean it will be accepted. The examining body ultimately may conclude that a departure is so important it disqualifies the candidate from serving.

For example, two candidates each might object to the doctrine that Jesus Christ is “Lord of all.” When asked about this, the first candidate might say that although she believes that Jesus Christ is part of the Trinity, holding all power in heaven and earth, she objects to the term “Lord” because it invokes political/feudal concepts from human history rather than reflecting the boundless sovereignty of God. The second candidate might say that she believes Jesus Christ was a good man who taught us how to live wisely and well, but that he was not divine. Although both candidates object to calling Jesus Christ “Lord of all,” they do so for very different reasons, and a session or presbytery might evaluate their scruples very differently.

The same kind of process is involved in assessing candidates' manner of life. For example, two gay men might declare that they cannot comply with a standard that would prohibit all sexual activity outside heterosexual marriage. However, if one candidate is living in a monogamous lifetime partnership, while the other espouses an “open” sexual ethic and has recreational sex with casual partners, a session or presbytery may well assess those two scruples differently.

In short, a presbytery has the responsibility to consider each *particular* candidate in light of its experience with *that candidate*. Candidates are entitled to express their conscientious departures from standards, but sessions and presbyteries are not required to accept them. Moreover, a governing body may find that a departure disqualifies one candidate and not another, depending on how each candidate expresses and lives out his or her beliefs.

2. *A candidate may not refuse to consider the scruples of others.*

G-6.0108a states that a session or presbytery cannot accept a scruple if it finds that the candidate's departure "infring[es] on the rights and views of others" or "obstruct[s] the constitutional governance of the church." These clauses should ensure that our commitment to mutual forbearance in matters of conscience is respected. They may disqualify the candidate who says, for example, "I believe that persons who have sex outside marriage can never be ordained, *and I believe this point is so clear I will never consider anyone's scruple about it.*" In taking such a position, the candidate is "infringing on the rights and views of others" – by refusing even to consider the possibility that someone else's declaration of conscience might be valid. Likewise, the candidate is "obstructing the constitutional governance of the church" – by overriding the Historic Principles of Church Order that require mutual forbearance and respect for the freedom of biblically formed conscience.



A candidate is *not* required to affirm that he or she will *accept* someone else's scruple; but he or she is at least obliged to give it good faith consideration.

Unwillingness to do so reflects a serious departure from our Reformed tradition and may render the candidate unfit for office in the PC(USA).

3. *A candidate may not refuse to perform unique functions of office.*

When a person stands for ordained office, he or she must be prepared to carry out the functions of that office. For example, a series of cases has held that a presbytery may not ordain or install someone who declares that he will not participate in the ordination of

women.¹⁹ The 218th General Assembly (2008) affirmed this in an AI declaring that an examining body “cannot excuse a candidate’s inability to perform the constitutional functions unique to his or her office (such as administration of the sacraments).”²⁰

This point is applicable primarily to pastors, who have the responsibility to officiate at child baptisms, ordinations of persons whom a congregation has elected and the session or presbytery has found fit, and the like. While candidates who cannot agree to perform such functions in conformity with Presbyterian polity may be fine Christians, they may not be ordained or installed in the PC(USA).



II. INTERPRETING OUR ORDINATION STANDARDS

Manner of Life

Presbyterians long have required that their ordained leaders’ “manner of life should be a demonstration of the Christian gospel in the church and in the world” (G-6.0106a). This clearly is an important standard, and one which, rightly, must govern our lives together in years to come.

Years before our constitutional standards said anything explicit about sexual conduct, this “manner of life” standard provided the basis on which some people opposed ordained service by GLBT persons. Certainly the practices of discernment and forbearance discussed in these Guidelines enable sessions and presbyteries to ordain and install partnered GLBT persons when they discern that such persons are called and fit for office. However, the very breadth of our “manner of life” standard ensures that same-sex partnerships will remain matters of debate, in some parts of the church, until GLBT persons are truly welcomed into the community of faith in the fullness of their humanity.

This will require not a change in the law, but a deeper and more meaningful change in hearts and minds across the church.

Obedience and Conformity

G-6.0106b requires study of the confessions.

G-6.0106b was added to our historic “manner of life” standard in 1997. Although it has been invoked almost exclusively against GLBT persons, it has significantly broader application. General Assembly has expressly acknowledged that “all persons, being sinners, are equally likely and prone to violate the standard set forth in G-6.0106b, which applies to both homosexual and heterosexual persons.”²¹

G-6.0106b says that “Those who are called to office in the church are to lead a life in obedience to Scripture and in conformity to the historic confessional standards of the church. . . . Persons refusing to repent of any self-acknowledged practice which the confessions call sin shall not be ordained and/or installed.” This provision therefore may raise numerous issues about relatively common practices that appear to be barred by the confessions. To cite just a few examples, it could disqualify persons who work or fail to attend church on Sunday,²² are employed in the financial services industry,²³ voluntarily serve in armed conflict,²⁴ enjoy recreational gambling,²⁵ waste environmental resources,²⁶ remarry after divorce,²⁷ or generate controversy in their zeal to judge others.²⁸ Whether or not such practices are a bar to ordained service under G-6.0106b, in any given case, requires deliberate and prayerful interpretation by candidates and their examining bodies.

Times and understandings change. The Book of Order requires that we be “instructed” and “guided” by the confessions – not that we follow them slavishly.²⁹ In fact, General Assembly, when it adopted G-6.0106b, did not define marriage as a relationship between “one man and one woman” (the definition in the Westminster Standards), but as a relationship between “*a* man and *a* woman.” It made that change because it was afraid that the Westminster wording might bar divorced-and-remarried

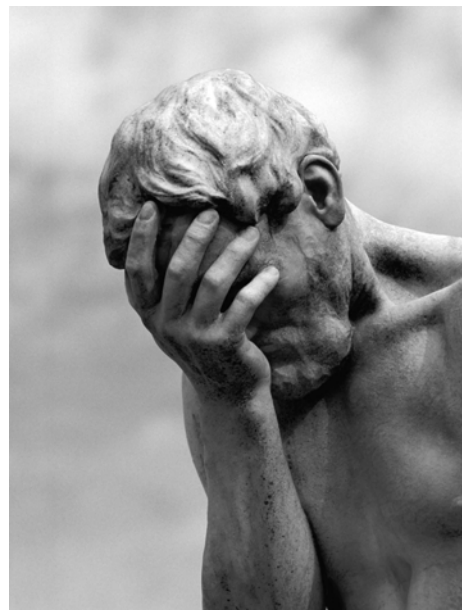
persons from office – something we no longer believe is appropriate. Thus, General Assembly made clear that the church’s present understandings of human relationship can differ from those stated in the confessions, and that even the smallest words in G-6.0106b count. We are to read it, and the confessions, in light of our current ethical understandings.

When a candidate believes that one of our standards is wrong, the first step is for that person to enter into discernment with the ordaining body about what the standard requires. It may not be as clear as was assumed. If the candidate and the examining body can’t agree on the meaning of the standard, the examining body’s interpretation stands. In that case, the candidate may declare a departure, stating that he or she dissents from the standard, and may not be able to comply with it, as a matter of conscience. The session or presbytery then must rule on what the consequences of that declaration will be – that is, whether the point of disagreement is “essential.”

Refusal to repent is disqualifying.

As noted above, everyone acts in ways that don’t meet Christian standards of conduct. No alchemy of ordination gives church leaders a higher order of humanity, and those who aspire to serve the church struggle with sin just like everyone else. Usually, we repent of such lapses and resolve to do better.

Consistent with this, G-6.0106b doesn’t disqualify people simply because they sin – it disqualifies people when they *refuse to repent* of sin. However, the confessions teach us that repentance “is a sheer gift of God and not a work of our strength” (5.094). Repentance arises from an *inward conviction of the wrongfulness of one’s acts* – when the candidate has “a true sense of his



sin” (7.087) and is so aware of his sins that he “grieves for them from his heart” (5.093, 4.081, 6.082, 7.186).

In premising disqualification on a candidate’s *refusal to repent*, G-6.0106b brings us back to the fundamental importance of conscience. Assuredly a person who believes that his or her conduct is sinful, and is unwilling to change that, should not serve as a leader in the church. However, a different case arises where the candidate sincerely believes that he or she is acting as God wills. Where biblically formed consciences differ, and the members of the examining body do not believe that the matter is so important it renders them “incapable of communion” with the candidate, they should respect the conscience of the candidate. G-6.0106b affirms – and requires sessions and presbyteries to affirm – the importance of mutual forbearance.

Many have pointed out that G-6.0106b contravenes the very essence of the Gospel and Reformed theology. Instead of acknowledging Jesus Christ as Head of the Church (G-1.0100), it subjects Presbyterians to obedience and compliance with time-bound texts, elevating the confessions to equal status with Scripture and effectively denying the work of the Holy Spirit in the ongoing life of the church. Indeed, G-6.0106b calls for a kind of righteousness based on works, rather than trust in the saving grace and sanctification that follow profession of faith in Jesus Christ.

G-6.0106b was adopted by a bare majority – only 51% – of the ministers and elders voting in presbytery. The 218th General Assembly (2008) voted to send to the presbyteries its third attempt in ten years to rescind or revise it.* It is incontrovertible that this provision poses a core issue of conscience for many in the church. It therefore provides a compelling test of the extent to which Presbyterians remain willing to respect individuals’ freedom of conscience as our theology and law require.

* The proposed amendment, if ratified, would replace current G-6.0106b with a statement that candidates for office “pledge themselves to live lives obedient to Jesus Christ the Head of the Church, striving to follow where he leads through the witness of the Scriptures, and to understand the Scriptures through the instruction of the Confessions.” PCUSA Minutes, June 27, 2008 (<http://www.pcusa.org/ga218/minutes.htm> and <http://www.pc-biz.org/Explorer.aspx?id=1461>).

Same-Sex Relationships

Chastity has always been an important ethical value for Christians, and the second sentence of G-6.0106b raises up “fidelity and chastity” as a particular example of confessional norms. However, the church has not always agreed on what proper sexual ethics are. In the Protestant Reformation, leaders like John Calvin and Martin Luther challenged the Roman Catholic rule that clergy must be celibate, in debates that bear strong parallels to our current debates about the fitness of GLBT persons.³⁰

G-6.0106b was motivated by a desire to exclude GLBT people from ordained service in the church. For that reason alone, some candidates may feel constrained to declare a scruple about its very existence in the Book of Order.

Despite this, one might conclude that G-6.0106b should be interpreted in ways that make declaration of a scruple unnecessary. A GLBT person who chooses not to “self-acknowledge” sexual activity normally need not address this during examination. Moreover, all persons – whether GLBT or otherwise – must consider various questions about what G-6.0106b actually means. In particular, there is debate around the church about whether “chastity” requires “celibacy,” whether persons living in a committed same-sex relationship should be deemed to be living in “singleness,” whether “obedience to Scripture” condemns all same-sex relations, and what constitute “practices which the confessions call sin.” If a session or presbytery concludes that G-6.0106b must be interpreted as requiring celibacy outside heterosexual marriage, it still must determine whether the candidate who disagrees is really “refusing to repent,” given Scriptural and confessional teachings about repentance. All of these points are discussed further below.

A candidate who declares a scruple without first exploring with the session or presbytery what G-6.0106 actually *means* foregoes an important opportunity for dialogue and discernment. Moreover, such a course is fraught with risk, since no examining body is required to accept a candidate’s scruple. A rushed declaration could lead to an adverse finding that might have been avoided had people thought more carefully about G-6.0106b first.

1. *Sexual practice – not orientation – is important.*

As a preliminary matter, it is important to be very clear about a fundamental rule: Being GLBT, or being open about that, does not disqualify anyone from serving under G-6.0106b. *Our rules relate to sexual practice, not to sexual orientation.*³¹

Moreover, the PC(USA) does not have a clear position on same-sex conjugal practice. In 1978-79, General Assemblies erroneously singled out a single, contested sexual ethic and made conscience irrelevant to it, stating that “unrepentant homosexual practice does not accord with the requirements for ordination.” After thirty years of rancorous debate, the 218th General Assembly (2008) finally corrected this, in an AI declaring that the 1978-79 statements and “all subsequent affirmations thereof” are of “no further force or effect.”³²

It is important to appreciate the full significance of this statement. This AI lifted the burden of all statements, from General Assembly and its Permanent Judicial Commission, that might categorically exclude persons in same-sex relationships from ordained service.* General Assembly did not simply say that these old statements are no longer binding – rather, in declaring that they “have no further force or effect,” it made clear that we do not have sufficient consensus to take a position on this question. General

* Thus, the following no longer limit ordination decisions: *Bush v. Presbytery of Pittsburgh* (GAPJC 2008); *Stewart v. Mission Presbytery* (GAPJC 2007); *McKittrick v. West End Presbyterian Church*, Minutes, Pt. 1, p. 272 (2003); *Presbytery of San Joaquin v. Presbytery of Redwoods*, Minutes, Pt. 1, p. 277 (2003); *Wier v. Second Presbyterian Church of Fort Lauderdale*, Minutes, Pt. 1, p. 339 (2002); *Londonderry Presbyterian Church v. Presbytery of Northern New England*, Minutes, Pt. 1, p. 577 (2001); *Sheldon v. Presbytery of West Jersey*, Minutes, Pt. 1, p. 589 (2000); *Wier v. Second Presbyterian Church of Fort Lauderdale*, Minutes, Pt. 1, p. 831 (1998); Minutes of the 208th General Assembly, Pt. 1, pp. 78-82 (1996); *Central Presbyterian Church v. Presbytery of Long Island*, Minutes, Pt. 1, p. 173 (1996); *Hope Presbyterian Church v. Central Presbyterian Church*, Minutes, Pt. 1, p. 142 (1994); Minutes of the 205th General Assembly, Pt. 1, pp. 76-79 (1993); *LeTourneau v. Presbytery of Twin Cities Area*, Minutes, Pt. 1, p. 164 (1993); *Presbytery of West Jersey v. Synod of Northeast*, Minutes, Pt. 1, p. 181 (1993); *Sallade v. Presbytery of Genessee Valley*, Minutes, Pt. 1, p. 166 (1993); Minutes of the 199th General Assembly, Pt. 1, pp. 73-75, 151-52 (1987); *Union Presbyterian Church of Blasdell v. Presbytery of Western New York*, Minutes, Pt. 1, p. 118 (1985); PCUS, Minutes of the 119th General Assembly, Pt. 1, pp. 200-09 (1979); UPCUSA, Minutes of the 190th General Assembly, Pt. 1, pp. 48-49, 261-66 (1978).

Assembly thus ensured that sessions and presbyteries have a truly clean slate on which to consider candidates' declared departures in this area.*

The 218th General Assembly (2008) also made clear, in a second AI, that all ordination standards are treated equally and may be scrupled. The second sentence of G-6.0106b (“fidelity and chastity”) does *not* establish a “super standard” from which departures are not permitted. To the contrary: Sessions and presbyteries may permit conscientious departures from that provision just as they can from other church standards.

2. “*Self-acknowledgment*” usually opens any discussion.

G-6.0106b provides that a candidate may be disqualified from service by a “self-acknowledged” practice. Accordingly, unless a candidate *voluntarily chooses* to disclose that he or she is sexually active, this should not become an issue for examination.³³ Moreover, *asking about someone’s sexual practice just because they disclose a GLBT orientation is prohibited*. General Assembly has ruled that “sexual orientation would be no more sufficient or reasonable grounds for further questioning than would singleness, obesity or any other categorization.” A “hunch, gossip and stereotype” cannot form the basis for special inquiry under G-6.0106b.³⁴

Given these rules, the decision whether to discuss sexual practice or not usually lies with the candidate, not with the examining body. However, there are two exceptions.

- First, a session or presbytery can ask about someone’s sexual practice, without any particular reason to do so, if it asks *everyone* about that. In that case, GLBT persons arguably are not being singled out for special treatment.
- Second, a session or presbytery may have “*direct and specific knowledge*” that a candidate is sexually active outside the bounds of G-6.0106b. Perhaps the

* That is consistent with the Introduction that General Assembly added to the Book of Confessions in 1997: “Even if a bare majority were able to defeat a very large minority in voting for one option in preference to another, it would ordinarily be premature and dishonest for the church to claim, ‘This is what we Presbyterians believe.’” The Confessional Nature of the Church, *Book of Confessions*, at p. xxiv.

candidate has posted sexually explicit notices on the Internet, or an accuser says that he or she was party to a recent sexual relationship with the candidate. Such cases will be rare. However, where they arise, an inquiry about the candidate's sexual practice may be appropriate.³⁵

It is an open question whether a session or presbytery can ask about sexual practice if it knows that the candidate is in a committed, same-sex relationship. However, the answer appears to be “no,” for several reasons:

- First, church law permits church celebrations and ministerial blessing of same-sex unions – and expressly provides that *this does not give rise to any presumption that the partners are sexually active*.³⁶
- Second, sociological studies show that a sizeable percent of couples in long-term relationships – both heterosexual and homosexual – are not sexually active.³⁷
- Finally, as noted above, ordaining bodies are required to conduct their examinations with sensitivity and discretion, and can't rely on “hunch, gossip or stereotype” as a basis for inquiry.³⁸



Given these considerations, the existence of a committed, same-sex relationship should not provide grounds for questioning about sexual practice.

If a session or presbytery oversteps its bounds and makes inquiries that Presbyterian law forbids, the candidate may refuse to answer. The highest PJC to consider this issue has affirmed that an openly gay elder-elect who was in a committed, lifetime partnership was fit for office even though he chose not to answer questions about sexual practice.³⁹ In such cases, the candidate should be prepared to explain, respectfully

and clearly, what kind of examination Presbyterian law allows. The candidate also might explain why he or she believes the question is not central to an assessment of fitness. That might lead the parties to consider some of the terms of G-6.0106b discussed below. Such a discussion may not provide all of the information the examining body wanted, but it should aid in the discernment process.

Sometimes an answer to inquiries about sexual practice may be required. A candidate who has volunteered information about his or her sexual practice should be prepared to respond to follow-up questions – the door to inquiry has been opened. Likewise, if the ordaining body confronts the candidate with “direct and specific knowledge” of sexual practice, it is likely to involve sufficiently troubling circumstances that the candidate must respond.

3. *“Chastity” is not the same as “celibacy.”*

People sometimes claim that “chastity” means the same thing as “celibacy.” However, the 209th General Assembly (1996), which adopted G-6.0106b, received roughly 30 overtures, half of them proposing that our standards require “celibacy” and the other half proposing that they require “chastity.” General Assembly decided to put “chastity” in the Book of Order *instead* of “celibacy.” The two words are not the same – and, as noted at pages 16-17 above, General Assembly clearly attributed significance to its choice of even the smallest words in G-6.0106b (replacing “*one* man and *one* woman” with “*a* man and *a* woman”).

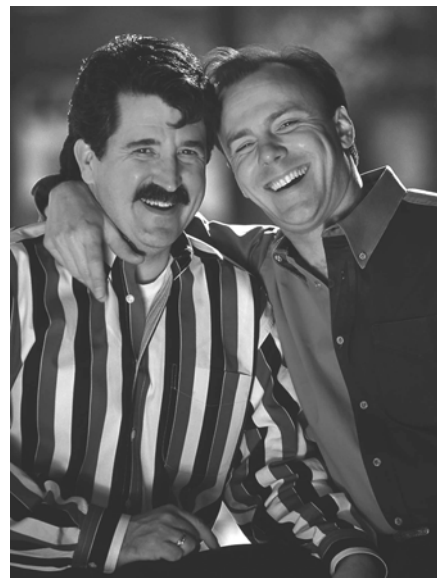
Our Constitution and tradition likewise indicate that “chastity” should not be equated with “celibacy.” For example, the confessions require that even married couples be chaste – that we are to “live chaste and disciplined lives, whether in holy wedlock or in single life,” and that church courts should repress “all unchastity” in marriages.⁴⁰ During the Reformation period, the church taught that “chastity” was not celibacy, but monogamy and forbearance from immoderate pleasure.⁴¹ When the 215th General Assembly (2003) was asked to issue an authoritative interpretation of “chastity,” it

refused to do so, and reminded candidates and examining bodies instead that they should read and interpret the confessions. The statement on General Assembly’s action makes clear that the interpretation of “chastity” requires “particularized fact-finding” in “specific” cases, guided by the “vast number of relevant reflections on these terms from our tradition.”⁴²

Many Christians today believe that “chastity” requires monogamy in a committed, lifetime partnership – and that this standard applies to same-sex couples just as it does to heterosexual ones. Other sexual ethics have been proposed as well.⁴³ In any event, G-6.0108, as authoritatively interpreted by the 217th and 218th General Assemblies, makes clear that sessions and presbyteries must determine what “chastity” means, and must apply that standard in light of the life and witness of each particular candidate. Even if an unmarried candidate declares that he or she will not be celibate, the examining body may conclude that that person is “chaste.”

4. *Partnered GLBT people are not “single.”*

People sometimes claim that all GLBT persons must be treated as if they are living in “singleness.” However, GLBT people often form lifetime partnerships. Several states now recognize same-sex marriage, and a number of others formally recognize civil unions or domestic partnerships of same-sex couples. Even if a session or presbytery believes that “chastity” requires “celibacy” when one is single, this need not disqualify partnered GLBT persons who believe that sexual sharing is part of God’s intention for their lives.



5. *Scripture may not rule out same-sex relationships.*

While G-6.0106b requires “obedience to Scripture,” there is significant disagreement about whether the Bible condemns all same-sex relations. Indeed, half of the Bible faculty in our seminaries have stated their belief that Scripture is not as exclusionary as our present standards assume.⁴⁴

Reputable scholars have shown that each of the six, isolated texts which *might* address same-sex relationships may address other concerns entirely. For example, stories about same-sex rape (Genesis 19:1-26) do not really address consensual same-sex partnerships; Old Testament rules (Leviticus 18:22 and 20:13) may have constituted prohibitions against cultic prostitution or part of ancient “purity” laws that are not authoritative for the church of Jesus Christ; and the few apostolic mentions of same-sex relations may be interpreted as condemnations of heterosexual licentiousness (Romans 1:24-32) and of sexual slavery and child abuse (1 Corinthians 6:9-10 and 1 Timothy 1:9-10).⁴⁵

An issue where there is such a divergence of views on how Scripture should be interpreted is precisely one where freedom conscience must be honored under G-6.0108.

6. *The confessions do not call all same-sex conduct “sin.”*

Out of the entire Book of Confessions, only the Larger Westminster Catechism (1649) and the Heidelberg Catechism (1562) might address same-sex relationships.

The Larger Westminster Catechism condemns “unnatural lust” and “sodomy.”⁴⁶ However, this may not condemn all same-sex relationships:

- Scientific research is finding powerful evidence that homosexuality is caused by genes, hormones, and other biological factors. For some people, same-sex attractions are entirely natural – and it would be “unnatural” for them to try to form conjugal, *heterosexual* relationships.⁴⁷ Further, we usually think of “lust” as

uncontrolled, illicit, or obsessive sexual interest. That is very different from the kind of sharing GLBT people may develop in a loving and faithful relationship.

- The word “sodomy” comes from the story of Sodom and Gomorrah (Gen. 19:1-26), where the sodomites’ sin was attempted *rape* – not the kind of consensual, loving relationships in question today. In fact, Scripture never describes the sodomites’ sin as consenting relationships. Instead, it talks about their injustice, oppression, cruelty, deceit, greed, idolatry, inhospitality and hypocrisy.

In short, a session or presbytery might well conclude that “unnatural lust” and “sodomy” have nothing to do with loving same-sex relationships.

The version of the Heidelberg Catechism that appears in our Book of Confessions says that “no fornicator or idolater, none who are guilty either of adultery or of homosexual perversion, no thieves or grabbers or drunkards or slanderers or swindlers, will possess the kingdom of God.”⁴⁸ However, this is seriously misleading.

- Authentic versions of the original 1586 catechism (in Latin), a Dutch translation from 1591, an English translation from 1645, an English translation from 1765, and a German translation from 1795 show that *none of these made any reference whatsoever* to homosexuality. The reference to “homosexual perversion” was added by a translator working in 1962.⁴⁹ The 218th General Assembly (2008) began a process by which this error may be corrected.⁵⁰ In the meantime, sessions and presbyteries should recognize that the reference to “homosexual perversion” in our current translation is not authentic, and lacks true confessional status.
- Even if the Heidelberg Catechism *did* condemn “homosexual perversion,” that doesn’t mean that all same-sex conduct is wrong. We doubtless condemn “heterosexual perversion” too – but don’t prohibit all heterosexual acts. Just as we recognize that some types of heterosexual relationships are loving and good, while others are exploitative and wrong, the fact that some GLBT relationships are sinful doesn’t mean that all of them are.

In short, a session or presbytery might well conclude that the confessions do not condemn the kind of relationship in which a particular candidate is engaged. Or, if it concludes that the confessions were meant to prohibit all same-sex relationships, it might discern that they reflect outdated understandings and are not authoritative for us today.

7. *“Refusing to repent” is not simply disagreeing with the majority.*

Even if an examining body concludes that G-6.0106b requires celibacy outside heterosexual marriage, this standard may not bar all persons in same-sex relationships from serving. As discussed at pages 17-18, G-6.0106b disqualifies a candidate only if the examining body concludes that that person is “refusing to repent” of sinful practice.

While some claim that a GLBT person is “refusing to repent” if he or she doesn’t embrace celibacy, that simply doesn’t square with what the confessions tell us about repentance. We believe that repentance is not an act of our will, or mere acquiescence in majority rule, but a gift of God and a genuine, inward conviction of the wrongfulness of one’s acts. Many faithful GLBT Presbyterians believe that their sexual orientation is a good and natural part of God’s creation that can be responsibly acted on. A candidate and examining body therefore may conclude that the candidate, although disagreeing with the majority, is not “refusing to repent” but is, rather, acting responsibly in conscientious discernment of what God intends for his or her life.

8. *Vows of celibacy are forbidden.*

Some have taken the view that the second sentence of G-6.0106b must be interpreted as requiring a vow of celibacy outside heterosexual marriage. Indeed, some sessions and presbyteries have asked GLBT candidates to promise that they will remain celibate as a condition to ordination or installation. This is clearly unconstitutional, for several reasons.

First, a candidate cannot take a vow of celibacy without violating the confessions. The confessions clearly condemn “entangling vows of single life” (7.249), and warn that

“vows of perpetual single life, professed poverty, and regular obedience, are so far from being degrees of higher perfection, that they are superstitious and sinful snares, in which no Christian may entangle himself” (6.126). Indeed, given the breadth of our confessional standards, a candidate who refuses to rule out the possibility that he or she might engage in unrepentant conduct that violates church standards, at some time in the future, cannot be distinguished from any other candidate who answers honestly the questions posed during examination.

Second, sessions and presbyteries cannot request a vow of celibacy without violating church law. As noted above, examining bodies may not augment or modify churchwide standards.⁵¹ Requiring a vow of chastity, which is not part of the affirmations required upon ordination and installation (W-4.4003), would do precisely that. Moreover, even requesting such assurances would violate General Assembly rulings that GLBT persons cannot be singled out as more likely to sin, or for other special treatment by examining bodies.⁵²

III. AFTER THE EXAMINATION

Appeals from Ordination Decisions

Sessions and presbyteries do not act in a vacuum – they are subject to the oversight of higher governing bodies, through administrative or judicial review. These can ensure that sessions and presbyteries apply our standards with integrity (that is, “reasonably, responsibly, prayerfully, and deliberately”).⁵³ An examining body can neither ignore, nor add to, church standards. In addition, if an examination was done hastily, or carelessly, it may be returned to the examining body for more careful and deliberate attention.

That said, it must be remembered that when a candidate is being examined for office, the session or presbytery is the only body whose members actually see and hear that person. Often they have insight into the character and qualifications of the candidate from years of preparation for ministry, or from life together in a congregation. Given such considerations, and the discretion historically vested in sessions and presbyteries, a higher

governing body cannot substitute its judgment for that of the examining body unless there are “the most extraordinary reasons” for doing so.⁵⁴

Some have suggested that if a candidate declares a scruple and is then ordained, he or she may be subject to immediate accusations in a disciplinary proceeding for whatever conduct provided grounds for the scruple. That is not correct. A disciplinary case cannot be brought against a newly-installed officer on the basis of facts that the ordaining body knew about when it found that person fit for service.⁵⁵

Continuing the Conversation

The church today is in an “in between” time, struggling to discern how it may respond most faithfully to same-sex relationships. Many believe that ordination standards properly require celibacy of all persons who are not heterosexually married. Others believe that the church should affirm same-sex relationships. Which position prevails as the official position of the PC(USA) probably will depend on years of study, dialogue, discernment and prayer. In the meantime, we work together toward greater faithfulness in the church, and honor each other’s consciences. As General Assembly reminded the church in 1926:

“Toleration does not involve any lowering of the Standards. It does not weaken the testimony of the Church as to its assured convictions. It does not imply that support is offered to what may be regarded as a brother’s error. But it does mean that in the spirit of Christ, patience is exercised by the body of the Church toward those deemed to be at fault in some of their beliefs, remembering our own proneness to err, in order that by the manifestation of such graces, and by prayer, together with fidelity in our own witnessing, all, finally, may be brought to see eye to eye in a fuller apprehension of the truth, and led into a convincing compliance with the Master’s new commandment that His disciples should love one another.”⁵⁶

Endnotes

¹ The 217th General Assembly (2006) reminded the church in an Authoritative Interpretation (“AI”) that: “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. . . . Ordaining and installing bodies . . . have the responsibility to determine their membership by applying these standards to those elected to office.” PCUSA Minutes, Pt. 1, pp. 28-29, 514-19 (2006).

² See, e.g., *Buescher v. Presbytery of Olympia* (GAPJC 2008) (<http://www.pcusa.org/gapjc/decisions/pjc21809.pdf>); *First Presbyterian Church v. Presbytery of Washington* (SPJC-Trinity 2007), affirmed on other grounds, Rem. Case 218-15 (GAPJC 2008); *Davis Community Church v. Sacramento Presbytery* (SPJC-Pacific 2007). While the GAPJC upheld one such policy, in *Bush v. Presbytery of Pittsburgh* (GAPJC 2008), the full General Assembly immediately reversed that decision in plenary session. PCUSA Minutes, June 27, 2008 (<http://www.pcusa.org/ga218/minutes.htm> and <http://www.pc-biz.org/Explorer.aspx?id=1497>).

³ *First Presbyterian Church* (SPJC-Trinity 2007); *First Presbyterian Church v. Blessing* (SPJC-South Atlantic 2002).

⁴ *Londonderry Presbyterian Church v. Presbytery of Northern New England*, PCUSA Minutes, Pt. 1, pp. 577, 578 (2001).

⁵ Paul Grammont & Philibert Zobel, The Authority of the Indwelling Word, in John Todd, ed., *Problems of Authority*, pp. 79-80 (Helicon Press, 1962).

⁶ John Calvin, *Institutes of the Christian Religion* (1559), Bk. III, Ch. 19, § 15 (John T. McNeill, ed.) (Ford Lewis Battles, trans.) (Westminster Press, 1960).

⁷ John Van Til, *Liberty of Conscience: The History of a Puritan Idea*, p. 76 (Marquette Univ., 1972).

⁸ Philippe Delhay, *The Christian Conscience*, p. 75 (Charles Underhill Quinn, trans.) (Desclee, 1968).

⁹ *Id.*, p. 89.

¹⁰ *Id.*, p. 158-59.

¹¹ Calvin, *Institutes*, Bk. III, Ch. 19, §§ 1 and 14.

¹² Guy S. Klett, ed., *Minutes of the Presbyterian Church in America 1706-1788*, pp. 103-04 (Presbyterian Historical Society, 1976).

¹³ Van Til, *Liberty of Conscience*.

¹⁴ UPC Minutes (1927), Pt. 1 at pp. 78-79. General Assembly has affirmed this more recently in, e.g., *Anderson v. Synod of New Jersey*, UPC Minutes, Pt. 1, p. 316 (1962); *Rankin v. National Capital Union Presbytery*, UPCUSA Minutes, Pt. 1, p. 113 (1981); *Simmons v. Presbytery of Suwannee*, PCUSA Minutes, Pt. 1, p. 114 (1985); and *Buescher v. Presbytery of Olympia* (GAPJC 2008).

¹⁵ PCUSA Minutes, Pt. 1, pp. 515-18 (2006). Some have questioned whether the PUP Task Force Report can aid in understanding the 217th General Assembly’s action, since the Assembly did not adopt the entire report as an AI. In fact, it would have been inconsistent with normal practice for the Assembly to adopt the entire report (AIs are always limited to very succinct statements of principle) but the Assembly adopted all seven of the report’s recommendations, which distilled its essence, with negligible amendment. This is

compelling evidence that the Assembly concurred with it, and that it is a reliable guide to what the Assembly meant to do.

¹⁶ PCUSA Minutes, June 27 (2008) (<http://www.pcusa.org/ga218/minutes.htm> and <http://www.pc-biz.org/Explorer.aspx?id=1497>) (emphasis added).

¹⁷ Calvin, *Institutes*, Bk. III, Ch. 4, § 4.

¹⁸ *Minutes 1706-1788* at pp. 278, 287 (emphasis added).

¹⁹ *Simmons v. Presbytery of Suwannee*, PCUSA Minutes, Pt. 1, p. 114 (1985); *Hambrick v. Synod of North Carolina*, PCUS Minutes, Pt. 1, p. 43 (1983); *Huie v. Synod of Southeast*, PCUS Minutes, Pt. 1, p. 112 (1977); *Maxwell v. Pittsburgh Presbytery*, UPC Minutes, Pt. 1, p. 254 (1977).

²⁰ PCUSA Minutes, June 27, 2008 (<http://www.pcusa.org/ga218/minutes.htm> and <http://www.pc-biz.org/Explorer.aspx?id=1497>).

²¹ *Wier v. Second Presbyterian Church*, PCUSA Minutes, Pt. 1, p. 339 (2002); see also *Presbytery of San Joaquin v. Presbytery of Redwoods*, PCUSA Minutes, Pt. 1, p. 277 (2003).

²² Provisions of the *Book of Confessions* that may be relevant here include §§ 4.092, 5.223-224, 6.119, 7.060-062, 7.226-231, and 7.246.

²³ Provisions of the *Book of Confessions* that may be relevant here include §§ 4.110, 5.115 and 7.251-252.

²⁴ Provisions of the *Book of Confessions* that may be relevant here include §§ 3.14, 4.105, 5.256, 6.128, 7.069, 7.245-246 and 9.45.

²⁵ Provisions of the *Book of Confessions* that may be relevant here include § 7.252.

²⁶ Provisions of the *Book of Confessions* that may be relevant here include §§ 4.110, 7.246, 7.251-252, 9.46 and 10.3.

²⁷ Provisions of the *Book of Confessions* that may be relevant here include §§ 6.131-139.

²⁸ Provisions of the *Book of Confessions* that may be relevant here include §§ 4.112, 7.078, 7.215, 7.246 and 7.254-7.255.

²⁹ *Book of Order* § G-2.0000 describes the place of the Confessions in the life of the church, and W-4.4003 carries that over in the affirmations that must be made upon ordination and installation.

³⁰ See Paul E. Capetz, [Binding and Unbinding the Conscience: Luther's Significance for the Plight of a Gay Protestant](#), THEOLOGY & SEXUALITY 16 (March 2002): 67-96. See also Calvin, *Institutes*, Bk. III, Ch. 19 and Bk. IV, Ch. 10.

³¹ General Assembly has expressly affirmed that orientation is not grounds for exclusion in an AI of G-6.0106 and G-4.0403. See PCUSA Minutes, Pt. 1, p. 68 (1998).

³² PCUSA Minutes, June 27 (2008) (<http://www.pcusa.org/ga218/minutes.htm> and <http://www.pc-biz.org/Explorer.aspx?id=1461>).

³³ *Wier v. Second Presbyterian Church*, PCUSA Minutes, Pt. 1, p. 339 (2002); also *Presbytery of San Joaquin v. Presbytery of Redwoods*, PCUSA Minutes, Pt. 1, p. 277 (2003);

³⁴ *Presbytery of San Joaquin v. Presbytery of Redwoods*, PCUSA Minutes, Pt. 1, p. 277 (2003).

³⁵ *Colonial Presbyterian Church v. Grace Covenant Presbyterian Church* (GAPJC 2006); *Presbytery of San Joaquin v. Presbytery of Redwoods*, Minutes, Pt. 1, p. 277 (2003); *Wier v. Second Presbyterian Church*, Minutes, Pt. 1, p. 339 (2002).

³⁶ *Benton v. Presbytery of Hudson River*, Minutes, Pt. 1, p. 586 (2000).

³⁷ For research regarding GLBT couples, see, e.g., Richard A. Mackey *et al.*, *Gay and Lesbian Couples: Voices from Lasting Relationships* (Praeger, 1997), and Andrew Yip, *Gay Male Christian Couples: Life Stories* (Praeger, 1997). A particularly high-profile example is the case of Dr. Jeffrey John, a minister in the Church of England, who stated in 2003 that he had been in a same-sex partnership for 27 years but that he and his partner stopped having conjugal relations in 1991, when the Anglican Communion expressed its disapproval of such relationships (reportage available at www.bbc.co.uk).

³⁸ *Presbytery of San Joaquin v. Presbytery of Redwoods*, PCUSA Minutes, Pt. 1, p. 277 (2003).

³⁹ *Hair v. First Presbyterian Church of Stamford* (PPJC-Southern New England 2000), *affirmed*, App. Case 00-1 (SPJC-Northeast 2000), *appeal dismissed as moot*, Rem. Case 214-1 (GAPJC 2001).

⁴⁰ *Book of Confessions* §§ 4.108 and 5.248.

⁴¹ For understandings of “chastity” and marriage when many of the Confessions were written, see, e.g., Lawrence Stone, *Family, Sex and Marriage in England 1500-1800* (Harper & Row, 1977); James A Brundage, *Law, Sex, and Christian Society in Medieval Europe* (Univ. Chicago, 1987); Peter Brown, *Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (Columbia Univ., 1988); Dyan Elliott, *Spiritual Marriage: Sexual Abstinence in Medieval Wedlock* (Princeton Univ., 1993); and John Witte Jr. & Robert M. Kingdon, *Sex, Marriage, and Family in John Calvin’s Geneva* (Eerdmans, 2005).

⁴² PCUSA Minutes, Pt. 1, pp. 61, 64 (2003).

⁴³ For a particularly rich collection of current and historical writings on sexuality and theology, see Eugene F. Rogers, ed., *Theology and Sexuality: Classic and Contemporary Readings* (Blackwell, 2002). Among the many strong authorities that support monogamous relationships are Margaret A. Farley, *Just Love: A Framework for Christian Sexual Ethics* (Continuum, 2006); Eugene F. Rogers, Jr., *Sexuality and the Christian Body* (Blackwell, 1999); and Helmut Thielicke, *Ethics of Sex* (Harper & Row, 1964). For some thoughtful discussions of other approaches, see Mary E. Hunt, *Fierce Tenderness: A Feminist Theology of Friendship* (Crossroad, 1991); Elizabeth Stuart, *Just Good Friends: Towards a Lesbian and Gay Theology of Relationships* (Mowbray, 1995); Michael Vasey, *Strangers and Friends: A New Exploration of Homosexuality and the Bible* (Hodder & Stoughton, 1995); Marvin M. Ellison, *Erotic Justice: A Liberating Ethic of Sexuality* (WJK, 1996); Kathy Rudy, *Sex and the Church: Gender, Homosexuality, and the Transformation of Christian Ethics* (Beacon, 1997); and Marvin M. Ellison & Sylvia Thorson-Smith, eds., *Body and Soul: Rethinking Sexuality as Justice-Love* (Pilgrim Press, 2003).

⁴⁴ *The Whole Bible for the Whole Human Family* (June 2001) (available at www.covenantnetwork.org).

⁴⁵ An excellent overview of gracious readings of the texts often used to exclude is Daniel A. Helminiak, *What the Bible Really Says about Homosexuality* (Alamo Square, 2000 (2d ed.)). For a review of the different ways faithful Christians have understood homosexuality, see William Stacy Johnson, *A Time To*

Embrace: Same-Gender Relationships in Religion, Law, and Politics (Wm. Eerdmans, 2006). Other helpful viewpoints from a variety of Presbyterian scholars can be found in Jack Rogers, *Jesus, the Bible, and Homosexuality: Explode the Myths, Heal the Church* (WJK 2006); Walter Wink, ed., *Homosexuality and Christian Faith: Questions of Conscience for the Churches* (Augsburg Fortress, 1999); Robert L. Brawley, ed., *Biblical Ethics and Homosexuality: Listening to Scripture* (WJK 1996); and Choon-Leong Seow, ed., *Homosexuality and Christian Community* (WJK 1996).

⁴⁶ *Book of Confessions* § 7.249.

⁴⁷ For a good overview of the science, see *Hard Wired: What Determines Sexual Orientation? Can People Change It?* (Nov. 2006), a PowerPoint presentation available through Covenant Network. Among the many good books for lay readers are Glenn Wilson & Qazi Rahman, *Born Gay: The Psychobiology of Sexual Orientation* (Peter Owen, 2005); Chandler Burr, *A Separate Creation: The Search for the Biological Origins of Sexual Orientation* (Hyperion, 1996); Simon LeVay, *Queer Science: The Use and Abuse of Research into Homosexuality* (MIT Press, 1996); Francis M. Mondimore, *Natural History of Homosexuality* (Johns Hopkins Univ., 1996); and Robert J. Cabaj & Terry S. Stein, eds., *Textbook of Homosexuality and Mental Health* (American Psychiatric Press, 1996).

⁴⁸ *Book of Confessions* § 4.087.

⁴⁹ Jack Rogers, *Jesus, the Bible, and Homosexuality: Explode the Myths, Heal the Church* (WJK 2006).

⁵⁰ PCUSA Minutes, June 26, 2008 (<http://www.pcusa.org/ga218/minutes.htm> and <http://www.pc-biz.org/IOBView.aspx?m=ro&id=1699>)

⁵¹ *Buescher v. Presbytery of Olympia* (GAPJC 2008); *First Presbyterian Church v. Presbytery of Washington* (SPJC-Trinity 2007), *aff'd on other grounds*, Rem. Case 218-15 (GAPJC slip op. Feb. 11, 2008); *Davis Community Church v. Sacramento Presbytery* (SPJC-Pacific 2007).

⁵² *Wier v. Second Presbyterian Church*, PCUSA Minutes, Pt. 1, p. 339 (2002); also *Presbytery of San Joaquin v. Presbytery of Redwoods*, PCUSA Minutes, Pt. 1, p. 277 (2003).

⁵³ PCUSA Minutes, Pt. 1, pp. 28-29, 514-19 (2006).

⁵⁴ See, e.g., *Simmons v. Presbytery of Suwannee*, PCUSA Minutes, Pt. 1, p. 114 (1985); *Rankin v. National Capital Union Presbytery*, UPCUSA Minutes, Pt. 1, p. 113 (1981); *Anderson v. Synod of New Jersey*, UPC Minutes, Pt. 1, pp. 316, 324-25 (1962); UPC Minutes, Pt. 1, pp. 58, 65 (1927).

⁵⁵ *Wier v. Second Presbyterian Church of Fort Lauderdale*, PCUSA Minutes, Pt. 1, p. 831 (1998); *Anderson v. Synod of New Jersey*, UPC Minutes, Pt. 1, pp. 316, 324-25 (1962); UPC Minutes, Pt. 1, pp. 58, 69 (1927).

⁵⁶ UPC Minutes (1926), Pt. 1, pp. 62, 80.

APPENDIX 1: OUR ORDINATION STANDARDS

Book of Order § G-6.0106

- a. To those called to exercise special functions in the church – deacons, elders, and ministers of the Word and Sacrament – God gives suitable gifts for their various duties. In addition to possessing the necessary gifts and abilities, natural and acquired, those who undertake particular ministries should be persons of strong faith, dedicated discipleship, and love of Jesus Christ as Savior and Lord. Their manner of life should be a demonstration of the Christian gospel in the church and in the world. They must have the approval of God’s people and the concurring judgment of a governing body of the church.
- b. Those who are called to office in the church are to lead a life in obedience to Scripture and in conformity to the historic confessional standards of the church. Among these standards is the requirement to live either in fidelity within the covenant of marriage between a man and a woman (W-4.9001), or chastity in singleness. Persons refusing to repent of any self-acknowledged practice which the confessions call sin shall not be ordained and/or installed as deacons, elders, or ministers of the Word and Sacrament.

Book of Order § G-6.0108

- 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. 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. (G-1.0301, G-1.0302).

Book of Order § W-4.4003

All persons being ordained or installed must answer the following questions:

- a. Do you trust in Jesus Christ your Savior, acknowledge him Lord of all and Head of the Church, and through him believe in one God, Father, son, and Holy Spirit?
- b. Do you accept the Scriptures of the Old and New Testaments to be, by the Holy Spirit, the unique and authoritative witness to Jesus Christ in the Church universal, and God’s Word to you?

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- c. Do you sincerely receive and adopt the essential tenets of the Reformed faith as expressed in the confessions of our church as authentic and reliable expositions of what Scripture leads us to believe and do, and will you be instructed and led by those confessions as you lead the people of God?
 - d. Will you fulfill your office in obedience to Jesus Christ, under the authority of Scripture, and be continually guided by our confessions?
 - e. Will you be governed by our church's polity, and will you abide by its discipline? Will you be a friend among your colleagues in ministry, working with them, subject to the ordering of God's Word and Spirit?
 - f. Will you in your own life seek to follow the Lord Jesus Christ, love your neighbors, and work for the reconciliation of the world?
 - g. Do you promise to further the peace, unity, and purity of the church?
 - h. Will you seek to serve the people with energy, intelligence, imagination, and love?

Additional questions, relating specifically to the duties of each office, are set forth in W-4.4003i for elders, deacons, ministers of word and Sacrament, commissioned lay pastors, and certified Christian educators.

Authoritative Interpretation of

Book of Order § G-6.0108

by the 217th General Assembly (2006)

- a. *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.
- b. 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.
- c. 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:
 - (1) 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,
 - (2) 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.

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- d. Whether the examination and ordination and installation decision comply with the Constitution of the PCUSA, and whether the ordaining/installing body has conducted its examination reasonably, responsibly, prayerfully, and deliberately in deciding to ordain a candidate for church office is subject to review by higher governing bodies.
 - e. 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.

Authoritative Interpretation of

Book of Order § G-6.0108

by the 218th General Assembly (2008)

The 218th General Assembly (2008) affirms the authoritative interpretation of G-6.0108 approved by the 217th General Assembly (2006). Further, the 218th General Assembly (2008), pursuant to G-13.0112, interprets the requirements of G-6.0108 to apply equally to all ordination standards of the Presbyterian Church (U.S.A.). Section 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).

Authoritative Interpretation of

Book of Order § G-6.0106

by the 218th General Assembly (2008)

Interpretive statements concerning ordained service of homosexual church members by the 190th General Assembly (1978) of the United Presbyterian Church in the United States of America, and the 119th General Assembly (1979) of the Presbyterian Church in the United States, and all subsequent affirmations thereof, have no further force or effect.