

ASSOCIATION OF STATED CLERKS

**Analysis of Amendments to the Constitution
Proposed by the 220th General Assembly (2012)**

INTRODUCTION

As in prior years, the Association of Stated Clerks is publishing this *Analysis of Amendments to the Constitution* to assist presbyteries in studying and acting on the amendments proposed by this year's General Assembly (2012). The analysis includes a Brief Description of the amendment, the committee and Assembly Action, Arguments Supporting an Affirmative Vote, and Arguments Supporting a Negative Vote. In some instances you will note that there were no specific arguments made either in favor or against some of the proposed changes. You will also note that a number of the proposed amendments were approved by voice vote on the floor of the assembly.

This year there are two parts to the Proposed Amendments to the Constitution which are being forwarded to the presbyteries for their vote: Part 1 of 2, Heidelberg Catechism and Part 2 of 2, Amendments to the *Book of Order*.

Our purpose has been to present arguments made in favor of and against each amendment both in meetings of the assembly committee that considered the overture leading to the amendment and on the floor of the General Assembly. It is not the role of the Association to make a recommendation either in support of or against any amendment.

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

Part 1 of 2, the Heidelberg Catechism, is a lengthy document so be sure to take the time to study the proposed new translation prior to voting. The booklet also contains a Note from the Stated Clerk of the General Assembly, Gradye Parsons. The Stated Clerk points out that additional background information on the Heidelberg Catechism can be found at pcusa.org/amendments2012.

Part 2 of 2, Amendments to the *Book of Order*, contains a Note from the Stated Clerk of the General Assembly, an index of the *Book of Order* sections affected, Advice from the Advisory Committee on the Constitution and on the back cover, an index of a list of the proposed amendments in Part 2 of 2. The item numbers by each proposed amendment indicates the Assembly Committee which considered the amendment. Background information on the proposed amendment can be found by going to pcusa.org/amendments2012.

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

Michael R. Lochow
Stated Clerk

Presbytery of the Northern Plains

**PROPOSED AMENDMENTS TO THE CONSTITUTION
PART 1 of 2**

Heidelberg Catechism

Brief Description

The Special Committee on the Heidelberg Catechism was appointed in response to the action of the 218th General Assembly (2008) to correct specific translation problems in five sections of the Heidelberg Catechism in *The Book of Confessions*. The 219th General Assembly (2010) took action to instruct this already constituted special committee to recommend to the 220th General Assembly (2012) a new translation of the Heidelberg Catechism in cooperation with the Christian Reformed Church in North America (CRCNA) and the Reformed Church of America (RCA). The special committee continued to work with the representatives of the CRCNA and the RCA in finalizing a common new translation of the Heidelberg Catechism that was in keeping with the original 16th century versions of the catechism.

The special committee unanimously approved the common new translation and recommended this new translation to the 220th General Assembly (2012). The CRCNA and the RCA, in their respective national synods, have approved the new translation. Regarding inclusion of appropriate Scriptural citations, the special committee decided to restore the Scripture citations that were originally published with the Heidelberg Catechism in 1563. The hope of the special committee was to give the catechism back to the church in full as it was first presented, with the Scripture citations that allow the readers to explore the text in conversation with the texts of the Bible that informed the people who wrote it.

Assembly Action

The vote of the Confessions of the Church Committee (18) on the proposed amendment was 28/1/0. The 220th General Assembly (2012) approved the committee's recommendation by voice vote.

Arguments Supporting an Affirmative Vote

- Amendment will fix the 30 to 40 serious problems with the previous translation in this document that was intended to be ecumenical.
- Question 87 contains the word "homosexuality" which had been added in the 1960's and is not a term used in the Latin or German.
- The more correct translation reminds us that we are called to live in holiness and chastity.

Arguments Supporting a Negative Vote

Some prefer the current language and therefore see no need for change.

PROPOSED AMENDMENTS TO THE CONSTITUTION
PART 2 of 2
Amendment 12-A
Business Proper to Congregational Meetings
On Amending G-1.0503 (Item 06-10)

Brief Description

The amendment originated from the Presbytery of Plains and Peaks. The presbytery provided this rationale:

The adoption of the revised Form of Government in 2011 was intended to create greater flexibility in governance to meet the mission needs of congregations. However, in the revision of former G-7.0304, language was removed that had provided congregations the power to conduct business necessary for the government of the church.

Assembly Action

The vote of the Assembly Committee on Church Polity (06) on the proposed amendment was 34/6/2. The 220th General Assembly (2012) approved the committee's recommendation by voice vote.

Arguments Supporting an Affirmative Vote

The old language was fine; adding proposed language was unnecessary. Adding subsection "f" is necessary and a good change.

Arguments Supporting a Negative Vote

There were no comments against adding subsection "f".

Amendment 12-B
Gifts and Qualifications
On Amending G-2.0104a (Item 07-05)

Brief Description

This amendment originated from the Presbytery of San Jose with concurrence from one other presbytery. The overture would amend G-2.0104a by inserting as the fourth sentence the following: "This includes repentance of sin and diligent use of the means of grace." The effect of the insertion of this sentence is to define the requirement of the third sentence that those called to the church's ordered ministry exhibit a manner of life that is "a demonstration of the Christian gospel in the church and in the world" by requiring repentance and diligent use of the means of grace.

Assembly Action

The vote of the Assembly Committee on Church Orders and Ministry (07) on the proposed amendment was 28/20/5. The 220th General Assembly (2012) approved the committee's recommendation 329/275/9.

Arguments in Support of an Affirmative Vote

This would return “repentance of sin” and “means of grace” language back to the *Book of Order*. This amendment reaches out to those who supported G-6.0106b in the old Form of Government. The promise to use the means of grace was in the old ordination questions.* The admonition to use the means of grace is in the Rules of Discipline (D-12.0102). Why wouldn’t we want to include repentance? It’s the reason for Christ’s dying for us.

Arguments in Support of a Negative Vote

The requirements are so similar to the affirmations made during the personal profession of faith made by new members (c.f., W-4.2003b,c), it is redundant to ask those entering ordered ministry to reaffirm them.

Including this language is not necessary. Repentance and using the means of grace applies to all members, not just those in ordered ministry.

Why include these particular promises and not other promises such as to support the poor? “Sin” can be defined in so many ways, and evidence of repentance cannot be measured. This does not add anything new to the *Book of Order*; do not amend the *Book of Order* unless it is necessary to do so.

The language is confusing: “sin” and “means of grace” can be defined in so many ways that this requirement becomes impossible to apply.

*The closest question to this is from The Book of Church Order of the Presbyterian Church in the United States (§27-7) 1982 edition:

“(1) Do you engage to be faithful and diligent in the exercise of all your duties as a Christian and a Minister of the Gospel, whether personal or relative, private or public; and to endeavor by the grace of God to adorn the profession of the Gospel in your manner of life, and to walk with exemplary piety before the flock of church God shall you overseer?”

Amendment 12-C Presbytery Registers On Amending G-3.0104 and G-3.0305 (Item 06-19)

Brief Description

This amendment began as an editorial correction request from the manager of Polity and Guidance in the Office of the General Assembly. The current text of G-3.0104 contains a mixture of elements that would properly be separated into different provisions.

Assembly Action

The vote of the Assembly Committee on Church Polity (06) on the proposed amendment was 42/0/0. The 220th General Assembly (2012) approved the committee’s recommendation by voice vote.

Arguments in Support of an Affirmative Vote

Passed without comment.

Arguments in Support of a Negative Vote

Passed without comment.

Amendment 12-D Shared Synod Permanent Judicial Commission (Item 05-13) Background and Rationale

These nine amendments (Item 05-13) came as response to a referral from the 219th General Assembly (2010) to the Committee on the Office of General Assembly to develop and report constitutional amendments to provide for two or more synods sharing common boundaries to form a shared permanent judicial commission. The General Assembly Committee on Mid Council Review (05) approved Recommendations 1-7 of the response to referral, and following the advice of the Advisory Committee on the Constitution, approved amended wording for Recommendations 8 and 9.

Advisory Committee on the Constitution comment: If the 220th General Assembly (2012) believes that the intent of Item 05-13 is appropriate, the Advisory Committee on the Constitution advises that the recommendation identifies the necessary passages in the Form of Government and the Rules of Discipline to amend in order to accomplish the intent of the referral.

Assembly Action

The vote of the Assembly Committee on Mid Council Review (05) on the proposed amendment was 52/0/0. The 220th General Assembly (2012) approved the committee's recommendation by a voice vote.

The amendments 12.D.1 through 12.D.9 are intended to make the necessary changes to implement the intent of Item 05-13.

**Amendment 12-D.1. Judicial Commissions
On Amending G-3.0109a (Item 05-13, Recommendation 1.)**

**Amendment 12-D.2. Administrative Commissions
On Amending G-3.0109b(6) (Item 05-13, Recommendation 2.)**

**Amendment 12-D.3. Reduced Function
On Amending G-3.0404 (Item 05-13, Recommendation 3.)**

**Amendment 12-D.4. Permanent Judicial Commissions
On Amending D-5.0101 (Item 05-13, Recommendation 4.)**

**Amendment 12-D.5. Permanent Judicial Commission Expenses
On Amending D-5.0106 (Item 05-13, Recommendation 5.)**

**Amendment 12-D.6. Permanent Judicial Commission Meetings
On Amending D-5.0203 (Item 05-13, Recommendation 6.)**

**Amendment 12-D.7. Permanent Judicial Commission Quorum
On Amending D-5.0206 (Item 05-13, Recommendation 7.)**

**Amendment 12-D.8. Initiating a Remedial Case
On Amending D-6.0101 (Item 05-13, Recommendation 8.)**

**Amendment 12-D.9. Filing a Complaint in a Remedial Case
On Amending D-6.0202a(6) (Item 05-13, Recommendation 9.)**

Arguments in Support of a Negative Vote

No substantial arguments were presented either pro or con.

**Amendment 12-E Enrolling Ruling Elders as Members of Presbytery
On Amending G-3.0301 (Item 06-04)**

Brief Description

The amendment originated from the Presbytery of St. Andrew. The proposed amendment would clear up any question regarding enroll of ruling elders as members of presbytery while providing flexibility to presbyteries in determining their membership.

Assembly Action

The vote of the Assembly Committee on Church Polity (06) on the proposed amendment was 38/5/1. The 220th General Assembly (2012) approved the committee's recommendation by voice vote.

Arguments in Support of an Affirmative Vote

It brings back the same voice and vote language regarding commissioned ruling elders as was in the old Book of Order.

It gives flexibility to presbyteries.

We need to trust presbyteries will do the right thing regarding voice and vote (current language restricted expansion of voice and vote to moderators of committees or commissions).

Arguments in Support of a Negative Vote

There was concern that presbyteries will give voice and vote to too many ruling elders.

**Amendment 12-F Concurrences for Overtures
On Amending G-3.0302d (Item 04-01, Recommendation 3.)**

Brief Description

This amendment originated as Recommendation 3 from the Committee to Review Biennial Assemblies Report to the 220th General Assembly (2012). The original overture would have

required the concurrence of at least 10% of the presbyteries to present an overture to General Assembly with the intent of improving the collaboration among presbyteries and to assure that the business before General Assembly was of common concern to the mission of the church. The proposed amendment was amended to require the concurrence of only one other presbytery with part of the rationale being that not all business is of concern to all presbyteries, i.e., transferring a congregation from one presbytery to another, and those presbyteries most concerned should not have to lobby sixteen others for concurrence.

Assembly Action

The vote of the Assembly Committee on Review of Biennial Assemblies (04) on the proposed amendment was 24/2/0. The 220th General Assembly (2012) approved the committee's recommendation by voice vote.

Arguments

The reader is referred to the comprehensive discussion on this proposal found in the Background and Rationale, pages 13 – 16 (Proposed Amendments to the Constitution – Part 2 of 2).

Amendment 12-G. Service of Ordination, Installation, or Commissioning On Amending W-4.4002 (Item 17-02)

Brief Description

This amendment originated from the Presbytery of New Castle. The Advisory Committee on the Constitution commented on the original overture and proposed other language to accomplish the intent of the overture which was to have ordination and installation services scheduled at a convenient time to enable the substantial participation of the presbytery.

Assembly Action

The vote of the Assembly Committee on Theological Issues, Institutions, and Christian Education (17) on the proposed amendment was 21/6/2. The 220th General Assembly (2012) approved the committee's recommendation by voice vote.

Arguments

The reader is referred to the comprehensive discussion on this proposal found in the Background and Rationale, pages 17 – 18 (Proposed Amendments to the Constitution – Part 2 of 2).

Amendment 12-H Jurisdiction in Judicial Process On Amending D-3.0101b(2) (Item 06-18)

Brief Description

This amendment originated from the Committee on the Office of the General Assembly. Since there is no longer a category of "labor outside or within the bounds" the changes to D-3.0101b(2) created a situation which made the entire paragraph moot. The proposed amendment intends to remedy this language problem by restoring the clarifying language present in the previous Form of Government and so that those serving the councils of the church may be accountable to the

councils, agencies and partnerships for which the service is rendered, and to the presbytery of membership for purposes of discipline.

Assembly Action

The vote of the Assembly Committee on Church Polity (06) on the proposed amendment was 43/0/0. The 220th General Assembly (2012) approved the committee's recommendation by voice vote.

Arguments in Support of an Affirmative Vote

No specific comments.

Arguments in Support of a Negative Vote

No specific comments.

**Amendment 12-I. Administrative Leave
On Amending D-10.0106 Item 06-09)**

Brief Description

The amendment originated from the Presbytery of Baltimore asking to amend two sections of the Book of Order, D-10.0106 and G-2.0904. The intent of the proposed amendment is to allow the use of administrative leave in any case involving an alleged offense of sexual abuse toward any person without the current limitation that the alleged offense be toward a person under the age of eighteen or who is alleged to lack the mental capacity to consent.

Assembly Action

The vote of the Assembly Committee on Church Polity (06) on the proposed amendment was 41/0/3. The 220th General Assembly (2012) approved the committee's recommendation by voice vote.

Arguments in Support of an Affirmative Vote

Acts are harmful to those over eighteen as well.

Examples presented of instances where sexual abuse was kept quiet and then repeated during a subsequent call.

Important to prevent a coverup.

So PCUSA is not in headlines involving coverup of sexual abuse or misconduct.

Arguments in Support of a Negative Vote

Not all victims over eighteen want the abuse reported.

**Amendment 12-J. Investigating Committee Responsibilities
On Amending D-10.0202 (Item 06-02)**

Brief Description

This amendment originated from the Presbytery of Detroit. The original overture proposed amending two sections of the *Book of Order*, D-10.0101 and D-10.0202. The Assembly

Committee on Church Polity took the advice of the Advisory Committee on the Constitution and approved an alternate resolution amending D-10.0202 and making no changes to D-10.0101. The language recommended by the committee would allow the investigating committee (IC) to first determine whether the statement of an alleged offense, if true, constitutes an offense as defined in the Book of Discipline in D-2.0203b, and if not the IC can end its inquiry without conducting a full investigation.

Assembly Action

The vote of the Assembly Committee on Church Polity (06) on the proposed amendment was 42/0/1. The 220th General Assembly (2012) approved the committee's recommendation by voice vote.

Arguments in Support of an Affirmative Vote

No real discussion either pro or con. The intent was explained and amended without comment.

Arguments in Support of a Negative Vote

No real discussion either pro or con. The intent was explained and amended without comment.