



GA-PJC reasserts requirement to comply with "fidelity and chastity"

November 6, 2009

On Tuesday, Nov. 3 the General Assembly Permanent Judicial Commission (GA-PJC) made public its decisions in cases from the presbyteries of [San Francisco](#) and [Twin Cities Area](#). Both cases relate to presbytery actions dealing with persons who, on the record, declared unwillingness to comply with the express requirement of "fidelity and chastity" in G-6.0106b of the *Book of Order*. These recent decisions by the GA-PJC are characterized by narrow procedural rulings rather than rulings on the substance in the cases before them.

Despite their limitations, the commission's decisions produced some help for the church. The PJC signaled in *Naegeli et al v. Presbytery of San Francisco* that its previous decision in [Bush v Presbytery of Pittsburgh](#) still stands, by quoting from that decision: "It would be an obstruction of constitutional governance to permit examining bodies to ignore or waive a specific standard that has been adopted by the whole church, such as the 'fidelity and chastity' portion of G-6.0106b, or any other similarly specific provision."

Similarly, though allowing the restoration of a person to ordained office in *Bierschwale et al v. Presbytery of the Twin Cities Area*, the commission said, "Having been restored to the exercise of the office of Minister of Word and Sacrament, [Paul] Capetz is fully accountable under all standards and requirements for ministers of Word and Sacrament to abide by the Constitution of the PC(USA), including G-6.0106b."

The PJC does emphasize that actual obedience is not optional and that it cannot be waived. However, the new decisions fail to grapple with the implications of the fifth ordination question: "Will you be governed by our church's polity, and will you abide by its discipline..?" (W-4.003e). How can a candidate give affirmative answer to this question while refusing to declare intent to comply with a constitutional requirement now and in the future?

By ruling on narrow procedural questions, while failing to rule decisively and clearly on the substantive issue--unwillingness to comply with G-6.0106b--the court avoided the substance of the issues before it.

These rulings have done harm to the church by leaving a serious conflict unresolved, by inviting more court cases, and by exacerbating a breakdown of faith and trust in the church. The extent of the harm and whether the harm is reversible is not clear.

The Presbyterian Coalition's Discipline Team is deliberating the meaning and implications of the recent decisions and will be issuing a more complete analysis in the next few days.

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