

REFERRED OVERTURES - 2020

Interim Report, May 2020

NO. 1 – PRESBYTERY OF KAMLOOPS

Re: Statement of faith from nominees for Moderator of General Assembly

(Referred to Clerks of Assembly, see interim report, p. 9)

WHEREAS, the General Assembly Office circulates biographical sketches of nominees for the position of Moderator of the upcoming General Assemblies; and

WHEREAS, the biographical sketches do assist in giving information for voting teaching and ruling elders in a presbytery; and

WHEREAS, The Presbyterian Church in Canada exists in a rapidly changing and post-Christian society; and

WHEREAS, statements of faith based on the ecumenical creeds and confessions of the Reformation, as well as our subordinate standards as outlined in the questions at the time of ordination and/or induction of a new minister or ruling elder, are often sought by search committees looking for a new minister to fill vacant pulpits;

THEREFORE, the Presbytery of Kamloops humbly overtures the Venerable, the 146th General Assembly to direct the General Assembly Office to request of all future nominees for the position of Moderator of upcoming General Assemblies to include in submitted biographical material, a brief statement of their faith, as it relates the ecumenical creeds and confessions of the Reformation, as well as our subordinate standards or to do otherwise as the General Assembly in its wisdom, may deem best.

NO. 2 – PRESBYTERY OF KAMLOOPS

Re: Policies and guidelines of worship at General Assembly

(Referred to Assembly Council)

WHEREAS, worship and preaching at the denomination's highest court (the General Assembly) ought to be of the highest calibre; and

WHEREAS, worship and preaching at the Assembly pertains to the action of being together as national representatives of the church; and

WHEREAS, worship and preaching at the General Assembly should not in any way address in a potentially divisive way, contentious issues that will come before the current Assembly; and

WHEREAS, worship and preaching glorifying God should never have the appearance nor be perceived as manipulating the commissioners;

THEREFORE, the Presbytery of Kamloops humbly overtures the Venerable the 146th General Assembly to direct the General Assembly Design Team to develop policies and guidelines to ensure that worship and preaching at future General Assemblies glorify God in word, song, sermon and prayer or to do otherwise as the General Assembly in its wisdom, may deem best.

NO. 3 – PRESBYTERY OF KAMLOOPS

Re: Affirming the seriousness and sanctity of ordination vows

(Referred to the Committee on Church Doctrine)

WHEREAS, at ordinations and inductions all ministers of Word and Sacraments in The Presbyterian Church in Canada promise to accept the ordination preamble and the subordinate standards of the church by responding affirmatively to first two ordination and induction questions (Book of Forms, 447); and

WHEREAS, the preamble to the ordination questions clearly states, "The Scriptures of the Old and New Testaments, as the written Word of God, testifying to Christ the living Word, are the canon of all doctrine, by which Christ rules our faith and life" (Book of Forms, 447); and

WHEREAS, our subordinate standards make very specific affirmations about the role of scripture (Living Faith, 5 [particularly 5.1 and 5.2]; Westminster Confession of Faith, Ch. I), the virgin birth (Living Faith, 3.2.1; Westminster Confession of Faith, Ch. VIII.2) and the resurrection of Christ (Living Faith, 3.5.1, 3.5.2; Westminster Confession of Faith, VIII. 4), among other things; and

WHEREAS, at the 2019 General Assembly the "Special Committee regarding Implications of Option B (Inclusion)" stated in the conclusion to its report, "In truth we differ theologically on many things; the role of scripture, the virgin birth, the resurrection, the place of children, of women and the priorities of the church."; and

WHEREAS, The Presbyterian Church in Canada has never had a discussion or made a decision in its courts which allowed for theological opinions on the role of scripture, the virgin birth or the resurrection which differ from those stipulated in our ordination preamble and subordinate standards; and

WHEREAS, The Presbyterian Church in Canada has had extensive discussions and made specific decisions about the place of women in the church and has clearly stated that those ordained to the ministry of Word and Sacraments may have freedom of conscience but do not have freedom of action on the role of women in the church; and

WHEREAS, for ordained and inducted persons who do not believe what is stated in our ordination preamble and subordinate standards about the role of scripture, the virgin birth and the resurrection, among other things, there is a conflict between what they believe and what they have publicly declared they believed; and

WHEREAS, some ministers within The Presbyterian Church in Canada have even been heard to trivialize their public declarations by saying they “cross their fingers behind their back” when they make their ordination and induction affirmations; and

WHEREAS, this has led to distressing and tearful questions on the floor of the Presbytery of Kamloops about what ordained ministers within our church truly believe; and

WHEREAS, some within the Presbytery of Kamloops even feel compelled to question whether or not the candidates for Moderator of the General Assembly accept the ordination preamble and subordinate standards of the church they seek to represent;

THEREFORE, the Presbytery of Kamloops humbly overtures the Venerable, the 146th General Assembly to direct the Committee on Church Doctrine to clarify and reaffirm the seriousness and sanctity of the affirmations candidates make at ordination and induction services when they accept the preamble and subordinate standards of The Presbyterian Church in Canada or do otherwise as the General Assembly, in its wisdom, may deem best.

NO. 4 – PRESBYTERY OF ALGOMA NORTH BAY

Re: Information on legal implications of Remits B and C, 2019

(Referred to Assembly Council)

WHEREAS, in recent days, two legal opinions by Kuhn LLP and Miller Thompson LLP dealing with the content and implications of the 2019 remits have been circulated among clerks and some presbyteries; and

WHEREAS, some presbyteries have been given access to the documents and some not so; and

WHEREAS, one document suggests that the legal advice previously provided to the church by its own legal counsel did not have the benefit of actually working with the wording of the remits before doing so; and

WHEREAS, the church’s legal counsel has given opinion regarding the implications for clergy only and the others have broadened the scope to include congregations and sessions; and

WHEREAS, this presbytery believes it should be in everyone’s interest that whatever decisions are made, that such be made with clear and open description of all legal ramifications. Otherwise the actual decision might lack reassurance leaving doubts about the process and potential cause for further dismay of the church

THEREFORE, the Presbytery of Algoma North Bay humbly overtures the Venerable, The 146th General Assembly to clear the path to a transparent decision on Remits B and C by making everyone aware of the pertinent information on legal opinions based on the full wording and facts understand by the legal decisions offered and by the wording of the remits, so that the 2020 General Assembly may be fully competent and confident in its legal understanding before the vote is taken at the 2020 General Assembly; or to do otherwise as the General Assembly in its wisdom, may deem best.

NO. 5 – SESSION OF ST. ANDREW’S, OTTAWA, ONTARIO

Re: Investments in Indigenous enterprises

(Referred to Life and Mission Agency Committee, in consultation with Trustee Board, see interim report p. 112)

WHEREAS, the scriptures speak to us on matters of investment, including Proverbs 16:8 “Better is a little with righteousness than vast revenues without justice,” and Matthew 6:21 “For where your treasure is, there your heart will be also”; and

WHEREAS, the Truth and Reconciliation Commission of Canada has urged the creation of a more equitable and inclusive society by closing the gaps in social, health and economic outcomes that exist between Aboriginal and non-Aboriginal Canadians; and

WHEREAS, investors have an opportunity to contribute to economic reconciliation and to build the Indigenous economy through investing in funds and enterprises that promote transformative change and prosperity; and

WHEREAS, other major Canadian churches and foundations have policies that promote investment in the Indigenous economy; and

WHEREAS, the Consolidated Fund of The Presbyterian Church in Canada represents a potentially powerful instrument in pursuing reconciliation with Indigenous peoples through economic development; and

WHEREAS, the General Assembly has the authority to set the goals of the Consolidated Fund; and

WHEREAS, the Indigenous population of Canada constitutes approximately five percent of the population;
THEREFORE, the Session of St. Andrew's Church, Ottawa humbly overtures the Venerable, the 146th General Assembly to direct the Trustee Board of The Presbyterian Church in Canada to assess potential investments in Indigenous enterprises and funds that will be profitable for the church and beneficial to Indigenous peoples and communities, with the goal of investing approximately five percent of the assets in the Consolidated Fund in the Indigenous economy, and report annually to the General Assembly on its progress towards this goal; or to do otherwise as the General Assembly, in its wisdom, deems best.

Transmitted with approval by the Presbytery of Ottawa.

NO. 6 – SESSION OF ST. JAMES, CHARLOTTETOWN, PRINCE EDWARD ISLAND

Re: Liturgies for same-sex marriage and blessing of civil marriages

(Referred to Life and Mission Agency, see interim report, p. 113)

WHEREAS, The Presbyterian Church in Canada has, over the years, produced liturgies to celebrate numerous church events, including weddings; and
WHEREAS, the 2019 General Assembly produced sexuality remits which, if passed through the necessary church courts, will introduce same-sex weddings to The Presbyterian Church in Canada for the first time; and
WHEREAS, some LGBTQI couples may wish to take advantage of this new freedom and opportunity soon after it comes into effect (proper procedures having been followed in our presbyteries and General Assembly) in June 2020; and
WHEREAS, the 2019 General Assembly tasked the Clerks of Assembly to make provisional preparations for the reception of new LGBTQI ruling and teaching elders following the possible passage of the sexuality remits in June 2020; and
WHEREAS, no similar provisional mandate was given to the Life and Mission Agency to prepare liturgies for the solemnization of same-sex weddings or the blessing of previously conducted civil same-sex weddings within The Presbyterian Church in Canada;
THEREFORE, the Session of St. James Church, Charlottetown, humbly overtures the Venerable, the 146th General Assembly to task the Life and Mission Agency with provisionally preparing for use within The Presbyterian Church in Canada, liturgies for the solemnization of same-sex marriages and for the blessing of previously conducted civil same-sex weddings, or to do otherwise as the General Assembly, in its wisdom, deems best.

Transmitted without comment by the Presbytery of Prince Edward Island.

NO. 7 – PRESBYTERY OF HURON-PERTH

Re: Ordination guidelines for part time and tent making ministries

(Referred to Life and Mission Agency, see interim report, p. 92–94)

WHEREAS, the terms of 'ordination', specifically the requirement of percentage of ministry to which the ordinand is to be ordained, has been confused and conflated with the terms of a 'call'; and
WHEREAS, the application of any percentage of employment or requirement for remuneration is not in keeping with our denominational theology of ordination; and
WHEREAS, the application of a percentage of employment or requirement for remuneration delimits the development of creative ministries to which an ordinand may wish to be ordained to an extent that threatens the development of 'tent making' ministries;
THEREFORE, the Presbytery of Huron-Perth humbly overtures the Venerable, the 146th General Assembly, to;
1. clarify the terms of ordination with respect to percentage of ministry and required remuneration, and
2. establish guidelines for ordination which will clearly state the status of ordination to creative 'tent making' ministries,
or to do otherwise as the General Assembly, in its wisdom, deems best.

NO. 8 – PRESBYTERY OF HURON-PERTH

Re: develop an environmental theological program

(Referred to Presbyterian College, see interim report p. 4, Knox College and St. Andrew's Hall)

WHEREAS, the effects of climate change have impacted the earth's ecosystem throughout the entire earth; and
WHEREAS, all species of the biosphere are suffering extinction at an unprecedented rate; and
WHEREAS, the destruction of the environment is amongst the most pertinent issues confronting humanity and all other creatures inhabiting God's creation; and
WHEREAS, Christians are tasked with the responsibility of being stewards of creation and thereby ensuring the preservation of all aspects of God's creation; and

WHEREAS; we have failed as a church to adequately address environmental issues within a purposeful and meaningful theological context and have thereby failed to be stewards of creation;

THEREFORE, the Presbytery of Huron-Perth overtures the 146th General Assembly to direct the colleges of the church to develop within three years a program of environmental theology. Our vision of such a program is three-fold;

1. to address the environmental crisis from an exegetical perspective in a manner similar to historically reputable theological movements such as liberation theology;
 2. to promote and encourage pro-active stewardship of creation and the environment based on a firm and extensive theological foundation and;
 3. to provide the theological means and justification for leadership within the discipline of environmental preservation and the restitution of creation to the care of the Lord God Almighty,
- or to do otherwise as the General Assembly, in its wisdom, deems best.

NO. 9 – SESSION OF GRACE, ORLEANS, ONTARIO

Re: New governance model following remit decisions

(Referred to Assembly Council)

WHEREAS, the discussion of human sexuality has been before The Presbyterian Church in Canada for at least the past 30 years; it is time to bring it to a conclusion that protects congregations with a traditional understanding of the Bible; and

WHEREAS, the session and congregation of Grace, Orleans, has yet to see a definitive response to an overture submitted five years ago regarding gracious dismissal, having experienced significant pain both in the congregation and the loss of its pastor of many years, and significant conflict over this issue, with the Assembly apparently showing little regard for congregations that hold firmly to the traditional understanding of marriage and sexual ethics; and

WHEREAS, the 2019 General Assembly was presented with four potential courses of action: “A” (traditional), “B” (full inclusion), “C” (one denomination with three theological streams), and “D” (current practice but with a local option); and

WHEREAS, option “B” (full inclusion) emerged with undisclosed majority support, there was clearly a rift finally seen after the Tuesday of deciding option B and heard from many commissioners in the court on Wednesday night; consequently, a fifth course of action was hastily developed before Thursday morning which resulted in a majority of commissioners voting to refer the following decisions to presbyteries:

That congregations and presbyteries may call and ordain as ministers and elect and ordain as ruling elders LGBTQI persons (married or single) with the provision that liberty of conscience and action regarding participation in ordinations, inductions and installations be granted to ministers and ruling elders; and

WHEREAS, in November 2019, following the publishing of the remits, two law firms with significant religious freedom, constitutional and human rights experience have offered their opinions and advice concerning the legal effect of the remits, if adopted. Their conclusions are, in some cases in opposition to the opinion provided by Cassels LLP in 2018 and, more importantly, they address the wording of the remits, which the Cassels opinion could not. These opinions, offered by Kuhn LLP, supported by Miller-Thompson, and summarised below, raise significant concerns about any possible protections for clergy, sessions, presbyteries, congregations and the denomination as a whole concerning those who hold to a traditional understanding of the Bible:

“The law currently protects clergy from being compelled by statute to perform same-sex marriage ceremonies against their religious beliefs, particularly in two provinces and one territory that have enacted statutory protections. However, this may not be the case in provinces in which such legislation does not exist or in the longer term given current trends in the law and how the Charter of Rights and Freedoms has been interpreted and applied in recent legal cases.” (Summary Notes from Kuhn LLP, Legal Counsel, Abbotsford, BC. 12 Nov 2019, paragraph 2)

“The adoption of the Remits will make it more difficult for PCC ministers to establish a sincerely held religious belief opposing the morality of same-sex marriages, particularly if they are compelled by the PCC to accept ordination of ministers and ruling elders who are in such relationships.” (Summary Notes from Kuhn LLP, Legal Counsel, Abbotsford, BC. 12 Nov 2019, paragraph 2)

“The adoption of Remit B may expose the PCC, individual ministers, and congregations to liability for discrimination for refusal to perform same-sex marriage ceremonies or allow church

property to be used for same-sex wedding ceremonies and celebrations.” (Summary Notes from Kuhn LLP, Legal Counsel, Abbotsford, BC. 12 Nov 2019, paragraphs 3 and 4)

“There is no guarantee that congregations and Presbyteries could “refuse to employ ministers who are in same-sex marriages or who wish to perform same-sex wedding ceremonies.” (Summary Notes from Kuhn LLP, Legal Counsel, Abbotsford, BC. 12 Nov 2019, paragraph 5); and

WHEREAS, in its concluding statements, Kuhn LLP offers a way-ahead that is in the spirit of Pathway C. In it they state that,

“While there is no safe and guaranteed path to protect liberty of conscience and action, the best option (short of separating into two denominations) would be to defeat the adoption of the Remits and then either (a) maintain the status quo; or (b) to devolve theological teachings on same-sex intimacy and marriages to the Presbyteries and allow each congregation to join (or transfer to) a Presbytery that shares its religious belief and commitment. Before moving in this direction, the PCC should carefully set out the proposed changes to the Book of Forms such that the Presbyteries and General Assembly can actually understand the impacts of what is being proposed.” (Summary Notes from Kuhn LLP, Legal Counsel, Abbotsford, BC. 12 Nov 2019, paragraph 7);

THEREFORE, the Session of Grace, Orleans, humbly overtures the Venerable, the 146th General Assembly to seek a way forward, in the spirit of “Pathway C: One Denomination – Three Streams”, presented in the 2019 report of the Special Committee of Former Moderators, to provide a governance model with a legally safeguarded, guaranteed and permanent place in The Presbyterian Church in Canada where congregations and clergy with a traditional understanding of the Bible can continue to do ministry in this denomination in a manner which reflects the same character, identity, ethos and core teachings that are the way of our denomination honouring our existing subordinate standards; or to do otherwise as the General Assembly, in its wisdom, deems best.

Transmitted without comment by the Presbytery of Ottawa.

NO. 10 – SESSION OF GRACE, WESTHILL, TORONTO, ONTARIO

Re: A place for congregations and ministers with traditional Biblical understanding

(Referred to Assembly Council)

WHEREAS, the beliefs of The Presbyterian Church in Canada are defined in our subordinate standards – the Westminster Confession of Faith as adopted in 1875 and 1889, the Declaration concerning Church and Nation of 1954 and Living Faith (Foi Vivante and 산 믿음) as adopted in 1998; and

WHEREAS, every minister and elder in The Presbyterian Church in Canada affirmed our subordinate standards in their ordination vows; and

WHEREAS, General Assemblies of our denomination, despite these ordination vows, have nevertheless for several years been discussing changes, referred to as human sexuality issues, that would contravene our subordinate standards, and contravene a traditional understanding of the Bible held for 2000 years and still held by the vast majority of the worldwide holy catholic church; and

WHEREAS, the 2019 General Assembly approved and remitted to presbyteries under the Barrier Act that:

- The Presbyterian Church in Canada holds two parallel definitions of marriage and recognizes that faithful, Holy Spirit filled, Christ centred, God honouring people can understand marriage as a covenant relationship between a man and a woman or as a covenant relationship between two adult persons.
- That congregations, sessions, ruling and teaching elders be granted liberty of conscience and action on marriage.
- that congregations and presbyteries may call and ordain as ministers and elect and ordain as ruling elders LGBTQI persons (married or single) with the provision that liberty of conscience and action regarding participation in ordinations, inductions and installation be granted to ministers and ruling elders; and

WHEREAS, the 2019 General Assembly did not choose “Pathway C: One Denomination – Three Streams”, which was presented by the Special Committee of Former Moderators and would have provided a safe place within the denomination for congregations and clergy with a traditional understanding of the Bible and also for those who embrace a different understanding; and

WHEREAS, many people, congregations and clergy with a traditional understanding of the Bible are feeling unwanted and excluded by our denomination; and

WHEREAS, people with a traditional understanding of the Bible are considering leaving our denomination, or have left our denomination, in response to the General Assembly discussions and actions; and

WHEREAS, some congregations and clergy with a traditional understanding of the Bible are wondering:

- whether our denomination will approve remits which will require ministers and elders to vow to uphold views which conflict with a traditional understanding of the Bible,
- how long our denomination, regardless of the outcome of the remits, will continue to provide a safe place where they can act in full accordance with a traditional understanding of the Bible,
- whether they will need to seek next steps in finding a place where they can be faithful to their gospel call;

THEREFORE, the Session of Grace, West Hill, Toronto, humbly overtures the Venerable, the 146th General Assembly to seek a way forward, in the spirit of “Pathway C: One Denomination – Three Streams”, presented in the 2019 report of the Special Committee of Former Moderators, to provide a safeguarded, guaranteed and permanent place in The Presbyterian Church in Canada where congregations and clergy with a traditional understanding of the Bible can continue to do ministry in this denomination in a manner which reflects the same character, identity, ethos and core teachings that are the way of our denomination during the formation and adoption of our existing subordinate standards; or to do otherwise as the General Assembly, in its wisdom, deems best.

Transmitted with the approval of the Presbytery of Pickering.

NO. 11, 2020 – SESSION OF ST. ANDREW’S, MONCTON

Re: Establishing new courts and structures

(Referred to Clerks of Assembly, p. 10)

WHEREAS, The Presbyterian Church in Canada has debated human sexuality for several decades; and

WHEREAS, the debate is a distraction; and

WHEREAS, the issues pertaining to human sexuality are symptomatic of deeper theological issues; and

WHEREAS, the theological divide is evidenced in the report from the 2019 General Assembly’s “Special Committee Regarding Implications of Option B (Inclusion)” which read in part, “In truth we differ theologically on many things; the role of scripture, the virgin birth, the resurrection, the place of children, of women and the priorities of the church...”; and

WHEREAS, deviation from a traditional interpretation of scripture regarding marriage and the ordination practices of the church separates The Presbyterian Church in Canada from the one Holy Catholic and Apostolic Church and the majority of churches around the world; and;

WHEREAS, Remits B and C (General Assembly 2019) are in and of themselves divisive; and

WHEREAS, the activism of some on behalf of the LGBTQI community creates a working environment prone to conflict; and

WHEREAS, there is a deep love and devotion to The Presbyterian Church in Canada and its system of governance and traditional theology with many in the denomination; and

WHEREAS, our system of governance depends upon collegial working relationships that are mutually submissive, which is not possible without a common basis of authority; and

WHEREAS, regardless of how Remits B and C (General Assembly 2019) are dealt with, there remains an unbridgeable chasm of difference within the denomination disrupting unity within The Presbyterian Church in Canada,

THEREFORE, the Session of St. Andrew’s, Moncton, humbly overtures the Venerable, the 146th General Assembly of The Presbyterian Church in Canada to construct theological relief courts upholding traditional theology with The Presbyterian Church in Canada, presbyteries, synods and General Assemblies, allowing sessions to choose which courts their congregations would affiliate with, as well as other supportive structures as may be necessary to exist within The Presbyterian Church in Canada; or to do otherwise as the General Assembly, in its wisdom, deems best.

Transmitted without comment by the Presbytery of New Brunswick.