

URGENT AND CONFIDENTIAL
**REQUEST FOR SPECIAL CALLED MEETING OF THE 214th GENERAL
ASSEMBLY**

Dear Fellow Commissioner to the 214th General Assembly:

I am asking for your support in calling for a special "Called Meeting of the 214th General Assembly." As you know we are still "Commissioners" and our duties and responsibilities do not end until the 215th General Assembly meets on May 24, 2003 in Denver Colorado. If in our judgment a situation warrants our being called back together, the *Book of Order* provides for such a meeting whose expenses, including your travel and housing, shall be paid by the General Assembly.

Here are the appropriate *Book of Order* references for this unusual procedure:

“G-13.0104 Meetings”

“The General Assembly shall hold a stated meeting at least biennially. **The Moderator shall call a special meeting at the request or with the concurrence of twenty-five elders and twenty-five ministers, representing at least fifteen presbyteries, under the jurisdiction of at least five synods, all of whom must have been commissioners to the last preceding stated meeting of the General Assembly.** Should the Moderator be unable to act, the Stated Clerk shall, under the same conditions, issue the call. If both the Moderator and the Stated Clerk are unable to act, the most recent Moderator shall, under the same conditions, issue the call. Commissioners to the special meeting shall be the commissioners elected to the last preceding stated meeting of the General Assembly or their alternates. A presbytery may, however, elect a commissioner or alternate instead of one who has died or changed presbytery membership. Notice of a special meeting shall be sent not less than sixty days in advance to each commissioner elected to the last preceding stated meeting of the General Assembly and to the stated clerk of each presbytery. The notice shall set out the purpose of the meeting and no other business than that listed in the notice shall be transacted.” [Emphasis added]

“G-13.0105 Quorum”

“A quorum of the General Assembly shall be one hundred commissioners, fifty of whom shall be elders and fifty of whom shall be ministers, representing presbyteries of at least one fourth of its synods.”

Why do we propose a called meeting of the 214th General Assembly?

The Presbyterian Church (USA) faces a full-blown constitutional crisis. Storm clouds that were developing in the months before we gathered in Columbus have now developed to such a degree that the constitutional integrity of our denomination is being threatened. If the defiance that we are witnessing continues to go unchecked, we will no longer be a constitutional church.

At our meeting in Columbus in June, we chose to remain silent in dealing with the early stages of this crisis. At the urging of the Stated Clerk and his advisory committees, we adopted “a pastoral approach” to defiance. We decided to remind defiant ministers and sessions of the Permanent Judicial Commission ruling (*Londonderry vs Presbytery of Northern New England*) that defiance is not an appropriate expression of dissent from the Constitution. We hoped and prayed that those who are defying the Constitution would heed our counsel. They have not, and as their defiance has become louder and more

specific, without any meaningful response from higher governing bodies to discipline such behavior, others have joined their cause. What once was limited to a handful of offenses is quickly reaching epidemic proportions.

Baltimore Presbytery's Rev. Don Stroud has declared in writing his refusal to abide by constitutional ordination standards. An investigating committee of the presbytery has refused to invoke the rules of discipline against him.

Cincinnati Presbytery's Rev. Van Kuiken and the session of Mount Auburn Presbyterian Church have declared in writing that they have been, are, and will continue to defy the Constitution. They also state that they are conducting "marriage services" for persons of the same gender, contrary to the ruling of our highest court.

Sixteen churches and their clergy in Hudson River Presbytery have now declared that they will not abide by G-6.0106(b) in the Constitution. One of these churches, Mount Kisco, has sent letters throughout the General Assembly, encouraging similar acts of defiance.

The Interim Presbytery Executive of Yellowstone Presbytery has issued a written statement of defiance, an action that will encourage churches in his presbytery to believe that they may disobey the Constitution with impunity.

Redwoods Presbytery ordained a lesbian who said in an interview with a San Francisco newspaper that she is engaged in a sexual relationship with her lesbian partner.

Two independent organizations, More Light Presbyterians and That All May Freely Serve, have employed staff "evangelists" to travel throughout the Assembly, organizing support for any of their approximately 110 churches that choose to ramp up their dissent to the level of defiance.

Stretching from coast to coast, these documented developments represent a clear and present danger to our Constitution. A constitution that is not enforced is no constitution at all.

Who should act to remedy this constitutional crisis?

Our Permanent Judicial Commissions have said that enforcement is not their responsibility. Even in cases where they have ruled an ordination "irregular," they have refused to reverse the offending action.

Our Stated Clerk has said that enforcement is not his responsibility, although the Manual of the General Assembly declares that his role is to "...preserve and defend the Constitution of the Presbyterian Church (U.S.A.)." The clerk has limited his performance of this duty to letters of advice that he has written to some of the offending parties and to presbytery and synod clerks.

That vacuum leaves the matter of constitutional compliance squarely in the lap of the governing bodies of our church. It is the responsibility of sessions, presbyteries, synods and, ultimately, the General Assembly to hold individuals and lower governing bodies accountable for compliance with the Constitution.

These actions do not necessarily have to be judicial. They can be administrative actions of the bodies themselves. A presbytery, for example, can simply declare that a minister or

session that refuses to comply with the Constitution has renounced the jurisdiction of the Presbyterian Church (U.S.A.) and is therefore removed from office.

If a lower governing body refuses to take such action in defense of the Constitution, then, implicit in the principle of governing body review, it becomes the responsibility of a higher governing body to do so.

If Redwoods, Hudson River, Cincinnati, Yellowstone, Baltimore and other presbyteries will not do their duty, then they are not just delinquent; they are participating in acts of defiance. The General Assembly must take the necessary administrative action to ensure the integrity of the Constitution. Our failure to act in the face of these blatant instances of defiance could carry this denomination, dangerously near the brink of schism, over the edge.

Here are the relevant *Book of Order* references:

“G-9.0408 Special Administrative Review

If a higher governing body learns at any time of any irregularity or delinquency by a lower governing body, it may require the governing body to produce any records and take appropriate action. (G-12.0102n, G-12.0304, G-13.0103k,n)”

“G-9.0409 Manner of Review

a. In reviewing the proceedings of a lower governing body, the higher governing body shall determine, either from the records of the proceedings or other information as may come to its attention, whether:

- 1) The proceedings have been correctly recorded;
- 2) The proceedings have been regular and in accordance with the Constitution;
- 3) The proceedings have been prudent and equitable;
- 4) The proceedings have been faithful to the mission of the whole church;
- 5) The lawful injunctions of a higher governing body have been obeyed.”

[Emphasis added. Note it says “a higher,” “a lower.” It does not say the “next higher” or the “next lower.” Therefore the General Assembly does have the authority to take this action with respect to all governing bodies, agencies and officers.]

Why not wait and let the 215th GA deal with it?

The next group of Commissioners at the 215th GA will be as new and as unfamiliar with these constitutional issues as we were at the 214th GA. In addition, they will be divided into commissioner committees where they will be confronted with a multitude of other issues and program proposals that would divide their attention. They will be surrounded, as we were, by hundreds of staff “resource persons” and advisory committees, many of whom will come with a passion for many issues. They will be faced with major budget proposals and the denomination’s worsening financial condition. A General Assembly that is forced to face all these important matters will be no better prepared than we were to concentrate on the constitutional crisis that has engulfed our church.

This is an issue that surfaced on our watch. We hoped that we had dealt with it in our “pastoral approach.” All of us prayed that our strategy would succeed, but clearly this attempt to extend grace has not accomplished the hoped-for result. In fact, defiant ministers and sessions have taken advantage of this period of grace to further erode the

integrity of our Constitution. We must return to the task, and complete what God has called us to do. In obedience to our own ordination vows, we must act to preserve and defend the Constitution of the Presbyterian Church (U.S.A.).

Why is a special Called Meeting of the 214th General Assembly necessary?

1. The Called Meeting will have only one piece of business to consider - namely to deal with the defiance of the Constitution and its enforcement and any matters related to this.
2. Rather than spending only a very small amount of plenary time on the issue, as was the case in our Columbus meeting, we will devote as long as it takes to resolve this one problem. According to the *Book of Order*, no other business will be permitted.
3. We will have no commissioner committees to divert our attention to program issues.
4. We will have no need for all of the GA staff to "advise" us. Representatives of the Advisory Committee on the Constitution, the Stated Clerk and the Moderator are the only essential OGA personnel that will be needed.
5. The *Book of Order* (G-13.0102) specifies that the members of the General Assembly are only the elected elder and minister commissioners from presbyteries. Advisory Delegates are not commissioners, and their participation is not required by the *Book of Order*. In fact, they are not even mentioned in the *Book of Order*.
6. With prayer and careful attention to the single issue that is before us, we who were elected commissioners by our presbyteries, have an opportunity to restore confidence in our constitutional government and preserve the integrity of the Presbyterian Church (U.S.A.)

What I am asking you to do?

Will you join with me in requesting a special called meeting of the 214th General Assembly?

If so:

1. Please fill out and sign the reply form below and return it to me by regular mail. I will need original signatures to send in. Do not send it to the Office of the General Assembly, otherwise I will have no way of counting yours in the total required to make the call.
2. Send me an E-mail letting me know that you have sent me the consent.

I will gather and hold all the response forms and will not send them in to the Moderator unless and until I get the number required to call the meeting.

Even if you don't think you will be able to attend the called meeting, please respond anyway as your "vote" to call the meeting will still count. I look forward to hearing from you.

We have a great responsibility before us and it is my fervent prayer that we will be able to move ahead for the sake of Jesus Christ and His Church.

Blessings in Christ,

Alex Metherell, MD, PhD
Elder Commissioner 214th General Assembly
Los Ranchos Presbytery, Synod of Southern California and Hawaii

90 Emerald Bay
Laguna Beach, CA 92651-1266

Email: AFMetherell@pol.net

RESPONSE FORM: Please print out this form, fill it in, sign and mail to:

**Alex Metherell, MD, PhD
90 Emerald Bay
Laguna Beach, CA 92651-1266**

I, the undersigned Commissioner to the 214th General Assembly, exercising my right under G-13.0104 of the *Book of Order* hereby request the Moderator of the 214th General Assembly call a special meeting of the 214th General Assembly at the earliest possible time.

The Purpose of the meeting shall be to:

1. Continue oversight of the GAPJC decision in Londonderry vs Presbytery of Northern New England in order to effect compliance with the Constitution of the Presbyterian Church (USA)
2. Respond to the growing defiance of, delinquency, and enforcement of the Constitution of the Presbyterian Church (USA) by officers, agencies and governing bodies with respect to G-6.0106(b) and the GAPJC decision on holy unions (Benton vs Hudson River Presbytery.)
3. Exercise all necessary powers authorized to the General Assembly under the Constitution to propose and adopt directives to officers, agencies, and Governing bodies in order to deal with all matters relating to the issues detailed in items # 1 & 2 above.

Signed: _____

Print Name: _____

Elder*/Minister* Commissioner, 214th General Assembly [(*) delete one]

Presbytery: _____

Synod: _____

Address: _____

City / State / Zip _____

Phone: _____

Fax: _____

E-mail: _____