

1 **OVERTURE 82** from the Rocky Mountain Presbytery (to CCB, OC)  
2 “Amend *BCO* 12, 13, and 25 to Clarify the Right of the Congregation to Give Consent  
3 to those who Exercise Authority Over Them”  
4

5 **Whereas**, the PCA was intentionally formed as a grassroots, non-hierarchical denomination  
6 to counteract the hierarchical abuses of the Presbyterian Church in the United States;  
7 and  
8

9 **Whereas**, our PCA Church fathers intentionally adapted the eight Preliminary Principles from  
10 the first General Assembly of the American church in 1789 to ensure that the PCA  
11 would never be an aristocratic, top-down denomination or follow the hierarchical  
12 movement of the Presbyterian Church in the United States [Taylor, L.R. Church Polity  
13 (PCA). Church Polity.doc]; and  
14

15 **Whereas**, Preliminary Principle 7 states, “All church power, whether exercised by the body  
16 in general, or by representation, is only ministerial and declarative since the Holy  
17 Scriptures are the only rule of faith and practice.” Reflecting this principle, *BCO* 3-1  
18 reads, “The power which Christ has committed to His Church vests in the whole body,  
19 the rulers and *those ruled*, constituting it a spiritual commonwealth” (emphasis added).  
20 *BCO* 3-4 adds, “The power of the Church is exclusively spiritual;” *BCO* 11-1 states  
21 that the “authority of church courts is in all respects moral or spiritual;” and 11-2 reads,  
22 “The jurisdiction of Church courts is only ministerial and declarative, and relates to  
23 the doctrines and precepts of Christ, to the order of the Church, and to the exercise of  
24 discipline.”; and  
25

26 **Whereas**, Preliminary Principle 6 states, “Though the character, qualifications and authority  
27 of church officers are laid down in the Holy Scriptures, as well as the proper method  
28 of officer investiture, *the power to elect persons* to the exercise of authority in any  
29 particular society resides in that society.” This principle is codified in *BCO* 3-1 by  
30 stating that Church power, “as exercised by the people, extends to the choice of those  
31 officers whom He has appointed in His Church.” In addition, *BCO* 16-2 states that it  
32 is a right that cannot be taken away from the local church, “The government of the  
33 Church is by officers gifted to represent Christ, and the right of God’s people to  
34 recognize by election to office those so gifted is *inalienable*.” In his commentary on  
35 the *BCO*, Dr. Morton Smith stated, “The right of the people to elect to office those  
36 whom they recognize as properly gifted to serve, is set forth as a basic principle of  
37 Presbyterian government, which is inalienable. It is a right that may not be taken from  
38 the people. *One of the implications of this principle is that no one can be imposed upon*  
39 *a congregation, without an election by the people, or at least their consent*” (Smith,  
40 M. 2007. *Commentary on the Book of Church Order of the Presbyterian Church in*  
41 *America*. Presbyterian Press, Taylors, SC. 6th Ed., pp. 171-172; emphasis added); and  
42

43 **Whereas**, the sentence on Presbytery power in *BCO* 13-9, “In cases in which the Session  
44 cannot exercise its authority, it shall have power to assume original jurisdiction,” can  
45 and has been interpreted at times in a way that supersedes and contradicts and/or

1 violates the *inalienable* right of a church by giving a Presbytery the right to appoint a  
2 temporary Session over a church without the consent of the members (emphasis  
3 added); and  
4

5 **Whereas**, in Judicial Case #5, the 13<sup>th</sup> GA ruled: “*BCO* 11-4 reads in part, “In the opinion of  
6 the Commission, *BCO* 13-9 contains no express provision, which meaning is clear and  
7 undebatable, as would permit a presbytery to require the receiving of a presbytery  
8 committee’s visit without a request by or a specific problem in the session or  
9 congregation in question... the Commission commends the desire of the presbytery  
10 for improved pastoral oversight, and wishes to encourage appropriate action to such  
11 an end on a voluntary basis. However, the Commission also wishes to protect lower  
12 courts from any possible encroachment, implied or otherwise, by higher courts, and  
13 beyond the express powers given to those higher courts in the *BCO*.”  
14 ([https://www.pcahistory.org/pca/ga/13th\\_pcaga\\_1985.pdf](https://www.pcahistory.org/pca/ga/13th_pcaga_1985.pdf), p.128-129.); and  
15

16 **Whereas**, in SJC Case 90-4, a complaint was brought against a Presbytery which had  
17 determined that a particular Session could not exercise its authority and the Presbytery  
18 subsequently assumed original jurisdiction by appointing a temporary Session over the  
19 church. The SJC ruled in that complaint that the Presbytery erred, concluding that  
20 presbyteries, through commissions or otherwise, do not have the power to assume  
21 jurisdiction over a church and take actions without the consent of the congregation  
22 (*M19GA*, 19th\_pcaga\_1991, pp. 488-508); and  
23

24 **Whereas**, in SJC Case 2001-8, the SJC ruled that a Presbytery erred in suspending a church’s  
25 Session and further by appointing a commission to act for the Session. The SJC stated,  
26 *It is explicit in the BCO* of the Presbyterian Church in America (*BCO* 25-11) that none  
27 of the rights and responsibilities of the congregation shall ever be taken away ‘without  
28 the express consent and affirmative action’ of the congregation” (*M30GA*,  
29 30th\_pcaga\_2002, pp. 133-137); and  
30

31 **Whereas**, in SJC 2001-34, the SJC ruled: “Thus the higher court may not proceed in such a  
32 way that would ultimately require civil action against the local congregation without  
33 a formal vote of the congregation. The General Assembly has, on 2 occasions, by  
34 overwhelming majority votes, approved and adopted the Ad Interim Committee’s  
35 Summary of the Philosophical and Theological basis for PCA structure, which  
36 affirmed these principles, to-wit: (1) A higher court may not “act for” a lower court.  
37 (2) A higher court may “act on” an issue or case. (3) A higher court, as a last resort,  
38 may “act against” “the lower court by dismissing it from the fellowship.” (SJC 2001-  
39 34 [https://www.pcahistory.org/pca/ga/33rd\\_pcaga\\_2005.pdf](https://www.pcahistory.org/pca/ga/33rd_pcaga_2005.pdf), pp. 72-98); and  
40

41 **Whereas**, *BCO* 12-1 provides that a church with no pastor and only one ruling elder “does  
42 not constitute a Session, but he should take spiritual oversight of the church, should  
43 represent it at Presbytery, should grant letters of dismission, and should report to the  
44 Presbytery any matter needing the action of a Church court. Since the one ruling elder  
45 cannot call a congregation meeting; and since only a Session can call a congregation

1 meeting, (“the Session shall call such meeting and give public notice of at least one  
2 week, *BCO* 25-2); and since *BCO* 16-2 states that, “no man can be placed over a church  
3 in any office without the election, or at least the consent of that church,” there is no  
4 constitutional means by which a congregation can be authorized to meet in order to  
5 request a Presbytery to appoint elders to serve as an interim Session under *BCO* 15-1.  
6

7 **Therefore**, Rocky Mountain Presbytery overtures the 53<sup>rd</sup> General Assembly to amend the  
8 *BCO* in the respective *BCO* provisions below in order to provide clarity, cohesion and  
9 uniformity in these provisions, and that the following *BCO* paragraphs be amended as  
10 follows (underlining for additions; ~~striketrough~~ for deletions).  
11

12 **12-1.** ...

13 When a church has no pastor and there are five or more ruling elders, three shall  
14 constitute a quorum; if there are less than five ruling elders, two shall constitute a  
15 quorum; if there is only one ruling elder, he does not constitute a Session, but he  
16 should take spiritual oversight of the church, should represent it at Presbytery,  
17 should receive new members, should grant letters of dismissal, convene a  
18 meeting of the congregation when directed to do so by the Presbytery for the  
19 transaction of designated business only (cf., *BCO* 13-9.i), and should report to the  
20 Presbytery any matter needing the action of a Church court.  
21

22 **13-9.** The Presbytery has power to receive and issue\* appeals, complaints, and  
23 references brought before it in an orderly manner. In cases in which the Session  
24 cannot exercise its authority, ~~the Presbytery~~ shall have power to assume original  
25 jurisdiction with the consent of the Session or the congregation. ~~The Presbytery~~  
26 has power:  
27

28 ...

- 29 f. To condemn erroneous opinions which injure the purity or peace of the  
30 Church; to visit ~~churches~~ Sessions with their consent for the purpose of  
31 inquiring into and redressing the evils that may have arisen in ~~them~~ their  
32 churches; to approve at the request of the members thereof to unite or  
33 divide churches, ~~at the request of the members thereof~~; to form and receive  
34 new churches; to ~~take~~ provide special oversight of churches without pastors  
35 with their consent (cf., Preliminary Principle 6; *BCO* 15-1; *BCO* 16-2); to  
36 dissolve churches with their consent; to dismiss churches with their  
37 consent;  
38 g. To devise measures for the enlargement of the Church within its bounds;  
39 in general, to order whatever pertains to the spiritual welfare of the  
40 churches under its care with the Session’s consent;  
41 h. ~~And, finally, to~~ propose to the Assembly such measures as may be of  
42 common advantage to the Church at large.  
43 i. And, finally, in cases where a particular church has no remaining Session  
44 members, to call congregational meetings for the purpose of obtaining  
45 consent for the appointment of a temporary government in accordance with  
*BCO* 15-1 and *BCO* 16-2.

1           **25-2.** Whenever it may seem for the best interests of the church that a  
2 congregational meeting should be held, the Session shall call such meeting and  
3 give public notice of at least one week. No business shall be transacted at such  
4 meeting except what is stated in the notice. When there is only one elder (BCO  
5 12-1), he shall convene the congregation when directed to do so by the  
6 Presbytery, for the transaction of designated business only (cf., BCO 13-9.i).  
7 The Session shall always call a congregational meeting when requested in  
8 writing to do so:...

9  
10 \*The wording of the proposed amendments to *BCO* 12-1, 13-9.i. and 25-2 is comparable with  
11 the authority *BCO* 13-12 gives to General Assembly to direct Presbyteries to call special  
12 meetings to conduct designated business: (“The Presbytery also shall convene when directed  
13 to do so by the General Assembly, for the transaction of designated business only.) Presently,  
14 there is no *BCO* provision by which congregations can be convened to transact business if  
15 there is only one or no Ruling Elders. Thus, these *BCO* amendments will provide a clear  
16 constitutional means by which Presbyteries would be authorized to call congregation meetings  
17 if and when the need arises.

18  
19 Thus, each of the amended *BCO* provisions would read:

20  
21           **12-1.**       ...

22           When a church has no pastor and there are five or more ruling elders, three shall  
23 constitute a quorum; if there are less than five ruling elders, two shall constitute a  
24 quorum; if there is only one ruling elder, he does not constitute a Session, but he  
25 should take spiritual oversight of the church, should represent it at Presbytery,  
26 should receive new members, should grant letters of dismissal, convene a  
27 meeting of the congregation when directed to do so by the Presbytery for the  
28 transaction of designated business only (cf., *BCO* 13-9.i), and should report to the  
29 Presbytery any matter needing the action of a Church court.

30  
31           **13-9.** The Presbytery has power to receive and issue\* appeals, complaints, and  
32 references brought before it in an orderly manner. In cases in which the Session  
33 cannot exercise its authority, the Presbytery shall have power to assume original  
34 jurisdiction with the consent of the Session or the congregation. The Presbytery  
35 has power:

36           ...

- 37           f. To condemn erroneous opinions which injure the purity or peace of the  
38 Church; to visit Sessions with their consent for the purpose of inquiring  
39 into and redressing the evils that may have arisen in their churches; to  
40 approve at the request of the members thereof to unite or divide churches;  
41 to form and receive new churches; to provide special oversight of churches  
42 without pastors with their consent (cf., Preliminary Principle 6; *BCO* 15-1;  
43 *BCO* 16-2); to dissolve churches with their consent; to dismiss churches  
44 with their consent;

- 1 g. To devise measures for the enlargement of the Church within its bounds;  
2 in general, to order whatever pertains to the spiritual welfare of the  
3 churches under its care with the Session's consent;
- 4 h. To propose to the Assembly such measures as may be of common  
5 advantage to the Church at large.
- 6 i. And, finally, in cases where a particular church has no remaining Session  
7 members, to call congregational meetings for the purpose of obtaining  
8 consent for the appointment of a temporary government in accordance with  
9 *BCO* 15-1 and *BCO* 16-2.

10  
11 **25-2.** Whenever it may seem for the best interests of the church that a  
12 congregational meeting should be held, the Session shall call such meeting and  
13 give public notice of at least one week. No business shall be transacted at such  
14 meeting except what is stated in the notice. When there is only one elder (*BCO*  
15 12-1), he shall convene the congregation when directed to do so by the  
16 Presbytery, for the transaction of designated business only (cf., *BCO* 13-9.i).  
17 The Session shall always call a congregational meeting when requested in  
18 writing to do so:...

19  
20 **RATIONALE:**

21  
22 The proposed amendments, as a unit, seek to clarify the nature of the relationship and authority  
23 between Sessions and their Presbyteries as expressed in the PCA's *BCO*. The PCA is a  
24 grassroots denomination, which means that it has a non-hierarchical system of government.  
25 The PCA's form of connectionalism is based on mutual love and confidence (*BCO* 25-11),  
26 where church courts exercise only moral and spiritual powers. These amendments seek to  
27 clarify the context and boundaries of the relationship between church courts.

28  
29 The proposed amendments seek to apply our non-hierarchical connectionalism by stating  
30 more clearly the relative relationship between lower and higher courts. Lower courts and  
31 higher courts minister and work within their respective areas and honor the boundaries set  
32 forth in the *BCO*.

33  
34 The PCA's brand of Presbyterian polity differs from generic Presbyterian polity. The PCA  
35 form has a connectionalism that is spiritual, not civil (*BCO* 3-4); it has a grassroots framework.  
36 Higher courts cannot act for a lower court. They cannot require, mandate, direct, or instruct  
37 lower courts to take actions in their respective courts; that is, Presbytery cannot dictate what  
38 a Session does in the local church with regard to its internal ministry (there are a few  
39 exceptions, like judicial matters, which have their own distinct formats). *BCO* 25-8, 9, and 10  
40 are very clear that higher courts cannot do anything that could be construed as "backdoor"  
41 takings (that is, remove a Session and replace it with a Presbytery Commission so they then  
42 have authority over the local church's assets and property). Thus Presbyteries appointing  
43 Commissions to serve as interim Sessions without congregational approval could be  
44 considered as the higher court taking a form of a backdoor control of a lower court, an action  
45 which would be contrary to *BCO* authority.

1 If the particular church does not have sufficient elders to provide oversight or needs assistance  
2 for a period of time, the congregation may request the Presbytery to appoint elders per *BCO*  
3 16-2) to serve as an interim Session (*BCO* 15-1). However, the Presbytery cannot appoint  
4 elders without the consent of the congregation (*BCO* 16-2). If a congregation makes the  
5 request for additional elders at a duly called congregation meeting, and the Presbytery  
6 appoints a commission to serve as an interim Session, then those elders serve as the Session  
7 of the particular church since they are serving by consent of the congregation (“When a  
8 commission is appointed to serve as an interim Session, its actions are the actions of a Session,  
9 not a Presbytery,” *BCO* 15-1). If there are elders already serving on the Session, they may  
10 continue to serve along with the interim Session appointed by Presbytery.

11  
12 Further comments from *The Historic Polity of the PCA*, by Jack Williamson and Robert  
13 Cannada:

14  
15 The PCA denomination is a spiritual organization and the power of those acting within the  
16 denomination, whether it be the General Assembly, a presbytery, or a local congregation, or  
17 some committee or commission, is purely and exclusively moral and spiritual.

18  
19 *What is unique about the polity of the PCA, in our judgment, consists of the provisions adopted*  
20 *to maintain that polity.* The Book of Church Order, in describing the polity adopted by the  
21 PCA, clearly sets forth and makes it clear that the church courts have only moral and spiritual  
22 powers. Their administrative and declaratory powers are moral and spiritual. In any attempt  
23 by a church court to exercise administrative or declarative powers over any other church court,  
24 it must be remembered and recognized that their statements, their “declarations” and any other  
25 directive can only be given in the exercise of these moral and spiritual powers. Accordingly,  
26 it is essential that this be made clear in every instance. *No church court has the authority or*  
27 *power to call upon any civil authority to enforce upon a lower court any directive of the higher*  
28 *church court and no church court should pretend to use language that would indicate that it*  
29 *has such power.*

30  
31 Another “unique” provision in Chapter 25 is the recognition of the fact that the PCA was  
32 created by congregations that had been organized and existed for years. These congregations  
33 bound themselves together in the PCA in a relationship which is voluntary, based upon mutual  
34 love and confidence, and in no sense to be maintained by the exercise of any force or coercion.

35  
36 In our opinion, if the provisions of the BCO are changed or interpreted so as to limit or destroy  
37 the control of the congregation over its internal affairs then the basic polity of the PCA will  
38 have been changed. We submit that any such change or interpretation must be resisted. The  
39 “power,” as such, must remain in the local congregations and they must be challenged to  
40 assume the responsibilities that go with that “power.”

41  
42 We believe that the following language sets forth the proper interpretation of PCA polity:

- 43  
44 a. The power of a session of a local church, a presbytery and the General Assembly  
45 when acting as a church court is only ministerial and declarative but when acting

1 through its civil entity they have access to the civil powers of the State to the extent  
2 necessary for their protection and security. No presbytery has any coercive or civil  
3 power over any session or local church and it should never act as if or pretend that  
4 it has such power. Likewise, the General Assembly has no coercive or civil power  
5 over any presbytery, and it should never act as if or pretend that it has such power.  
6 See Appendix 13 for a chart demonstrating this principle.  
7 b. Church courts should be mindful of the fact that even though no other church court  
8 has any civil power over it and therefore they cannot be forced into complying  
9 with some provision in the Book of Church Order, Rules of Discipline or the  
10 Directory for Worship, the content of these documents has been adopted by the  
11 denomination for the guidance, instruction and use of its members and should be  
12 observed as near as circumstances will allow and Christian prudence direct.

13  
14  
15 *Adopted by the Rocky Mountain Presbytery at its stated meeting, April 23, 2026*  
16 *Attested by /s/ TE Del Farris, Stated Clerk*