

Questions and Answers

Q. Is this really a "constitutional crisis?"

A. Yes.

1. One isolated instance of open defiance that is not answered swiftly and definitively by those who are charged with preserving and protecting our constitution would constitute a crisis. When a constitution is not enforced – anywhere that defiance occurs – it ceases to be a constitution.
2. But we are confronted by far more than one isolated incident. Defiance is rampant, from Hudson River Presbytery in New York to Redwoods Presbytery in California. More than 20 disciplinary cases have been filed against persons who have blatantly declared that they have not, are not, and will not obey the constitution, and not a single one of those cases has gone to trial! These cases have occurred in presbyteries that voted against our ordination standards. Their administrative leaders are stonewalling all efforts to ensure compliance. Remember, when cases are simply dismissed, there is nothing to appeal to the higher courts.

Q. Some say, 'wait until the General Assembly PJC issues a ruling.' What is your answer to that?

A. The GAPJC has ruled. In Londonderry vs the Presbytery of Northern New England, our highest court ruled that dissent is permitted, but defiance is not. And nothing has been done. To have additional cases wander their way up to the GAPJC is not the answer. The people have spoken by placing ordination standards in the constitution. The highest court has spoken by saying that defiance is not permitted. We don't need more cases; we need enforcement.

Q. Whose job is enforcement?

A. This is an administrative matter, and administration is the responsibility of governing bodies, ultimately, the General Assembly of which you and I are commissioners. It is up to us to establish church-wide policies, declaring what shall be done in cases of defiance. The issue before us is General Assembly-wide in scope. It is up to the General Assembly to address it.

Q. Is the time right for a called General Assembly meeting?

A. Yes. In fact, one could argue that it is overdue. After taking a "pastoral" approach in Columbus, instead of cases of defiance decreasing, they have continued to escalate.

Q. Why a called meeting? Why not wait for the regular GA meeting?

A. A Called meeting deals with only one matter, in this case, our constitutional crisis. We all remember what it is like to be involved in a regular meeting. There are hundreds of program issues to study, debate and decide. There are budget concerns which have gotten worse since last we met, and which will require a huge investment of the commissioners' time. There are hundreds of staff "resource people," advisory delegates, and "special orders" to deal with. Commissioners who have to break up into committees and face all that business simply cannot be focused on the one constitutional issue that needs our best attention.

Q. What about the cost of a called meeting?

A. The COGA has estimated that the cost would be \$400,000. That's approximately 0.3% of the annual GA budget, or 16 cents per capita. It is a bargain by any OGA standard.

Q. What if we call a meeting and then we lose?

A. Who is the "we" in this question? We are the commissioners to the 214th General Assembly, elected by our presbyteries and entrusted by them to serve the whole church. This is no time for partisan talk of winning and losing among ourselves. This is a time for all of us to come together and declare unequivocally our support for the constitution. If we cannot do that, then the church loses.

Q. The COGA letter says a request for a called meeting must "specify exactly the items of business to be considered." (emphasis added) Is that correct?

A. No. Here's what the Book of Order says: "The notice [for the special meeting] shall set out the purpose of the meeting and no other business than that listed in the notice shall be transacted." (emphasis added) We should not be preemptively bound to the motions we intend to make. Within the more broadly-stated purpose, although certainly consistent with it, commissioners must have the latitude to study, pray, discuss and debate over a wide range of motions that will emerge from our coming together to address this constitutional crisis. The "purpose for the meeting" that is stated on the request form (see enclosed card) is specific enough to define the purpose and put a clear boundary around the business that can come before the Assembly, but it is not so specific that it binds the hands of the commissioners in the actions they may take.

Q. The COGA letter says that we are bound to the 120-day rule if we wish to propose amendments to or interpretations of the Book of Order. Is this correct?

A. No. Unlike the annual meeting of the General Assembly that receives proposed Book of Order changes from presbyteries, this special meeting will not be receiving overtures that would normally move through the 120-day filter. We cannot prejudge what matters will be brought before us at the meeting. A Book of Order change may not be necessary. If a commissioner at the meeting proposes a Book of Order amendment or interpretation as a solution to the constitutional crisis, there is no reason why the Assembly should not be free to deal with it. General Assembly committees routinely change the text – even the direction – of Book of Order related overtures that come to them, and they present them to the plenary body. That is why at least 3 members of the Advisory Committee of the Constitution are required to be present to review and make recommendations regarding any proposed changes.

Q. Who would participate in the special called meeting of the General Assembly?

A. The Book of Order defines the membership of the General Assembly as the elected minister commissioners and elder commissioners (G-13.0102.) Advisory Delegates are not members and their presence is not required. Since there will be no other business before the assembly other than that stated in the call, there will be no need for committees. The Assembly will likely meet as committee of the whole. There will be no need for OGA staff other than the Moderator who is a voting minister commissioner, the Stated Clerk, 3 persons from the Advisory Committee on the Constitution and a handful of staff to help with logistics.

Q. Where would the meeting be held?

A. That will be decided by the Moderator. It is likely to be held in a large church to save the cost of renting a convention center. With only about 600 people directly involved with the meeting a church that seats over 1,000 people will give the commissioners ample room necessary for personal papers and their comfort.

Q. How would observers see and hear what goes on?

A. (1) Video can be relayed to other locations on the actual site. (2) Live video and audio can be broadcast via the Internet for real-time observation anywhere in the world.

Q. How long would the meeting last and what would the format be?

A. This too will be decided by the Moderator. Probably for 3 full days. The first 1 or 2 days would be taken up with open discussion and debate without motions to work out an agreeable approach to formulating the right kind of motions – much like a committee of the whole. The last part of the meeting would consist of voting on motions.