

Item

The General Assembly Committee on Ecumenical Relations recommends that the 219th General Assembly (2010) approve the following:

1. Affirm that
 - a. the Presbyterian Church (U.S.A.) is in correspondence with the Evangelical Presbyterian Church, by virtue of our common membership in the World Alliance of Reformed Churches;
 - b. our common membership in the World Alliance of Reformed Churches is a visible sign of our oneness in Jesus Christ; and
 - c. as members of the body of Christ, we are all called to treat one another as followers of Jesus Christ.
2. Request the World Alliance of Reformed Churches to create guidelines offering basic protocols for interactions and behaviors between its member denominations.
3. Call the Presbyterian Church (U.S.A.) to
 - a. confess to the rich tradition of freedom of conscience that we claim as Reformed, Presbyterian Christians, and
 - b. recognize that this same tradition causes us to be prone to separation, demonization of those with whom we disagree, and a captivity to insistence on our own rightness.
4. Invite the Evangelical Presbyterian Church to enter into such a season of confession with us.
5. Acknowledge the unique complexity of the relationship between the Presbyterian Church (U.S.A.) and the Evangelical Presbyterian Church, given the fact that the ecclesial roots of many churches, members, and ministers now in the Evangelical Presbyterian Church lie in the Presbyterian Church (U.S.A.) and its antecedent denominations.
6. Invite the General Assembly of the Evangelical Presbyterian Church to engage in bilateral dialogue concerning various dimensions of the relationships between the two denominations and its member churches, members, and ministers; and that a report from this dialogue be made to the 222nd General Assembly (2016), with an interim report made to the 221st General Assembly (2014).
7. Direct the Office of the General Assembly to develop resources to support presbyteries with congregations and/or ministers engaged in a process of discernment or undergoing the process of dismissal, in light of denominational learnings in the recent past.
8. Acknowledge the deep pain caused by the experiences of congregations departing or going through schism and of ministers departing, and call upon synods to consider developing care teams to listen to people's stories, thereby enabling healing, with presbyteries also urged to extend extra care during such vulnerable times of congregational and presbytery life.
9. Encourage presbyteries, congregations, and individual families who experience the pain of separation to recognize that there is more than one way to understand the same event and to pray for one another through our shared faith in Jesus Christ.

Rationale

These recommendations are in response to the following referral: 2008 Referral: Item 07-03. *On Investigating the Actions and Conduct of the Evangelical Presbyterian Church—From the Presbytery of Peace River (Minutes, 2008, Part I, pp. 512–13).*

I. Preface

This report comes in response to an overture from the Presbytery of Peace River to the 218th General Assembly (2008) of the PC(USA) that would have asked the World Alliance of Reformed Churches (WARC) to investigate the role of the Evangelical Presbyterian Church (EPC) in persuading PC(USA) congregations to disaffiliate from the PC(USA) and be dismissed to the EPC. The assembly referred the overture to the General Assembly Committee on Ecumenical Relations, which appointed a task group to make recommendations.

The task group met with presbyteries in which congregations had departed the PC(USA), with pastors and members of congregations who had departed or were considering departing the PC(USA) including those affiliated with the New Wineskins Association of Churches, and with leadership of the Evangelical Presbyterian Church. In listening to people's stories and in reviewing documents, the task group sought to distinguish between actions of Evangelical Presbyterian Church, and actions of the New Wineskins Association (which consists of PC(USA) pastors and members, as well as former PC(USA) pastors and members who are now affiliated with the EPC).

The distinction is important in that the actions of the New Wineskins members can be considered matters internal to the PC(USA), at least at their root. Actions of the EPC, on the other hand, are matters between churches—churches that are both members of WARC. It is this latter category that is the focus of the original overture. The report that follows presents the findings of the task group regarding activities that are internal and external to the PC(USA), and presents recommendations on how the PC(USA) should move forward in its relations with the EPC.

II. Introduction

The 218th General Assembly (2008) received the following overture from the Presbytery of Peace River:

The Presbytery of Peace River respectfully overtures the 218th General Assembly (2008) of the Presbyterian Church (U.S.A.) to request the Executive Office of the World Alliance of Reformed Churches to investigate the actions and conduct of the Evangelical Presbyterian Church, as described below, and to take appropriate action.

Rationale

The Presbyterian Church (U.S.A.) is in correspondence with the Evangelical Presbyterian Church (EPC) because both denominations are members of the World Alliance of Reformed Churches (WARC).

The Evangelical Presbyterian Church is actively pursuing a strategy to persuade Presbyterian Church (U.S.A.) churches to disaffiliate with the Presbyterian Church (U.S.A.) and be dismissed to the Evangelical Presbyterian Church.

The Evangelical Presbyterian Church has created a transitional presbytery to facilitate the process. (*Minutes*, 2008, Part I, p. 512)

The overture received the concurrence of the Presbytery of Minnesota Valleys.

The overture was referred to the General Assembly Committee on Ecumenical Relations. The General Assembly Committee on Ecumenical Relations (GACER), a permanent committee of the assembly, advised that the 218th General Assembly (2008) refer the overture to GACER with the following rationale:

The General Assembly Committee on Ecumenical Relations is charged with the responsibilities to act on and process recommendations and proposals addressing ecclesiastical ecumenical work of the Presbyterian Church (U.S.A.) and to give guidance to the nurturing of unity among Presbyterian and Reformed churches in the U.S.A., with one another and with the Presbyterian Church (U.S.A.). In addition, the General Assembly Committee on Ecumenical Relations seeks to work with our ecumenical agencies in addressing issues of mutual concern.

Item 07-03 raises significant issues about our ecclesiastical relationships with another Reformed Church and implications for our ecumenical relationships. Referral of Item 07-03 to the General Assembly Committee on Ecumenical Relations would allow them to carry out their responsibilities both with another Reformed church and the World Alliance of Reformed Churches. (*Minutes*, 2008, Part I, p. 513)

The General Assembly Committee on Ecumenical and Interfaith Relations concurred with the advice of GACER to refer the matter to GACER on a vote of 53 yes, one no, and one abstention. The 218th General Assembly (2008) approved the committee's recommendation to refer the matter to GACER on a voice vote.

The GACER determined the need for more information about what was happening and had happened in the affected presbyteries and congregations with regard to the EPC and thus formed a task group to listen to the parties and to formulate recommendations for the committee's consideration based on what they heard.

The task group included: the Reverend Krystin Granberg (Presbytery of New York City), chair and a member of GACER; Elder Ed Chan (Presbytery of Pacific), a former member and past chair of GACER; the Reverend Terry Epling (Presbytery of Giddings-Lovejoy); the Reverend John Goodman (Presbytery of Coastal Carolina); the Reverend Joy Kaufmann (Presbytery of Huntingdon); and the Reverend Jeff Vamos (Presbytery of New Brunswick). The Reverend George Wilkes (Presbytery of Foothills) served January–April 2009, the Reverend Eugene Turner (Presbytery of Cayuga-Syracuse) served from January–June 2009.

The Reverend Robina Winbush, Associate Stated Clerk and director of the Department of Agency and Ecumenical Relations for the Office of the General Assembly, served as staff to the group.

III. The Process

The task group first met in January 2009. It reviewed information about those presbyteries that had experienced the loss of congregations to the EPC and outlined the following process for its work:

1. Identify which presbyteries to visit from among those that had congregations that had been or were in the process of being dismissed to the EPC.
2. Schedule visits to these presbyteries—Eastminster, North Alabama, Peace River, Pittsburgh, Redstone, Sacramento, South Louisiana, Wabash Valley, and Western North Carolina.
3. Conduct visits in teams of two task group members and attempt to meet face-to-face for interviews with
 - presbytery officers and staff (stated clerk, executive/general presbyter, moderator, etc.);
 - other presbytery leaders involved, as possible (council members, trustees, committee on ministry members, etc.);
 - persons affiliated with the PC(USA) and who were members of congregations that were dismissed to or joined the EPC or that are considering leaving the PC(USA);
 - pastors, leaders, and members of congregations that have been dismissed to or joined the EPC, are seeking dismissal, or are considering leaving the PC(USA).
4. Report to the whole group findings from each of the presbyteries visited.
5. Meet with leadership of the EPC to hear their perspectives and experiences regarding church relations with the PC(USA);
6. Report to GACER with observations and recommendations related to the task group’s assignment.

Between March and August of 2009, teams from the task group made visits and conducted interviews in the nine presbyteries identified and reported on these visits and interviews to the full task group.

On January 15, 2010, the task group met with four EPC leaders who had been designated for such a meeting by the Reverend Dr. Jeffrey J. Jeremiah, EPC Stated Clerk.

IV. Glossary of Terms

“*Article 13*”—Article 13 of the “Articles of Agreement,” (Appendix B of *The Book of Order*), which, at the time of reunion in 1983, provided a specific timeframe of eight years and rubrics within which congregations from the former Presbyterian Church in the United States could be dismissed from the PC(USA). It offered the possibility for a congregation to take its property with it as it was dismissed.

New Wineskins: A Time for Every Purpose Under Heaven—The document produced by the New Wineskins “Strategy Team” of nine persons (eight of whom have now left the PC(USA) for the EPC) giving options for how congregations might respond “faithfully” when they disagreed with various positions taken by PC(USA) General Assembly. The options included remaining as PC(USA) congregations as well as guidance about how to depart from the PC(USA), including advice on departing unilaterally. This publication was adopted at the New Wineskins convocation in 2007.

“*Chapter 8/The Trust Clause*”—A brief term that references the section of Chapter 8 in the PC(USA) *Book of Order* that has to do with property matters, also referred to as the “Trust Clause” in our Constitution. It describes how, given PC(USA) covenantal theology, the polity reflects that theology. Congregational buildings and other real property represent mission outposts, and therefore are held in trust by and on behalf of the denomination.

Loyalist—This term is used in this document, without association of positive or negative value, to refer to congregational members or ministers intending to remain in the PC(USA).

Disaffiliate—Departure from the PC(USA) by a congregation, usually operating unilaterally, without the advice and consent of the presbytery of which it was a member congregation.

“The Louisville Papers”—In response to requests from presbyteries facing congregations who wished to leave the PC(USA), denominational staff prepared two documents providing ecclesiastical and legal guidance.

- “Church Property Disputes: A Resource for Those Representing PC(USA) Presbyteries and True Churches in the Civil Courts”—This document was considered privileged and confidential attorney work communication.
- “Processes for Use by Presbyteries in Responding to Congregations Seeking to Withdraw”—This document was not marked by denominational staff as confidential. However, subsequent copies of the document appearing in New Wineskins and Presbyterian Lay Committee material bore “privileged and confidential” markings.

These documents outlined a range of possible options and strategies that presbyteries might consider. The documents were subsequently referred to as “The Louisville Papers” by critics of these documents, including the New Wineskins Strategy Team and The Presbyterian Lay Committee.

V. History

The focus of the task group was to listen and ascertain facts around the experiences of those involved with congregations and pastors wishing to leave the PC(USA). These facts provide the context for the report.

1. *The EPC and PC(USA)—Early History*

The histories of the EPC (with its organizing General Assembly in 1981) and the PC(USA) (with its organizing General Assembly in 1983) are deeply woven together, particularly since a large number of the congregations and ministers making up the EPC in its formative years had previously been a part of the PC(USA) or its predecessor bodies. Both the EPC and the PC(USA) lay claim to deep roots within the Presbyterian and Reformed traditions of the larger Christian family tree. Beginning with the reunion that created the PC(USA) in 1983, a process was in place for eight years whereby congregations could leave the PC(USA) with property; many such congregations left, and contributed to the early expansion of the EPC. This process, provided for in “Article 13” of the *Articles of Agreement* (see Glossary), remains a living memory. Further, despite occasional tension between the two denominations, the EPC and PC(USA) generally were able to maintain relatively cordial working relations up through the early part of the 2000s.

2. *The PC(USA) New Wineskins Initiative—Beginnings*

The New Wineskins Initiative began in 2003 by six ministers who were becoming dissatisfied with what they referred to as the “direction” of the PC(USA). At six-month intervals, these PC(USA) pastors met, adding to their number. Anticipating the 216th General Assembly (2004) of the PC(USA), this group began work on a vision statement of what a Reformed and Presbyterian denomination could and should look like according to their opinion. Missional theology, which was gaining popularity, provided a framework for their vision.

3. *The EPC in the Early Twenty-First Century*

As noted above, the EPC was initially comprised of congregations that had been determined not to be connected with the newly reunited PC(USA). From those beginnings, however, the EPC was determined to grow by planting new congregations.

The EPC had developed a denominational understanding of property that is substantively different from the understanding in the PC(USA). The EPC and its leadership see no reason for holding onto congregations, ministers, or real property if those assets will help those persons to be more effective in their mission. In this area, the EPC’s ecclesiology differs significantly from the PC(USA)’s.

4. *The New Wineskins Initiative Evolves*

By June of 2005, the New Wineskins movement held a “New Wineskins Convocation” in Edina, Minnesota. The vision statement crafted in 2003 led to a structural design, with working groups formed to craft a statement of faith essentials, a declaration of ethical imperatives, a preliminary version of a new constitution with which to

replace the PC(USA) *Book of Order*. The PC(USA) ministers and sessions on behalf of congregations could sign on to the faith essentials and ethical imperatives and thus become New Wineskins adherents.

At the 2006 New Wineskins convocation in Tulsa, Oklahoma, practical issues around property and money came to the fore. Members of the New Wineskins Initiative pondered what leaving the PC(USA) might entail. A nine-member team was assembled to work on a transitional guide as a means to support congregations as they sought to exit from the PC(USA). They issued *New Wineskins: A Time for Every Purpose Under Heaven* (see Glossary) as a report early in 2007.

Also at its 2006 convocation, the New Wineskins Initiative voted to become The New Wineskins Association of Churches, an “umbrella organization” that enabled members of other non PC(USA) communions to affiliate with it. This also enabled former PC(USA) leaders who had become EPC to continue to participate.

5. *Reaction Within the PC(USA)*

By 2004–2005, many in the PC(USA) had taken notice of The New Wineskins Initiative and how it was becoming a vehicle for encouraging congregations to depart the denomination. Such developments engendered several reactions within the PC(USA): concern for the mission of the whole church as lived out in local communities; concern over the potential departure of large congregations with large numbers of members; concern about possible property implications; and concern for ruptured relationships within presbyteries.

The property trust provision (see Glossary), a historical tenet of the PC(USA) that bespeaks its connectional identity as a covenantal community, ran counter to the emerging New Wineskins and EPC understanding of property. In the PC(USA), every congregation is understood to be a mission outpost of the denomination. Should any congregation cease to exist, the property devolves back to the denomination through the presbytery, and the property would be used to further the mission of the PC(USA) in the local area. The EPC’s contrasting understanding of property ownership is thus stated, “The particular church has ownership of its own property. It may buy, sell, lease, rent or otherwise determine the use of its property....” (EPC *Book of Order*, Sec. 7-4).

6. *Conversations Between the EPC and the New Wineskins Initiative Leaders*

As members of the New Wineskins Initiative within the PC(USA) were casting about for ways to encourage more missional congregations and were expressing increasing disapproval of the PC(USA), an informal conversation between a minister within the New Wineskins Initiative and an elder within the EPC occurred. This led to conversations between other leaders within the EPC and the New Wineskins Initiative.

At the same time, the EPC had entered into conversations among its leaders for some months in the early twenty-first century about how to structure a “missional” denomination, just as the New Wineskins adherents were also entering into similar conversation about how to live out a missional identity. The EPC went so far as to vote one of its geographic presbyteries as a “missional presbytery.” Additionally, with increasing numbers of the New Wineskins Initiative inquiring about becoming EPC, leaders in the EPC wondered how they could handle an influx of possibly 200+ congregations into their modest-sized denomination of approximately 185 congregations. They began to explore different ideas.

The EPC Stated Clerk Jeffery J. Jeremiah, in a December 20, 2006, letter to all the EPC congregations, referenced two specific decisions of the 2006 PC(USA) General Assembly as a “result (of which) many churches and pastors who identify themselves as Bible-believing evangelicals are looking to depart from the PCUSA. ... I believe that in this point in our history, God has strategically placed the EPC to respond to the opportunity these changes represent. We are unapologetically confessional and reformed in a moderate way. We are not ‘loosey goosey’ in our theology, nor do we beat each other over the head over disagreements on the finer points of our theology. ... Two ways we are taking advantage of this opportunity are (1) the transitional presbytery proposal our leadership has been developing since September, and (2) our conversations with the leadership of the New Wineskins. ... The transitional presbytery (or presbyteries—we may need more than one) if approved at our 2007 General Assembly, will allow churches interested in coming into the EPC to find a safe haven outside their current denomination as quickly and as easily as possible. ... [Rev. Dr. Jeremiah then references several EPC leaders meeting with New Wineskins leadership.] ... Because of the hostile environment evangelical pastors and churches currently face in the PCUSA, at their request we cannot divulge much information about that meeting at this time. ...” (see: Appendix A, which can be found as an attachment, gacer-rec-re-epc-appendix-a-message-from-sceffjeremiah.pdf).

The stage was set for creation of the New Wineskins Transitional Presbytery.

7. *Creation of the New Wineskins Transitional Presbytery of the EPC*

At its General Assembly in 2007, the EPC voted to create the New Wineskins Transitional Presbytery, a nongeographic, transitional presbytery, effective upon the adjournment of that assembly and with an ending date of June 30, 2012. The purpose of the New Wineskins Transitional Presbytery, as stated in public documents, was to make smooth the departure of congregations that wanted to leave the PC(USA) in order to be received by the EPC. The creation of this presbytery allowed congregations to gain membership in the EPC provisionally. While in this provisional status, the EPC would have opportunity to assess whether the congregation or minister is an appropriate fit for full EPC membership in a geographic presbytery. Thus the geographic EPC presbyteries and their congregations were protected culturally from a large influx of congregations and ministers who might have changed the EPC in a substantial way. And the new congregations and ministers were given the means to sort out what direction to take: either stay at the end of the five-year transitional period and join “regular” geographic presbyteries, or be dismissed.

It should be noted that, although the stated purpose of the New Wineskins Transitional Presbytery was to facilitate the receiving of the disaffected PC(USA) congregations, according to the EPC leaders interviewed by the task group, the EPC did not actively solicit congregations and ministers to join the EPC.

Dismissing congregations to a nongeographic, transitional presbytery of the EPC presented problems for the PC(USA) presbyteries, since PC(USA) polity does not allow dismissing a congregation to independence, nor to a nongeographic presbytery (see VI.3.d below). As noted in VI.3.e, this became an issue when agreement to dismiss to a geographic presbytery of the EPC was not honored by the EPC in certain instances.

8. *Deterioration of the PC(USA)/EPC Relationship*

Inasmuch as some were beginning to name the New Wineskins Initiative a “schismatic movement” within the PC(USA), the creation of an ecclesial body within the EPC whose very purpose and name seemed to aim at absorbing PC(USA) New Wineskins congregations and pastors created a chilling in the relationship between the two denominations. This tension is evidenced by correspondence between the Stated Clerks, Michael Glodo and Jeffrey Jeremiah, of the EPC, and Clifton Kirkpatrick, Stated Clerk of the PC(USA) (see: Appendix B, which can be found as an attachment, [gacer-rec-re-epc-appendix-b-letters-between-epc-stated-clerks-and-pcusa-stated-clerk.pdf](#)).

VI. The Findings

The task group offers the following findings of fact, themes, and observations, which the task group gleaned from the listening process and site visits, as outlined Section II above. The task group’s conversations with those involved in situations where congregations and pastors departed (or attempted to) revealed varying degrees of conflict, disagreement, misunderstanding, pain, confusion, and, in some cases, grace.

In large measure, the conflict involved leaders affiliated with the New Wineskins Initiative (NWI)/New Wineskins Association of Churches(NWAC), loyalists (see Glossary) wishing to remain PC(USA), while EPC leaders also occasionally entered the scene. Since the NWI/NWAC and the EPC were and are so closely aligned, as noted above, full detail of how these situations unfolded “on the ground” is offered here.

1. *Three main strategies for leaving:* The task group’s visits revealed that congregations desiring to leave generally used one of three strategies. These three strategies are outlined in the Strategy Team report, *New Wineskins: A Time for Every Season Under Heaven*. This book served as a “playbook” for congregations desiring to leave. The suggested strategies are, essentially,

- a. negotiate with the presbytery,
- b. negotiate with the presbytery, but also use civil legal process, or
- c. just walk away (also termed “disaffiliation”; see Glossary).

2. *Nature of conversations within congregations about separating from the PC(USA).* Congregations desiring to explore leaving the denomination usually followed a process of congregational conversation and prayer, generally called “a season of discernment.” Following are some themes and trends the task group encountered in regard to these conversations.

a. The NWI/NWAC often had pastors or elders who provided resources for the congregation. Either through persons, web, or print materials, congregations received resources, many coming from NWI/NWAC, critiquing the PC(USA) and praising the EPC.

b. In some cases, in addition to NWI/NWAC materials, The Presbyterian Lay Committee provided resources or representatives.

c. There were several instances when representatives of the EPC or representatives of NWI/NWAC who were technically still members of the PC(USA) (but were clearly on the “departure track”) were invited in to speak to the congregation.

d. The PC(USA) presbytery representatives involved in these conversations often felt they were “not on a level playing field.” Typically, they were invited to speak as part of a series of speakers in which they were the only presenters representing the PC(USA)’s perspective and interests, while the vast majority of time was devoted to other presenters who spoke against the PC(USA) (and often for the EPC.)

e. In congregations where a significant PC(USA) group within the congregation organized to advocate for remaining in the PC(USA), this group also felt that the conversation was one-sided, and most felt there was, to some degree, manipulation of facts—in some cases over years—aimed at an exit from the PC(USA). In many cases, frustration was expressed over how the pastor or other leaders allowed only one story to be told, and used the “power of the pulpit” on a regular basis to frame the issues and advocate for an obvious outcome that the pastor or other key leaders desired.

f. Several loyalist groups cited also the book *Steeplejacking*, by Sheldon Culver and John Dorhauer, which outlines the means by which outside groups are able to “infiltrate” and lead a congregation out of a given denomination. They found this book useful to explain the painful phenomenon they had experienced.

g. Most PC(USA) presbytery representatives were aware of the use of a chart found in *New Wineskins Initiative: A Time for Every Purpose Under Heaven*, p. 14, Copyright 2007 New Wineskins Initiative, available at www.newwineskinsassociation.com/documents/Strategy_Team_Report_book_format.pdf (see Appendix C, which can be found as an attachment, gacer-rec-re-epc-appendix-c-comparison-pcusa-nwac.pdf) they believed untruthfully, or over simplistically, compared the PC(USA) with the EPC, and unfairly created the impression of theological unfaithfulness on the part of the PC(USA). These presbytery representatives often believed that “Louisville,” the General Assembly, and sometimes their presbytery had been “unfairly demonized.” These actions created further distrust in situations that were often already tense.

h. When a series of discernment conversations had been held with speakers from various perspectives, invariably the EPC/New Wineskins representatives or pastors committed to leaving the PC(USA) articulated that the processes had been fair, in contrast to PC(USA) leaders and loyalist groups who clearly felt the opposite.

i. Conversations with pastors who have departed the PC(USA) for the EPC generally indicated their understanding that they sought to provide adequate “space” for those wanting to stay in the PC(USA). In many cases, they felt they also provided means and encouragement for those desiring to remain PC(USA).

j. In several cases, both New Wineskins representatives now in the EPC as well as PC(USA) representatives said that when presbytery processes were followed, the outcomes were better than if a congregation entered into litigation against the PC(USA) presbytery. In every instance where the civil courts were involved, representatives of both New Wineskins and loyalist PC(USA) leaders said it became extremely painful.

k. When congregations became quite serious about departing from the PC(USA), the presbytery often required a particularly careful voting process. In every instance, the task group learned, the voting processes were scrupulously detailed and fairly carried out. Such instances generally occurred when an ecclesiological process was followed.

l. There was no evidence that the EPC took the initiative in entering PC(USA) congregations to speak against the PC(USA), for the EPC, or about affiliation with the EPC. However, there was ample evidence that when invited by a session or pastor, EPC representatives went in without consultation with the appropriate judicatory within the PC(USA) and spoke freely.

3. *Observations about relations between PC(USA) leaders and EPC leaders in local situations involving departing congregations.* Differing understandings of ecclesiology, as noted above, also played out at the local level. Often, these differences in assumptions led to very different interpretations of what the actions of the

various parties involved meant. The same stories were heard from representatives from all perspectives, but the interpretation of events varied with the person's ecclesial perspective.

a. In various conversations with PC(USA) presbytery representatives, their expectation that normal, standard ecumenical courtesy would be extended by local or national EPC judicatory leaders was repeatedly frustrated.

b. There were instances of PC(USA) stated clerks from presbyteries attempting to contact their counterparts in the EPC, and return contact was not made in a timely fashion.

c. Further, there was evidence that the interference of one denomination in the other denomination's affairs had a deleterious effect on the conversation between the PC(USA) presbyteries and the congregations involved.

d. There were consistent instances of misunderstanding between local EPC and PC(USA) leaders about their respective ecclesiology regarding dismissal of congregations by the PC(USA) and the reception of congregations by the EPC. As noted above, the differences in each others' assumptions about how the two communions ought to behave toward one another provided fertile ground for such misunderstanding—namely, the fact that PC(USA) polity does not have a specific process for dismissal, and does not include a provision for a presbytery to dismiss a congregation to either independence or a temporary judicatory.

e. In some instances, PC(USA) presbyteries negotiated settlements with departing congregations that stipulated that the congregation would be dismissed to a geographic presbytery in the EPC. In several cases, the dismissing PC(USA) presbytery later discovered that the congregation had, in fact, been received into the EPC transitional presbytery.

f. Instances were observed of PC(USA) pastors, who were about to be disciplined by their presbyteries for their actions, transferring into the EPC by renouncing jurisdiction of the PC(USA) and then being easily received into EPC membership. In no instance were the PC(USA) presbyteries consulted as to the circumstances of the pastors' departure. In every instance, the former PC(USA) pastor's version of the story was believed without question or investigation by the EPC. More often than not, no reference check of any sort was conducted by the EPC officials with their PC(USA) peers.

g. There were instances of PC(USA) congregations declaring themselves "disaffiliated" (see Glossary) from their "voluntary affiliation" with the PC(USA), and thus declaring themselves independent congregations. This action is not provided for in the Constitution of the PC(USA). Nevertheless, the EPC received these congregations as if they were independent churches.

h. The tension resulting from the situations outlined above often resulted in a great deal of bitterness, and difficulty for parties to relate to each other as Christian brothers and sisters.

4. *How PC(USA) presbyteries dealt with departing congregations.* The following section describes findings that for the most part involved the actions of PC(USA) leaders as they dealt with leaving congregations. They are offered to the extent they shed light on the larger process and context, described above, involving the relationship between the EPC and the PC(USA).

a. Presbyteries in most cases struggled to deal with these situations as they arose and often felt caught off guard, especially in circumstances that involved multiple congregations leaving at the same time.

b. The size of the congregation was often a driving factor in the approach to discussions and the process for departure. Smaller congregations with fewer human and real property assets were often more easily resolved. In other cases, especially when the congregation was larger, the presbyteries recognized the need to be immediately engaged, and the situation often led to civil litigation, resulting in very large costs—emotionally and financially—for all involved.

c. In general, those congregations that followed an ecclesiastical process (option "a" and to a lesser extent, option "b") fared better. Although it depends upon the state, courts generally have sided with the PC(USA)'s understanding of Chapter 8, Sections G-8.0200, G-8.0300, and G-8.0400 (see Glossary). In some cases, departing congregations relying on a legal strategy alone or in concert with an ecclesiastical one, lost additional money or property, and would have been much better off without civil action. Situations that involved a higher degree of trust and communication usually resulted in a negotiated settlement with which all parties could live and still feel respect for one another. Some of these situations even seemed to result in what was perceived by many as a "grace-filled" process.

d. In those situations where matters went to civil court (options “b” and in many cases, option “c”, from the *New Wineskins: A Time for Every Purpose Under Heaven* strategy book), the time, energy, and money expended on both sides was enormous. Some New Wineskins leaders who sought membership in the EPC expressed that if they had it to do again, they would likely follow an ecclesiastical process with the presbytery. Likewise, the presbyteries that had to respond to civil action, or that chose to initiate it, regretted the court costs and intervention into the life and work of the presbytery. Court proceedings were universally perceived as draining of the financial and other resources of the presbytery. Also, what trust might have been present prior to legal proceedings was often ruptured once those proceedings began.

e. Presbyteries tended to deal on a case-by-case basis with each process, as each presbytery bears responsibility for the care and oversight of all the congregations and ministers in its membership. The situations in the presbyteries were often highly dynamic, so presbyteries often felt like they were dealing “on the fly” with negotiations and legal matters for which they were unprepared and lacked capacity, both human and financial. Often presbyteries were less than agile in their ability to negotiate, sometimes on account of their own PC(USA) structures or processes they have developed to provide oversight.

f. Denominational staff prepared two documents, “Church Property Disputes: A Resource for Those Representing Presbyterian Church (U.S.A.) Presbyteries and True Churches in the Civil Courts,” and “Processes for Use by Presbyteries in Responding to Congregations Seeking to Withdraw,” which provided ecclesiastical and legal guidance to presbyteries. These documents were subsequently dubbed “The Louisville Papers” (see Glossary). The documents outline a range of possible options and strategies that presbyteries might consider, ranging from arranging for listening teams, to appointing an administrative commission; and from freezing of assets (particularly in congregations that are divided), to releasing the property, if doing so would “advance the mission and government of the church.”

g. Legal actions taken between congregations and presbyteries tended to make communication between parties tense and difficult. Departing congregations often cited their fears that PC(USA) presbyteries would “come and padlock our doors” as their reason for taking preemptive legal action in the form of a restraining order against the presbytery, in spite of presbyteries stating they had no intention of doing so. It should also be noted that taking legal action before even approaching presbytery, as a way to assert congregational ownership of property, is one of the options presented in The New Wineskins Strategy Team Report, “*New Wineskins: A Time for Every Purpose Under Heaven*” and *A Guide to Church Property Law: Theological, Constitutional and Practical Considerations* by L. Lunceford, both of which were often used by departing congregations.

h. Presbyteries often tried to delegate work to small groups, but sometimes then overrode the work of the small groups. This added to the frustration for all involved, especially for the session and pastor of the departing congregation.

i. When the parties acted under different theological and ecclesial frameworks, it created an impasse in mutual understanding. Presbyters who thought they were loyally upholding the Constitution of the PC(USA) often felt they were viewed by those seeking to depart as “punitive and retributive.” On the other hand, those seeking to leave for matters of conscience often felt there was a “hostile environment” among their colleagues.

j. The PC(USA) presbytery leaders and members often expressed anger and disappointment that those seeking to leave were “breaking their ordination vows.” The PC(USA) loyalists appeared to have in mind the vow to be, “... governed by our church’s polity,” and to “abide by its discipline ... [to] be a friend among your colleagues in ministry, working with them, subject to the ordering of God’s Word and Spirit” (PC(USA) *Book of Order*, W-4.4003e).

k. In some cases, PC(USA) presbyters claimed that pastors wishing to leave the denomination had broken a clear promise not to lead their congregation out of the denomination.

l. On the other hand, those leaving defended themselves against the charge that they were violating their ordination vows by claiming that “I haven’t left the denomination. The denomination has left me.” This line is found in *New Wineskins: A Time for Every Purpose Under Heaven*. They claimed the theological center of the PC(USA) that governed their original vow had shifted such that their conscience allowed them to be released from their original vow. This statement and line of logic is also noted in the book, *Steeplejacking*, cited above, as having been in frequent use in similar situations occurring within other denominations.

5. *Theological differences and the desire for theological clarity:* The task group’s findings in local situations regarding a desire for “theological clarity” mirrored the language of the New Wineskins Initiative’s national spokespersons. Two EPC pastors interviewed expressed great relief now that they are in a denomination where

the theological parameters are clear and nonnegotiable on the topics of ordination standards, the authority of Scripture, and Christology.

a. The task group noted one significant area of theological incompatibility—at least in some instances—between the EPC and NWI/NWAC leaders. Some NWI/NWAC leaders expressed to the task group that disallowing women’s ordination was “a deal breaker” for them. Some congregations leaving for the EPC seemed not to fully understand that the EPC has a “local option” for women’s ordination—that is, each presbytery can decide such a question in the case of ministers, and the congregation can decide in the case of elders and deacons. Their conversations on the topic have moved the EPC to create a task force to consider “Women’s Ministry.”

b. During the task group’s visits, the issue that garnered the most theological—and legal—disagreement was that of the PC(USA)’s property trust provision in Chapter 8 of the *Book of Order*. What was debated among the NWI/NWAC’s national leadership played out “on the ground” in local congregations regarding property. Those desiring to leave saw this as a violation of their conscience, and their understanding of the nature of the church. The PC(USA) loyalists defended the ownership of property under the trust provision as biblical and held in Presbyterianism long before the explicit *Book of Order* clause.¹ The different ecclesial understandings of the two denominations led to disagreement not only around ordination standards, property, and theology, but also around the meaning of congregational independence and connectionalism/congregationalism.

6. *Leadership of the New Wineskins Initiative/Association and the EPC Intertwined*

The leadership of the EPC and New Wineskins had become, to some extent, intertwined. New Wineskins pastors, sometimes before and sometimes *after* they made the move into EPC membership, were willing to speak in PC(USA) congregations that had invited them as part of their conversation over whether to depart from the PC(USA). On a few occasions, other leaders from within the EPC were also willing to speak to PC(USA) congregations, when a session had invited them in, often showing the PC(USA) in a less than flattering light.

7. *Ecumenical Etiquette*

The task group observed that normal ecumenical etiquette that dictates courtesies and behaviors between communions was not followed in the following ways. In addition to such violations of ecumenical courtesy that were observed “on the ground,” already noted above in IV.2.1. and IV.3.a., there was no conversation between the EPC and the PC(USA), by stated clerks or at the level of national leadership, around the creation of the “New Wineskins Transitional Presbytery.”

8. *Questions About the Future*

Leaders within the EPC indicated they are unsure of what the long-term impact of PC(USA) congregations affiliating with the EPC will be. These leaders indicated that approximately forty-six churches have been received into geographic EPC presbyteries and a like number into the transitional presbytery, with future projections of numbers being unknown.

VII. Theological and Biblical Reflection

The task group sought to be guided by biblical and theological understandings of the unity of the church.

At the core of Presbyterian theology and polity is the claim that Christ alone is head of the Church; it is Christ who calls the church into existence. The authority of the church is not based on tradition or any human council, but on conformity to the Word of God alone, with the marks of the true church being the gospel rightly preached, the sacraments rightly administered, and church discipline rightly administered (*The Book of Confessions*, The Scots Confession, Chapter XVIII, 3.18; and The Westminster Confession of Faith, 6.143). Created in the image of God, all that we are and all that we have belongs to God. Thus our allegiance is to Christ, who calls us to be followers and disciples.

As Reformed, Presbyterian Christians, ours is a particular expression within the one, holy catholic and apostolic church. We are an interdependent body called into communion not only by and with Christ, but with all Christians in every time and place. Despite our varying expressions and understandings of the faith, through baptism we are bound together as one church and inheritors of the Kingdom of God, united as brothers and sisters in Christ. We are interconnected and intertwined like branches on a vine. Christ is the vine, in which we abide and are nourished as a community of people; cut off from this source of life, we “can do nothing.”

The unity of the church is not a human work; it is a gift of God. We find our call to unity in the prayer of Jesus in John 17:21: “That they all may be one.” This is the gift of unity bestowed upon us by God. In Ephesians,

Paul understands that the very nature of the church is unity, to which believers are called to respond: “[make] every effort to maintain the unity of the Spirit in the bond of peace. There is one body and one Spirit, just as you were called to the one hope of your calling, one Lord, one faith, one baptism, one God and Father of us all ...” (Eph. 4:3–6). With this gift comes mutual obligation that is part of our corporate identity in Christ.

We recognize that some of the principles that are formative to Reformed theology can predispose us toward disunity. Fundamental to our Reformed understanding is that, “God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship” (“*Book of Order*” G-1.0301). Ironically this premise also contains the seeds for continuing separation. Our identity has been shaped to some degree by the need to separate in order to be faithful, but the faithfulness has had a cost in the fullness of faith.

To be clear, we need to differentiate, theologically, the terms division and separation. Division connotes dissent, derision, disruption, distrust, and distancing. Division breaks apart the body, and creates disunity where Christians unintentionally become inwardly focused, and no longer first seek God in worship and praise. Such disunity disrupts the peace, purity, and unity of the church. Intentional division, creating disunity, is marked by emotive responses that, due to our broken nature, take the form of corruption, self-justification, self-preservation, and distrust, obscuring God’s gift of unity.

Separation, distinct from the division that attends disunity, is painful and unfortunate, but may also be seen as a necessary and even faithful act if it seeks to maintain unity within the body of Christ. In that light separation can even be seen as potentially fruitful. Division and separation, two sides of the same coin, are not born of the same spirit of Christ. Separation requires humility and trust in Jesus Christ, and not in our own “rightness.” But if separation can be seen in any sense as faithful, we must also acknowledge the complexity, and competing values, that weigh against this. Because of our highly covenantal and connectional understanding of ecclesiology, separation (as does division even more so) rubs against the covenant and vows that bind us together as a communion. Separation, if it is to be faithful and potentially fruitful, must also account for the integrity of such covenants and promises that bespeak the very nature of our biblical understanding of God’s intention for the church.

Separation in itself is not an end. When acted upon in faith, attended by the spirit of Christ, and absent the seeds of division, separation can lead to new life. Given the space, time, and means to share perspectives, attitudes, and experience, separation can often provide the spur for growth and understanding and can be a way to live in the unity of the spirit in new and refreshing ways.

Several biblical stories illustrate how separation is difficult, but also can transform relationships, e.g. Jacob and Esau, Joseph and his brothers, and Peter and Paul. Our understanding of the Trinity or Triune God also contains the dual notions of separateness, and unity. The Triune God is dynamic, maintaining a unity without being uniform or identical, each member to the other. There is room for all of us, even as Jesus reminds us there are many rooms in my father’s mansion (John 14).

Even in our separateness, Paul, in his letter to the Church in Corinth, states that we are one body with Christ as the head. Different and distinct parts are bound together so that one cannot say to another that “you are not needed.” “The eye cannot say to the hand, ‘I have no need of you,’ nor again the head to the feet, ‘I have no need of you’” (1 Cor. 12:21).

Underlying the PC(USA)’s ecumenical commitment is a calling to express the visible unity through the work of reconciliation. While we may not always agree on biblical interpretation, ecclesiology, or how to be in fellowship with one another, reconciliation and visible unity are possible through the reconciling work of Jesus Christ. “[In] Christ God was reconciling the world to himself ... and entrusting the message of reconciliation to us” (2 Cor. 5:19). Further, The Ecumenical Stance of the PC(USA) reminds us that “the church must consider how our ministry of reconciliation is compromised if we are not reconciled among ourselves.”

God has entrusted us with a ministry of reconciliation that seeks to give visible expression to God’s gift of unity. It is this reconciled unity that allows us to be in full communion with, for example, the Evangelical Lutheran Church in America, without requiring merger or uniformity of theology and practice we can aspire to live as faithful Presbyterians as one part of the body of Christ.

Just as unity is a gift of God so is reconciliation, to which we have been called. The Confession of 1967 affirms, “... This community, the church universal, is entrusted with God’s message of reconciliation and shares [God’s] labor of healing the enmities which separate [human beings] from God and from each other. Christ has called the church to this mission and given it the gift of the Holy Spirit. The church maintains continuity with the

apostles and with Israel by faithful obedience to his call” (*The Book of Confessions*,” 9.31). We are called into mission in Christ’s name proclaiming the visible unity even as we stand as our distinct and separate members within the body of Christ (*Book of Order*, G. 3-0300).

VIII. Conclusion

The task group’s observations around congregations separating from the PC(USA) during these past few years brought to light many immensely painful experiences for all involved. Such circumstances have been painful for congregations and members who have chosen to leave the PC(USA), for members who have stayed with the denomination, and for presbyteries where congregations have departed.

The task group would submit that the presenting cause for this struggle originates in an internal conflict within the PC(USA). On one side are ministers and members of the PC(USA) who believe that they cannot in good conscience stay within this denomination. On the other side are ministers and members of the PC(USA) who believe that unity of Christ’s body, made clear through the Constitution that binds us all together in a covenantal community, should be honored and preserved. Members on both sides have advocated for their positions, created resources, developed legal strategies in order to act out of their own sense of faithfulness to Jesus Christ, all indeed consider themselves to be faithful Presbyterians. The task group notes that individuals on both sides have indicated that they, at one time or another, have used language or taken actions that they later regretted as inappropriate. The entire body of Christ suffers when Christians sacrifice keeping faith with one another, even in the attempt to remain faithful to Jesus Christ.

The Evangelical Presbyterian Church, in receiving congregations and ministers who were dissatisfied with the PC(USA), has now inserted itself into our own internal struggle. The creation of a transitional presbytery as a mechanism for receiving congregations is seen by the EPC as a means to prevent a large influx of PC(USA) congregations from changing the EPC’s culture. However, it has been seen by some in the PC(USA) as inappropriate interference in our internal conflict and a clear breach of ecumenical protocol. Further, since New Wineskins members who have left the PC(USA) for the EPC should now be properly under the discipline of the EPC, actions by New Wineskins EPC members and by the New Wineskins Transitional Presbytery with regards to PC(USA) congregations should also be governed by ecumenical protocol between the PC(USA) and the EPC.

The relative lack of communication between the PC(USA) and the EPC has been identified by both PC(USA) and EPC members as being problematic—leading to misunderstanding and lack of trust on all sides. This lack of communication is symptomatic of a deeper problem in the relationship between the two churches. There has not been evidence of a relationship that articulates and respects our differing ecclesiologies. This has contributed to circumstances where presbyteries of one body feels the other body has acted out of turn by acting too slowly or too quickly, or through secular legal proceedings. We must find a way to improve the quality of our relationship and improve our communication, in a way that will enable both communions to be faithful to our mutual and primary mission: to bear witness to the gospel of Jesus Christ, our Lord and Savior.

While the immediate temptation may be to address only the operational details of transferring pastors and congregations, far more critical is the state of the relationship between the PC(USA) and EPC. Situations in which congregations are separating from the denomination will always be painful and will never be ideal. But in observing the situations noted in this report, we believe they could have entailed much less rancor had the two communions engaged in conversation based upon mutual respect for each other’s ecclesiology. The task group recognizes that attempts to have conversations were made, and also recognizes that such attempted conversations were often quite difficult. The task group also recognizes that the history of the relationship between the EPC and the PC(USA) contribute to a potentially awkward conversation over such matters. It is precisely the complexity of the relationship that makes dialogue essential. It is time to understand one another for who we are, not for who we perceive the other to be.

The story of Christ’s church has been one marked by separation, beginning with the separation between the Eastern church and Western church nearly 1,000 years ago, followed by the Protestant Reformation nearly 500 years ago, to say nothing of subsequent schisms that are too many to count. And yet, the story of the Church has also been marked by reconciliation: reunion in the Presbyterian family among northern and southern denominations after more than a century of separation; full communion between churches offering recognition of one another’s sacramental practices and one another’s ordained ministries, as well as a commitment to mutual cooperation short of merger. Reflections on the Protestant Reformation and the ecumenical journey of the past 500 years have shown that at times separation is both “necessary, but unfortunate” and “unfortunate, but necessary.” It is in the pain of separation that we are dependent upon the grace of God to heal the schism and show us the way toward reconciliation and unity.

We do not know how long the conversation between the PC(USA) and the EPC will take, or how difficult it may be. We do believe it is a critical conversation to begin. The PC(USA) and EPC owe it to each other as members of the World Alliance of Reformed Churches to engage in such a conversation. Our commitment to those congregations whose transition to the other's care suggests it to be of great value. But most importantly, our faithfulness to Jesus Christ, the Savior whom we all serve, demands it.

APPENDICES

- A. Copy of "OFFICE OF THE GENERAL ASSEMBLY: A Message to the EPC Family from Stated Clerk Jeff Jeremiah" dated December 20, 2006; see the attachment [gacer-rec-re-epc-appendix-a-message-from-scjeffjeremiah.pdf](#).
- B. Correspondence between the EPC Stated Clerks and the PC(USA) Stated Clerks; see the attachment [gacer-rec-re-epc-appendix-b-letters-between-epc-stated-clerks-and-pcusa-stated-clerk.pdf](#).
- C. Chart comparing the EPC and the PC(USA) *New Wineskins Initiative: A Time for Every Purpose Under Heaven*, p. 14, Copyright 2007 New Wineskins Initiative, available at http://www.newwineskinsassociation.com/documents/Strategy_Team_Report_book_format.pdf; see the attachment [gacer-rec-re-epc-appendix-c-comparison-pcusa-nwac.pdf](#).

Endnote

1. *Brief History of Property Trusts*

Prior to 1981 in the UPCUSA and 1982 in the PCUS, the two major Presbyterian church denominations did not have express property trusts in their constitutions. They did not need them. The 1871 U.S. Supreme Court ruling in *Watson v. Jones* referred to property held by trustees of a particular Presbyterian church as in trust for the persons who by the Presbyterian Church Constitution, usages, and laws are entitled to that use. The *Watson* court then went on to hold that, as a hierarchical church, once the highest governing body of the Presbyterian church had ruled on the matter, the civil courts would enforce that ruling as to the property control. *Watson's* hierarchical deference rule did not require or even suggest an explicit property trust provision; it upheld the traditional polity of review by successive governing bodies of the Presbyterian church.

In *Mary Elizabeth Blue Hull* in 1969, the U.S. Supreme Court announced the neutral principles doctrine but did not define it. In 1979, in *Jones v. Wolf*, the Supreme Court defined the neutral principles doctrine and instructed denominations and others on how to meet this new standard: "Alternatively, the constitution of the general church can be made to recite an express trust in favor of the denominational church And the civil courts will be bound to give effect to the result indicated by the parties, provided it is embodied in some legally cognizable form" (443 U.S. at 606). Both the UPCUSA, effective 1981, and the PCUS effective 1982, followed the Supreme Courts instructions to the letter, adopting express property trusts in favor of the denomination and in language that could be clearly and simply applied by courts. Where opponents point out that the property deeds contain no express trust language and/or the local church was formed prior to the trust language being expressly set out in the *Book of Order*, one can point out the chronology of U.S. Supreme Court decisions and the clear instructions presented by the court in *Jones v. Wolf*. The property trust clauses did not create new rules. They simply codified the Presbyterian church practice into the Constitution. An affidavit may be helpful in this regard. *Church Property Disputes: A Resource for Those Representing Presbyterian Church (U.S.A.) Presbyteries and True Churches in the Civil Courts*, 2005 Presbyterian Church (U.S.A.), A Corporation; Louisville, Ky., p. 11.