



Presbytery of Southern Kansas

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From: The Presbytery of Southern Kansas

Although we are not able to send a representative in person, the Presbytery of Southern Kansas, a member presbytery of the Presbyterian Church (USA), submits this written testimony to put itself officially on record as opposing the proposed statute, as it appears the proposal would fail to take into account variations in the way denominations govern themselves.

The three classic style of church governance are as follows:

- 1. Episcopal Governance.** While congregations have the ability to make certain decisions, final authority in contentious issues rests in the hands of denominational bishops.
- 2. Congregational Governance.** While denominational entities have the ability to make certain decisions, final authority in contentious issues rests in the hands of congregations.
- 3. Presbyterian Governance.** Authority is held by elders -- presbyters -- at the local, regional, and national levels. Specific kinds of authority are expressly reserved to different groups. Within the Presbyterian Church (USA), these are called Sessions (boards of elders within local congregations), Presbyteries and Synods (elders within a smaller or larger region), and a General Assembly (elders elected for an annual or biennial national meeting). (Other denominations governed under this type of governance use different terms for these local, regional, and national groups of elders.)

It would appear that in the case of a church within a Congregational Governance denomination, it might be acceptable to adjudicate a dispute between the church and the denomination by neutral law principles, since the denomination as a whole has already affirmed the principle of the sovereignty of the congregation.

Within a denomination run by Episcopal Governance, however, this would seem to be a grave disservice; it would appear to be an infringement by the state against the right of the denomination to govern itself according to its own religious convictions.

In the third instance, with Presbyterian Governance, the issue is more complicated. There is a strict balancing of powers between the various levels of governance; in any particular case of dispute between General Assembly, Presbytery, and Session, it will often not be immediately obvious how to assess competing claims. For the secular state to declare, a priori, that certain questions will be assessed a particular way would appear to be an overstep by the state against the right of the denomination to govern itself according to its own religious convictions.

In view of the strong possibility that enacting this legislation would prove to be an infringement on the right of denominations to govern themselves, we would urge that this proposed statute be defeated.

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