

1 **OVERTURE 18** from Louisiana Presbytery

(to OC, CCB)

2 “Require Presbytery Vote on *BCO* 59-1, 59-6”

3
4 **WHEREAS:**

- 5
6 1. The 2009 General Assembly (GA) purported to amend Ch. 59 of the *BCO* to
7 allow freedom of conscience to pastors.
8 2. The amendments added conscience clauses, to the effect that civil laws relating to
9 marriage be obeyed only as long as they do not violate the laws of God.
10 3. There was a concern at the 2009 GA that with gay marriage becoming legal in
11 several states, PCA pastors might be sued if they refused to perform such
12 marriages.
13 4. The amendments in question were thought to give these pastors some protection
14 in court by allowing them to say our *BCO* gives them the liberty of conscience to
15 decline to perform such marriages.
16 5. The proponents of this overture supported the amendments, and believe they
17 serve good purposes, but feel they were adopted in violation of the PCA’s
18 Constitutional-change provisions.
19 6. The 2009 moderator ruled that he could just declare the *BCO* amended without
20 any presbyteries consenting. The majority on the floor in 2009 wanted these
21 amendments passed right away regardless of any Constitutional requirement to
22 have 2/3rds of the presbyteries approve it. They supported the moderator’s illegal
23 decision.
24 7. There was an explanation put forth that Ch. 59 was not “constitutional,” and
25 therefore did not require the 2/3 presbyteries approval. That is patently not the
26 case. The constitution is expressly defined to include the entire *BCO*.
27 8. It was bad precedent. It can and should be corrected. Otherwise, just forget the
28 Constitution, and say any GA can do whatever a majority wants.
29 9. It could be corrected this way: Keep it all constitutional as it currently is, and
30 belatedly submit the amendments to the presbyteries for, presumably, 2/3 of them
31 to approve it.
32

33 **NOW, THEREFORE, BE IT RESOLVED**

34 Make a declaration that the 2009 General Assembly’s amendments to Ch. 59,
35 without submission for advice and consent of two-thirds (2/3) of the Presbyteries, as
36 required by Ch. 26-2 (2), was done improperly or improvidently, and that those 2009
37 amendments to Ch. 59 be forthwith submitted to the Presbyteries for their advice and
38 consent.
39

40 *Adopted by Louisiana Presbytery at its stated meeting, April 17, 2010.*

41 *Attested by /s/ TE James A. Jones, Jr., stated clerk*