

## **An Overture to the 220th General Assembly of the Presbyterian Church (U.S.A.)**

### ***On Issuing an Authoritative Interpretation of W-4.9000 to Ensure Pastoral Discretion***

**The Session of Central Presbyterian Church respectfully requests Heartland Presbytery to overture the 220th General Assembly (2012) of the Presbyterian Church (U.S.A.) to provide the following authoritative interpretation of W-4.9000:**

**“Teaching elders and commissioned ruling elders authorized to conduct services of Christian marriage may exercise pastoral discretion when asked to officiate at such a ceremony for two people who have obtained a civil marriage license, and sessions may permit the use of church property for such services. Teaching elders and commissioned ruling elders may refuse to conduct such services, and sessions may refuse to permit the use of church property for such purposes.”**

#### **Rationale**

In long-standing Christian tradition, civil authority has played a primary role in the regulation of marriage. Christians in the Reformed Tradition view marriage not as a sacrament mediated by the church but as a blessing that two people seek on a contract they are entering under auspices of the state. This blessing is a moment of great joy in the church and in the lives of those on whom it is conferred, but Christian marriage does not change the status of those two people. Marriages that are not blessed by the church are nevertheless recognized in Presbyterian churches.

Because of the integral connection between civil and Christian marriage, the church must contend with the fact that states are now passing legislation or operating under judicial rulings that make legal marriage equality an option for two people of the same gender. There are now six states (Connecticut, Iowa, Massachusetts, New Hampshire, New York and Vermont) and the District of Columbia that allow same-gender marriage. This complicates pastoral care options. The issue comes to a head in the decision about whether teaching elders and commissioned ruling elders will officiate at marriage ceremonies of two persons who have legally obtained a marriage license and whether the session will permit the use of church property for such ceremonies. Some pastors in the Presbyterian Church (USA) will decline to perform such marriages in keeping with their conscience. However, others are caught in an untenable position: their conscience tells them to exercise their pastoral responsibility and perform the marriage but the Church tells them to fear prosecution. Such prosecutions have already placed tremendous financial burden on presbyteries, diminishing the Church’s ability to engage in mission work.

The issue is critical because worship is the central context of pastoral care for Christians. In our order for worship, we listen to the Word, proclaim the Word, and respond to the Word. Responding to the Word is a demonstration of the love of God for God’s people.

“The response to the proclamation of the Word is expressed in an affirmation of faith and commitment... Response to the Word also involves acts of commitment and recognition... acts of commitment which may appropriately be included as response to the Word are (a) Christian marriage,...” [W-3.3500, W-3.3502, W-3.3503]

The church has defined marriage, first, as "...a gift God has given to all humankind..." [W-4.9001] and at the same time said, "Marriage is a civil contract between a woman and a man." [W-4.9001]. In several places in our country, this civil definition is no longer true. The 219<sup>th</sup> General Assembly Advisory Committee on the Constitution stated,

"At the same time, the social witness policies of the church have urged an end to discrimination against same-sex couples. Thus, the Advisory Committee on the Constitution noted in 2008, 'The social witness policies of the Presbyterian Church (U.S.A.) have consistently advocated for the end to discrimination in the civil arena on the basis of sexual orientation. This commitment to equality under the law has prompted our support of civil unions for homosexual couples that would afford them protections and rights by the state equal to those afforded heterosexual couples under marriage. The church has permitted the blessing of same-sex unions as an act of pastoral care to its members and as an act of witness, justice, and compassion to the wider community...'(*Minutes*, 2008, Part I, p. 253)"

Teaching elders and sessions need the General Assembly's assurance of their pastoral discretion to provide the care that their members require. This is the principle put forth in W-4.9002b, which provides that pastors are free, as their judgment dictates, not to officiate at marriages their members and others are contracting. In the absence of mandatory language in the *Book of Order* that would prohibit a service of Christian marriage for any two persons who are legally permitted to marry, the assembly should give such assurance in the form of the proposed Authoritative Interpretation. The Authoritative Interpretation will prevent deep grief to church members who might otherwise be denied the pastoral care of the church; it will protect pastors and sessions from judicial challenge for exercising their pastoral responsibilities. In the spirit of mutual forbearance widely urged by recent General Assemblies and their task forces, it will promote the peace, unity, and purity of the Presbyterian Church (U.S.A.).