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## **FORM OF GOVERNMENT, PAR. 44.**

### **A paper on the “Doctrine of the Diaconate.”**

[**Ed. note:** A paper on The Doctrine of the Diaconate, prepared by Drs. J. L. Girardeau, R. L. Dabney and Thomas E. Peck, may be found 1884, pp. 204, 205, 283 ff. While never adopted or endorsed by the Assembly, this paper presents one aspect of the mind of the Church.]

## **FORM OF GOVERNMENT, PAR. 45.**

### **1. Relation of Deacons to the Session.**

**1877, p. 410.** [Answer to an overture from the Synod of Alabama:] The duties of the deacons, as servants (ministers) of the Church, are to execute the orders of the session (or parochial presbytery) as rulers of the Church. Therefore, it is the duty of the deacons to collect and appropriate all funds for church purposes, whether for local purposes, support of a pastor, aid to the poor, and expenses of the church, or for objects of Christian benevolence recognized in the action of the courts of the church, under the direction of the church session.

**1890, p. 28.** [Reaffirmed.]

[**Cf. Form of Govt., Par. 65.**]

**1936, p. 40.** [Overture from the Session of the Myers Park Presbyterian Church, Charlotte, N. C, asking the Assembly to grant individual churches the option of employing one Board of Officers as the governing body of the church,] answered in the negative.

### **2. Deacons may not change pastor’s salary without consent of congregation.**

**1914, p. 24.** Overture from Presbytery of Savannah, asking whether the Board of Deacons of a church has authority to change the contract as to pastor’s salary without consent of congregation.

**Answer:** The Assembly answers in the negative.

### **3. Deacons have no power to sell church property.**

**1927, p. 50.** Overture from the Presbytery of Mobile: Have deacons the right to sell the church property without a formal vote of the congregation? [**Answered in the negative.**] This is in agreement with the opinion rendered by the Judicial Committee, which is as follows:

The deacons have the care and custody, but not the title to church property, real and personal, “but in matters of special importance, affecting the property of the church, they cannot take final action without the consent of the congregation.” (Book of Church Order, Par. 45). In minor matters incident to the care of the property such as disposing of articles of personal property no longer needed or to be disposed of for purposes of replacement, the Board of Deacons may sell without a vote of the Congregation. The title to church real estate is vested either in trustees, or in a corporation, and the deacons have no power to authorize or require its sale without a favorable vote of the congregation.

[See this Digest, Form of Government, Par. 45; Par. 60.]

### **4. Jurisdiction of trustees over church property.**

**1890, p. 28.** [Answer to an overture from the Presbytery of St. Johns:]

1. As to deacons, this Assembly repeats the enunciation of the Assembly of 1877 (page 410).  
(Under Paragraph 49, Section IV, of the Form of Government, an annual report is to be made to the session.)

2. There is vested in each congregation organized as a church, or in a number of persons about to be organized as such, the right and power to appoint and remove at will trustees and their successors who may receive donations and purchase, take and hold property, real and personal, in trust for the congregation; and, if authorized by a majority of the church members at a congregational meeting constitutionally convened for that purpose, sell, mortgage, trust-deed, or exchange the property so held, to aid in the construction or repairing of their church edifices, or for other purposes. Care should, however, be had to make the action in each case conform to the law of the State wherein the property is located.

3. In the appointment of trustees a part or all of the deacons, if suitable, should be selected; and wherever property is now held by unincorporated churches it is advisable to have deeds made to the trustees in all cases where it can be done.

[See also this Digest, preceding section.]

[**Ed. note:** The Form of Government makes no specific provision for the election of trustees for a local church. The only mention of the term “trustee” occurs in Par. 48 and has reference to the higher courts. In the Revision of 1925 a paragraph was sent down and received the consent of 76 of the presbyteries, but was not enacted because of the possibility that it was in conflict with civil law in some states.]

**5. Trustees cannot compose a governing board in a church.**

[See this Digest, Form of Govt., Par. 51-52. Cf. Form of Govt., Par. 58.]

**6. Buildings should not be placed on land not owned in fee simple.**

**1933, p. 49.** [An overture from the Presbytery of Ebenezer, asking an amendment to the Book of Church Order, was answered in the negative, but the Assembly] would advise in general against placing buildings on land that is not owned in fee simple.

**FORM OF GOVERNMENT, PAR. 48.**

**I. Deacons (and private members) may serve on committees of higher courts.**

**1886, p. 37.** Overture from the Presbytery of Mecklenburg, asking whether it is unconstitutional for Presbytery to place deacons or private members on its Committee of Home Missions. **Answer:** It is not unconstitutional.

**1917, p. 69.** In answer to the overture from Congaree Presbytery, asking if Presbytery may appoint deacons on committees, commissions, or boards of trustees of educational institutions:

We recommend that the Assembly answer that deacons may be appointed to perform any duty not required to be performed by a presbyter.

**1923, p. 70f.** Answer to protest [against putting women on the Executive Committees]: The General Assembly is in entire harmony with the great principles which are expressed in the protest, but there is nothing in the Word of God nor in the government of our Church to prevent the Assembly appointing private members, male and female, upon its Executive Committees, and the action protested against was taken in order to recognize in this way the Woman’s Auxiliary in its loyal and faithful work.

**1929, p. 82.** Overture from the Presbytery of Savannah, asking the appointment of some deacons on the Executive Committees and to call attention of presbyteries and sessions to the importance of bringing deacons into closer relation to the beneficent work of the Church.

[**Answer:**] “We affirm that according to the Assembly’s practice, any member of the Presbyterian Church may be appointed to serve on any of our Executive Committees, and we suggest that the appointment of Deacons to such committees be made whenever the way shall be clear.”

**2. Deacons may be called in for conference on local church affairs.**

**1932, p. 43.** Overtures from the Presbyteries of Congaree, Pine Bluff and Transylvania, asking the Assembly to amend the Book of Church Order so as to permit every church to be represented in presbyteries and synods by deacons as well as ministers and ruling elders, answered in the negative, but suggest that sessions call the deacons into conference in local affairs as far as is practicable.

**FORM OF GOVERNMENT, PAR. 50.**

**1. No office of “Deaconess.”**

**1904, p. 53.** In answer to the overture from the Presbytery of East Hanover, asking the General Assembly to consider the advisability of taking such steps as they deem wise looking to the institution of the Order of Deaconesses in connection with our Church.

Your Committee recommends for answer to said overture that the attention of presbyteries be called to Paragraph 51, Book of Church Order [pres. par. 50], as making ample provision for the appointment of Godly women to specific Christian work.

**1907, p. 55.** An overture from the Presbytery of East Hanover asking the appointment of an Ad-interim committee to consider and report on the advisability of establishing the office of Deaconess in connection with our Church, [was answered] in the negative.

**1916, pp. 47, 174.** [Similar action.]

[Ed. note: “They may also aid the deacons in collecting and distributing the offerings of the people” was added to this paragraph in 1922.]

## **2. Woman’s position in the Church.**

[See also this Digest, Form of Govt., Par. 31; Pars. **33-39**.]:

### **FORM OF GOVERNMENT, PARS. 33-39.**

#### **Women may not be Ministers.**

**1880, p. 186.** [Overture from the Synod of Texas:]

Do our Standards forbid the introduction of women into our pulpits? and if not, is it an offense, according to the definition in the Rules of Discipline, Chap. III, Art. 1. [pres. par. 173], for a minister or church session to permit a woman to preach in one of our churches ?

[The following answer was returned:]

Inasmuch as the public preaching of the Gospel is a branch of the ministerial office, to the authorization of which ordination or licensure is essential, and inasmuch as inspired Scripture, as interpreted by our Standards, nowhere, in the case of women, sanctions such a solemnity, but, on the contrary, does clearly prohibit it, this Assembly does therefore declare the assumption of this sacred office by women to be opposed to the advancement of true piety and to the promotion of the peace of the Church, and this to such an extent as to make the introduction of women into our pulpits for the purpose of publicly expounding God’s Word an irregularity not to be tolerated.

[See also this Digest, Form of Govt., Par. 50.]

**1891, p. 260.** Overture from the Presbytery of Eastern Texas, requesting the General Assembly to “pronounce in express and Scriptural terms the conviction of our church, that women are not permitted to speak in a public way in any of the meetings of the church, congregational or devotional, where men are present.”

[Answer:] It is the settled doctrine of our church that women are excluded from licensure and ordination by the plain teaching of the Scriptures, and, therefore, cannot be admitted to our pulpits as authorized preachers of the Word; and, also, that they are prohibited from speaking by way of exhortation, or leading in prayer, or discussing any question publicly in the meetings of the church or congregation as a mixed assembly. This is according to the mind of the Spirit as expressed by Paul in 1 Cor. xiv. 34, 35, and I Tim. ii. II, 12. But we do not hold that Christian women are prohibited from holding meetings among themselves for mutual edification and comfort by pious conversation and prayer, or to devise ways and means to aid the general branches of church work, such as Home and Foreign Missions, etc., or to teach a class in the Sabbath school. Work of this kind we approve and commend, but public speaking in the promiscuous assembly of the congregation or church is contrary to the Holy Oracles, and, therefore, should be prohibited and condemned by the presbyteries and church sessions.

**1897, p. 16.** In reply to an overture from West Lexington Presbytery, the Assembly refers the Presbytery to the clear deliverances of former Assemblies which settle the principles involved in its overture, and should guide all our church sessions in their procedure.

Thus the Old School Assembly of 1832, and the General Assembly, U. S. A., 1872, “Meetings of pious women by themselves for conversation and prayer, whenever they can conveniently be held, we entirely approve; but let not the inspired prohibitions of the great apostle of the Gentiles, as found in his Epistles to the Corinthians and to Timothy, be violated. To teach and exhort, or lead in prayer in public and promiscuous assemblies, is clearly forbidden to women in the Holy Oracles.”

**1910, p. 67.** [Answer to an] overture from the Lafayette Church, New Orleans, touching the speaking of women before promiscuous assemblies: There has been no change in the settled policy of our denomination as to this matter.

**1915, p. 30.** Overture from the Presbytery of West Hanover, touching the speaking or praying of women in public in mixed assemblies.

**Answer:** The Assembly appoints an Ad-interim Committee of five to make a careful study of the teaching of the Scripture on the whole subject of woman's position in the Church and report to the next Assembly.

**1916, p. 19. The Ad-interim Committee on Woman's Position in the Church,** through Rev. J. F. Cannon, D.D., Chairman, presented a majority report, signed by Rev. J. F. Cannon, D.D., and others. A minority report, signed by William Dinwiddie and Rev. A. M. Fraser, D.D., was presented. A recommendation of an amendment to the Book of Church Order, paragraph 51, was presented by Rev. J. F. Cannon, D.D. Rev. J. I. Vance, D.D., a member of this Committee, presented on behalf of himself another minority report.

The Stated Clerk was directed to have these papers printed for the convenience of the Assembly.

**p. 27.** The Assembly was led in prayer for divine guidance.

The Select Committee appointed to recommend an order of procedure in the consideration of the report of the Ad-interim Committee made the following report, which was adopted:

**We recommend:**

- (1) That the paper of Dr. Cannon, on pages 1 and 2 down to the second paragraph beginning with "But—" be regarded as a majority report.
- (2) That the paper of Dr. Vance be regarded as a minority report.
- (3) That after disposing of these two reports, the Assembly act upon the questions involved in the function of the deaconess, treating in this consideration the latter part of Dr. Cannon's report as a majority report, and the portion of the paper of Dr. Fraser bearing on this question as a minority report.
- (4) That in the event the Assembly adopt the majority report, referred to in Section No. 3 of this report above, that the proposed amendment to the *Book of Church Order*, page 4, be referred to the Committee of Bills and Overtures.

[For these papers see *Minutes* 1916, pp. 171-179.]

**1916, p. 47.** The overture referred to in section three of the report of the Ad-interim Committee and described in section four of the report of the Select Committee on the Order of Procedure, was laid on the table.

The report was amended, adopted, and is as follows:

That this Assembly reaffirm the following action of the Assembly in 1880:

"Inasmuch as the public preaching of the Gospel is a branch of the ministerial office, to the authorization of which ordination or licensure is essential, and inasmuch as inspired Scripture, as interpreted by our Standards, nowhere in the case of women sanctions such a solemnity, but, on the contrary, does clearly prohibit it, this Assembly does therefore declare the assumption of this sacred office by women to be opposed to the advancement of true piety and to the promotion of the peace of the Church, and this to such an extent as to make the introduction of women into our pulpits for the purpose of publicly expounding God's Word an irregularity not to be tolerated."

"It is the settled doctrine of our Church that women are excluded from licensure and ordination by the plain teaching of the Scriptures, and therefore cannot be admitted to our pulpits as authorized preachers of the Word."

[**Ed. note:** The action reaffirmed is that of 1880, p. 186, *plus the first sentence* only of the action of 1891, p. 260. The remainder of the 1891 deliverance which forbade women speaking in promiscuous assembly of the church is conspicuously *not* reaffirmed.]

That other services of Christian women be left to the discretion of the sessions and the enlightened consciences of our Christian women themselves.

But while women are thus debarred from certain forms of service in the Church, there are others to which they are freely admitted and which afford full scope for their devotion. It is significant that while they are excluded by distinct prohibition from the office of presbyter, with its distinctive functions, no such barrier is thrown around the deacon's ministry. The omission strongly suggests that to this ministry women are eligible equally with men. Besides, there are certain Scriptures which seem positively to teach that in the apostolic churches there were both male and female deacons. . . . Our own Book of Church Order recognizes the propriety of setting apart godly women to labor as deaconesses in the congregations to which they belong. . . . Already the Church is using women for the duties of the diaconate, without recognizing or naming them as deaconesses. Women are sent out by the Church to labor as missionaries in foreign fields as teachers, nurses, Bible readers, etc., and to enter doors which are often closed to men. The fact that they are thus set apart by the Church to this work, supported and controlled by the

Church, establishes an official relation between them and the Church. What is that relation? It is certainly not the relation of presbyter or elder, and, if it be not that of deacon, the Church is using an official agency for which she has no warrant in Scripture. . . . Are they not New Testament deacons, serving the Church in the regions beyond, and should they not be so recognized and named?" [This paragraph abridged.]

**We recommend,** therefore that the Assembly call the attention of our churches to paragraph 51, Section IV, Chapter IV, of our Form of Government [present (1945) par. 50], authorizing sessions to select and appoint godly women for diaconal ministry in the congregations to which they belong, and encourage a more general use of suitable women for such service.

[**Ed. note:** The paragraph dealing with women as deaconesses has no real meaning, in view of the Assembly's action in tabling the proposed amendment to the *Form of Government*. The tabled overture, intended to have been sent down to the presbyteries, would have established the office of "deaconess" in our Church.]

**p. 76.** A protest against the action of the Assembly on Woman's Position in the church was admitted to record, being signed by 61 commissioners.

**p. 80a.** Answer to this protest:

The Assembly expresses its regret that any of its members should even intimate that any action of the highest court of the Church was not governed by whole-hearted loyalty to the Holy Scriptures as the only infallible rule of faith and practice.

The Scriptures may have their authority discredited not merely by a violation of their precepts, but also by an attempt on the part of ecclesiastical courts to bind the consciences of God's people on matters of doubtful interpretation.

For over thirty years requests have been made for deliverances on Woman's Work in the Church; during this period in Home and Foreign Mission fields a wide use has been made of their services in the very matters complained of; the almost painful differences of opinion as to the meaning of the passages cited in the protest are manifested in the three variant reports of the Ad-interim Committee. These things combined demonstrate the wisdom of the Assembly in declining to make these passages the basis for detailed legislation.

Having expounded the settled faith of the Church as to the teachings of the Scriptures forbidding preaching by women, the Assembly has wisely decided to leave the question of the service of women in other matters to the discretion of the sessions.

Such action, in the judgment of this Assembly, exalts the authority of the Word of God, and removes the anomaly of the Church having made deliverances, and at the same time encouraging through its authorized agencies practices in violation of these deliverances.

**1917, p. 67.** The report of the Committee on Bills and Overtures was taken up, considered seriatim, and adopted, with the exception that the answer to the overtures relating to "Woman's Position in the Church" was placed on the docket to be considered at the next Assembly.

[**Ed. note:** Overtures from the Presbyteries of St. Louis, Roanoke, and Abingdon, and a memorial from Rev. W. M. McPheeters were in the committee's hands. The answer proposed by the committee, which the Assembly docketed for the next Assembly, would have reaffirmed the actions of 1880 and 1891 above *in their entirety*, thus reversing the actions of the Assembly of 1916.]

**1918, p. 52.** The paper on Woman's Position in the Church, docketed by the last Assembly for consideration by this Assembly, was taken from the docket and laid on the table.

**1920, p. 73.** [The request of the China Mission was granted and the Foreign Missions Manual amended:] In Sec. IV, Par. 47, at the bottom of page 26, to the definition of the mission there given, add the words: "But any mission, if it so desires, may by majority vote make its women missionaries members of the mission technically so called, and accord to them the privilege of voting."

**1921, p. 68.** [The Assembly refused to make a further deliverance on the subject of woman's position in the Church.]

**1923, p. 60.** In response to an overture from the Presbytery of St. Johns, asking that at least one woman be placed on each of the Executive Committees of the General Assembly, your committee recommends that the General Assembly take such action as may be necessary to the end prayed for in the overture aforesaid.

**p. 70f.** Resolved, that every Executive Committee of the General Assembly be, and are hereby, instructed to promptly select and add to their membership three women, one of each class, which number shall not be exceeded in any event.

**p. 68.** A protest, signed by 43 commissioners, against this action was admitted to record. It was] based upon the following grounds: 1. Only those should be placed upon Executive Committees who are eligible to membership in the Assembly itself; 2. Membership on an Executive Committee is a position involving authority to rule. The Bible expressly forbids the woman to exercise ecclesiastical authority over a man; 3. The action is based on a wrong theory of human rights.

**p. 70f. [Answer to the protest:]** The General Assembly is in entire harmony with the great principles which are expressed in the protest, but there is nothing in the Word of God nor in the government of our Church to prevent the Assembly appointing private members, male and female, upon its Executive Committees, and the action protested against was taken in order to recognize in this way the Woman's Auxiliary in its loyal and faithful work.

**1924, p. 63.** Overture from the Presbytery of Concord in regard to women speaking in mixed public assemblies, and asking a clear deliverance on this whole question touching especially on the matter of women speaking on the floor of our Church Courts.

**[Answer:** The Assembly referred the Presbytery to the actions of the General Assembly found above.]

**1925, p. 67.** In response to the overture from the Presbytery of Concord asking the Assembly to make a deliverance upon the right of women to speak on the floor of the church courts, the Assembly would reply by reaffirming previous deliverance (Alexander's *Digest*, p. 56 [1922 ed.]) "It is the settled doctrine of our Church that women are excluded from licensure and ordination by the plain teachings of the Scripture, and, therefore, cannot be admitted to our pulpits as authorized preachers of the Word, and also that they are prohibited from speaking by way of exhortation or leading in prayer, or discussing any question publicly in the meetings of the church or congregation as a mixed assembly." However, presenting a report to a church court of work done by Auxiliary or other associations is not to be construed as speaking or discussing if due care is taken that such reports when presented by women are not made the occasion of speaking by them, and ordinarily these reports ought to be presented through the Advisory Committee or some member of the court appointed for that purpose.

**[Ed. note:** The mixed deliverances of 1880 and 1891 here reaffirmed include the portion *pointedly omitted* in 1916.]

**1926, p. 43.** Resolution: The Superintendent of the Woman's Auxiliary is not an Executive Secretary of the General Assembly, but is an authorized and responsible agent of the Assembly; and as such she has a natural right to read her report to the Assembly; but this privilege does not carry any implication of membership in the Assembly or of participation in its discussions.

**p. 52.** Overtures from the Presbyteries of St. Johns, Enoree, and Savannah, asking for the reaffirmation of the Assembly's deliverance of 1916, forbidding women's preaching and leaving their other activities to the discretion of the sessions and to the consciences of consecrated Christian women.

**Answered in the affirmative.**