

STATED MEETING

10 MARCH 2020

PRESBYTERY OF NEW BRUNSWICK
STOCKTON PRESBYTERIAN CHURCH
STOCKTON, NEW JERSEY

The stated meeting of the Presbytery of New Brunswick was held on 10 March 2020 at the Stockton Presbyterian Church, at 22 South Main Street, Stockton, New Jersey 08559.

ROLL

To be supplied for the permanent minutes. It is to be noted that approximately 20 ministers and commissioners attended the meeting by Zoom connection.

The presbytery was called to order with worship at 6:55 pm.

WE GATHER IN WORSHIP

The presbytery took the pleasure of worship together. With readings from Exodus 20:1-2, John 13:34-35, and John 21:15-19, Hymns, and confession the presbytery made its worship. Worship was led by the reverend Atzert of Kirkpatrick Memorial Presbyterian Church, and Brad Morgan of Mt Airy Presbyterian Church. The congregations in this corner of the presbytery have been holding Wednesday evening Lenten worship services together.

**WE GATHER TO EQUIP OURSELVES AND ONE ANOTHER
IN MUTUAL MINISTRY**

The presbytery was welcomed by elder Bruce Bruns of the Stockton Presbyterian Church.

Moderator Cherry Oakley led the presbytery through more of the 2020 census of activities in our congregations (having started at the January meeting of the presbytery). This survey was borrowed from one by the Presbytery of San Mateo.

The presbytery worked with the question of what foreign missions our congregations were supporting. Cards were filled out:

Name of Church
Which foreign missions are Churches supporting

After time to fill out the census cards, people shared with one another and with the body as a whole what they had recorded. The cards were collected to serve as a resource for the presbytery.

WE GATHER IN FELLOWSHIP

The stated clerk determined that we had a quorum.

The docket was presented.

Worship

Welcome

Census 2020 question(s)

Consent Agenda

Committee On Ministry

Examination of Casey James Aldridge for ordination

Personnel Committee

New Jersey Missional Structures Working Group Update

Social Witness Task Force

2 overtures for concurrence

Central Leadership Team Update

The docket was approved.

The consent agenda was presented.

CONSENT AGENDA

ADVANCE NOTICE ITEMS

Committee on Ministry:

REPORTS:

1. Approved new terms of call for the reverend Marcus Lambright and First Presbyterian Church of Trenton.

Acting on behalf of presbytery on 3 March 2020 the Committee on Ministry approved new terms of call for the reverend Marcus Lambright and First Presbyterian Church of Trenton.

Salary	\$ 36,310
Housing allowance	\$ 12,200

403b Employee Contribution	\$	6,285.00
Social Security Offset	\$	3,711.02
403b Employer Contribution	\$	6,285.00
Pension	\$	6,027.45
Death & Disability	\$	547.95
Dental	\$	580.69
Professional Expenses	\$	2,553.00
Total:	\$	74,500.11

Committee on Preparation for Ministry:

REPORTS:

1. Certified Linda Ott ready to receive a call.

On 2 March 2020, acting on behalf of the presbytery, the Committee on Preparation for Ministry certified Linda Ott ready to receive a call. Ms Ott is a member of Nassau Presbyterian Church. Ms Ott was advanced to candidacy for ordination as a teaching elder to the ministry of the Word and Sacrament on 3 December 2018.

Report of the Stated Clerk

RECOMMENDS:

1. That the presbytery approve the minutes of the 11 February 2020 meeting of the presbytery.

ADVISES:

1. That the items on the consent agenda are of three sorts:
 - a. action items that a committee or body proposes that the presbytery act upon;
 - b. reports of actions taken by a committee or other body on behalf of presbytery using delegated authority;
 - c. information items about actions taken by a committee or other body, *not* with delegated authority, but on their own authority.

A consent agenda consists of items that it is believed will receive unanimous consent, and which therefore do not need to be debated and voted upon during the meeting. For this reason *any* minister member or elder commissioner may ask to have an item lifted from the consent agenda and it will be lifted simply for the asking.

Lifting an action item (1a) from the consent agenda causes it to be put on the docket for a later point in the meeting at which time it will be debated and voted upon.

Lifting a report of an action taken on behalf of presbytery (1b) from the consent agenda causes it to be put on the docket for a later point in the meeting at which time it can be questioned and, if desired, amended or changed. Any change to an action already taken would have to be debated and would have to receive a two-thirds vote, not a simple majority.

Lifting an information item simply puts it into the docket at a later point in the meeting so that questions can be asked (unless a question is so simple that it can be answered on the spot).

If anyone still has questions about how the consent agenda works they should speak with the stated clerk.

The Consent Agenda was approved.

WE GATHER to CARRY OUT the WORK of the CHURCH

REPORT of the COMMITTEE on MINISTRY

The reverend Sharyl Dixon reported for the Committee on Ministry.

Motion: The Committee on Ministry moves that the presbytery sustain the examination for ordination of Casey James Aldridge, and approve his call to serve as half-time stated supply pastor for youth ministry at Pennington Presbyterian Church.

And that the Committee on Ministry be commissioned to approve his terms of call once the details have been negotiated, and to appoint an administrative commission to ordain him when the way be clear.

Rationale: Mr Aldridge is a candidate under the care of the Presbytery of Charlotte. He has been certified ready to receive a call, pending graduation from seminary. He was baptized and confirmed in the First Presbyterian Church of Concord, North Carolina. He did his undergraduate work at the University of North Carolina, and is presently a student at the Princeton Theological Seminary, due to graduate this spring.

The Committee on Ministry approved the job description of this position by Pennington Presbyterian Church before they began their search. The committee reviewed their search and the reasons they chose this candidate, and the committee is satisfied with both and recommends them to the presbytery.

This is a half-time position. The basic total for terms of call have been named and are well above the presbytery minimums, but the details of how those terms shall be distributed among the various categories and how benefits will be handled remain to be arranged.

If the way be clear, an ordination will be planned for early June.

Mr Aldridge read his statement of faith and the presbytery questioned him on it and on his faith journey to this time and place. After sufficient time the examination was arrested and Mr Aldridge was excused.

The presbytery discussed Mr Aldridge's answers and the Committee on Ministry's rationale for this call.

The motion was passed with one opposed.

Mr Aldridge was welcomed back into the room and warmly congratulated. The reverend Nancy Mikoski led the presbytery in Prayer.

Reverend Dixon, reporting for the Committee on Ministry, explained that the committee had reviewed the mistake about the status of the denomination of the reverend Bong Ju Song, whom the presbytery received in January, was made. His denomination is not in correspondence with the Presbyterian Church (USA). The committee evaluated the effect of the mistake and the consequences that might be expected from it and judged that there was no reason to ask the presbytery to reconsider its action.

Reverend Dixon then led the presbytery in prayers for the reverend Ann Schoonover, who has recently been diagnosed with cancer.

REPORT of the PERSONNEL COMMITTEE

Elder Angie Belmont reported for the Personnel Committee. They proposed that the presbytery call the reverend Leslie Dobbs-Allsopp to fill the position as part-time transitional leader, a position that was approved at the November 2019 meeting of the presbytery. The position is for ten hours a week for a period of six months. Reverend Dobbs-Allsopp will continue in her 30 hour a week position with the Presbytery of Elizabeth. Terms of call: cash salary \$12,200 with \$600 in reimbursable expenses for the six month contract.

The presbytery voted to concur with the recommendation of the Personnel Committee.

REPORT of the SOCIAL WITNESS WORKING GROUP

Elder Jan Everett reported for the Social Witness Working Group.

They presented overtures to General Assembly for possible concurrence by the presbytery.

The first was an overture from Grace Presbytery calling for Recognition That Israel's Laws, Policies, and Practices Constitute Apartheid Against the Palestinian People, OVT-051.

No amendments can be permitted to the body of an overture being concurred with. However, the presbytery voted two amendments to the rationale for the overture. First to replace the word "inferior" with "disfavored" where it appears. And second, to add a footnote identifying the source of the legal definition of apartheid to the rationale.

The presbytery deliberated over the concurrence at length.

The presbytery voted to concur with the overture by a vote of 27 in favor and 8 opposed.

This overture appears as appendix A to these minutes.

The Social Witness Working Group then presented overture OVT-013 from Monmouth Presbytery on Fossil Fuel Divestment to the presbytery for possible concurrence. This overture appears as appendix B to these minutes.

It was moved to table the motion. The motion to table carried.

It was moved to extend the docket and to make the order of the day at 9:30 pm to be the consideration of how churches can worship in a time of pandemic. The motion carried.

The Social Witness Working Group concluded its report.

REPORT of the COMMISSIONERS to the NEW JERSEY MISSIONAL STRUCTURES WORKING GROUP

The reverend Wendi Werner and elder Sla Lalama reported on the work of the New Jersey Missional Structures Working Group that is working on the plan to consolidate the seven presbyteries in New Jersey into three.

INSERT LETTER FROM WENDI AND SAL HERE.

CONVERSATION ABOUT WORSHIP in TIME of PANDEMIC

The presbytery then shared with one another things that congregations are doing and are considering doing about conducting worship under limitations produced by the coronavirus pandemic. Issues of self-quarantine, travel, and the dangers of in-person gatherings were discussed. Several pastors and elders shared plans for conducting remote worship.

REPORT of the CENTRAL LEADERSHIP TEAM

The reverend Molly Dykstra and Elders Cherry Oakley and Gooitzen van der Wal then reported for the Central Leadership Team.

Vital Congregations Initiative:

We have applied for a group travel scholarship grant for the Austin conference; we'll be informed if we have scholarship monies available in mid-March; conference registration deadline is March 31. Please let Molly Dykstra know if you have already registered.

The Central Leadership Team is seeking volunteers to serve as our presbytery's two facilitators. Expectations of facilitators were shared at the February presbytery meeting.

The Central Leadership Team encouraged congregations to complete the Vital Congregations Survey and to consider becoming a Matthew 25 Church. We need 8 congregations to become Matthew 25 Congregations in order for us to become a Matthew 25 Presbytery.

The Central Leadership Team is considering chartering a bus for people from the presbytery to attend the opening exercises of the 224th General Assembly in Baltimore in June. Announcements about this will appear in Monday in Ministry.

ADJOURNMENT

The presbytery adjourned with prayer at 9:51 pm.

respectfully submitted

D. Paul La Montagne

Stated Clerk

APPENDIX A

For Action by the Presbytery of New Brunswick: To concur with the overture or not

Recognition that Israel's Laws, Policies, and Practices Constitute Apartheid Against the Palestinian People

RECOMMENDATION

Grace Presbytery overtures the 224th (2020) General Assembly of the Presbyterian Church (U.S.A.) to:

1. Recognize that Israel's laws, policies, and practices regarding the Palestinian people fulfill the international legal definition of apartheid. Apartheid is legally defined as inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them. This occurs in Israel/Palestine through:
 - Establishing two sets of laws, one for Israelis and one for Palestinians, which give preferential treatment to Israeli Jews and oppressive treatment to Palestinians
 - Expropriating Palestinian land and water for Jewish-only settlements
 - Denying the right to freedom of residence to Palestinians
 - Dividing the population along racial lines by the creation of separate reserves and ghettos for the Palestinians
 - Denying Palestinians the right to a nationality
2. Urge members, congregations, presbyteries, and national staff units, including the Office of Interfaith Relations, to seek appropriate ways to bring an end to Israeli apartheid.
3. Direct the Stated Clerk to communicate this action to all other PC(USA) councils.

RATIONALE

Purpose

This overture is pursued with the hope it will lead to a peaceful reconciliation for the people of Israel and Palestine similar to that which occurred in South Africa when apartheid was internationally acknowledged.

Just thirty years ago there was serious injustice, widespread suffering, and major human rights abuses in South Africa because of apartheid laws, practices and policies that established a preferential legal status and material privileges to one group of people based on their identity while discriminating against another group based on their inferior status. The favored group received preferential access to land, water, other resources, and to government benefits and services while the disfavored group was confined to ever shrinking non-contiguous territorial enclaves. The peaceful reconciliation of the peoples in South Africa and the creation of a stable political state were accomplished only after the churches and the nations of the world recognized that South Africa's laws, practices, and policies constituted a crime against humanity. In the 1960s South African soccer teams were banned from international soccer competition because of the government's apartheid policies. A few decades later South Africa hosted the 1995 Rugby World Cup, a remarkable demonstration of the political transformation that can take place when the world recognizes apartheid and a government responds by grant-

ing human rights for all people. It is hoped that the Israeli government policies toward the Palestinian people will undergo a similar transformation if Israeli apartheid is internationally acknowledged.

Why Presbyterians Must Act

To solve a problem, one has to honestly recognize and acknowledge that the problem exists. The rationale section of this overture will demonstrate how Israel's practices towards Palestinians fit the United Nations and World Court definitions of apartheid. As Presbyterians we believe the prophetic mission of the church is to speak the Word of God courageously, honestly and lovingly in the local context and in the midst of daily life; following the example of Jesus, the church is called to stand alongside the oppressed to help bring about justice, peace and reconciliation. Christians spoke out in the 1950's against segregation in the United States and later against apartheid in South Africa. They must again raise their voices and condemn Israel's discrimination against Palestinians and give a name to the crime against humanity that this discrimination represents, the crime of apartheid.

The PC(USA) would not be the first to name Israel's practices as constituting apartheid. As Nobel Peace Prize laureate Archbishop Desmond Tutu wrote to the 2014 PC(USA) General Assembly delegates, "I know firsthand that Israel has created an apartheid reality within its borders and through its occupation."

The National Christian Coalition of Christian Organizations in Palestine (NCCOP), in a letter to the World Council of Churches that was formally received and recommended for study by the 223rd General Assembly of the PC(USA) (2018), called upon the church to urge "the ending of [Israel's] occupation, Apartheid and discriminations, and accept refugees to return to their home land and properties."

Many Jewish leaders, both Israeli and American, have similarly named Israel's practices as apartheid. **Yossi Sarid**, former Israeli Minister of Education, said: "*What acts like apartheid, is run like apartheid and harasses like apartheid, is not a duck – it is apartheid... What should frighten us, however, is not the description of reality, but reality itself.*" (2008). **Shulamit Aloni**, also a former Israeli Minister of Education, said: "*Jewish self-righteousness is taken for granted among ourselves to such an extent that we fail to see what's right in front of our eyes. It's simply inconceivable that the ultimate victims, the Jews, can carry out evil deeds. Nevertheless, the state of Israel practices its own, quite violent, form of Apartheid with the native Palestinian population.*" (2007). **Henry Siegman**, former director of the American Jewish Congress & Synagogue Council of America, said, "*Successive Israeli governments have long sought to preclude the two-state solution. Israel has crossed the threshold from 'the only democracy in the Middle East' to 'the only apartheid regime in the Western world.'*" (2007). Indeed, a 2012 poll of Israeli Jews found that a majority recognize that Israel practices apartheid. <https://www.haaretz.com/.premium-israelis-say-no-vote-to-arabs-if-w-bank-annexed-1.5194145>

Recent events have only made the situation clearer, most especially with Israel's Nation-State law, passed in 2018, that declares that "The right to exercise [national self-determination](#) in the State of Israel is unique to the Jewish people." The Palestinians who have lived there for centuries have no such right.

For too long, too many Americans and Presbyterians have seen the conflict between Israeli Jews and Palestinians through the frame of two peoples who can't get along. This frame is not accurate, and thus not helpful. The core of the conflict is not enmity between two peoples but an unjust structure of power that privileges one group of people over another, a structure that is reflected legally at all levels of society. Following our Palestinian Christian siblings, Archbishop Desmond Tutu, many Israeli Jewish leaders and the majority of the Israeli Jewish populace, we must name this unjust structure by its most accurate name – apartheid.

2016 General Assembly Assessment of Israel-Palestine Facts on the Ground

The 222nd General Assembly (2016) approved a report entitled “Israel-Palestine: For Human Values in the Absence of a Just Peace” that assessed the situation in the West Bank, East Jerusalem, and Gaza. This report was prepared in response to a mandate from the 221st GA to prepare a report assessing the viability of the two-state solution to the Israel-Palestine conflict. Below are some of the conclusions of Section 1 of this report, which summarizes the facts on the ground in Israel/Palestine.

- **Two different sets of laws apply to Jews and non-Jews in East Jerusalem**

East Jerusalem, which the Oslo Accords identified as the capital of a future Palestinian state, has been cut off from the rest of the West Bank by Israel’s erection of a fortified wall and security checkpoints, keeping out most Palestinians. The Israeli government has annexed all Jerusalem and expanded the city’s boundaries to include settlements, while depriving Palestinian residents of citizenship and public services, despite their full payment of taxes to Israel. This claim that Jerusalem is all part of Israel and its united capital, in violation of international law, made Palestinian residents of East Jerusalem stateless, with tenuous and frequently cancelled permission to continue living in their homes. Systematic land reconfiguration and large, strategic settlements in support of “an exclusionary Jewish Jerusalem” are “marginalizing the other national and religious equities in the city,” increasing interreligious tension and contributing to the loss of Christian presence.’

- **Two different sets of laws apply to Jews and non-Jews living in the West Bank**

Israeli settlements in the West Bank and East Jerusalem, illegal under international law, have continued to expand in number, territory and population—now including over 650,000 settlers. Their location and the roads connecting them (for exclusive Israeli use) hem in Palestinian cities and towns and block time-honored transport connections with each other and with Jerusalem and the wider world. Jewish settlers in the occupied Palestinian territory receive treatment as Israeli citizens under a civil justice system, while Palestinians are under military occupation orders without full citizenship rights and legal protections.

- **Two different sets of laws apply to building permits for Jews and non-Jews living in the West Bank**

The 650,000 Jewish settlers in the West Bank are living in housing that received permits from Israeli government agencies. Israel issues almost no permits for Palestinian citizens living in the West Bank that is controlled by Israel. The Israeli government routinely destroys Palestinian homes, wells, businesses and farms in East Jerusalem and most of the West Bank if they are built or repaired without Israeli permits, which are rarely granted. Palestinian property is expropriated for Israeli parks, heritage sites, security zones, and the enclosure wall.

- **Two different sets of laws apply to Jewish and Palestinian refugees**

Refugees’ right of return to their former homes or agreed upon compensation is guaranteed on an individual basis under international law. This right is prohibited for Palestinian refugees. In contrast, Jews from around the world are granted immediate Israeli citizenship when they enter Israel.

- **Two different sets of laws apply to the arrest of Jews and non-Jews living in the West Bank**

The Israeli military arrests adolescent Palestinians in the night, coerces confessions by threats of indefinite imprisonment and holds them without trial or access to a lawyer, a translator, or even a parent. Palestinians are often held in Israel where families cannot visit, which violates international law. Palestinians who allegedly pose a threat are often shot on sight. Despite some security cooperation with the Palestinian

Authority, the Israeli military frequently conducts incursions into Palestinian areas and conducts constant drone surveillance of Gaza and other Palestinian areas.

- **Two different sets of laws apply to access to water by Jews and non-Jews living in the West Bank**
Israeli authorities tightly limit the access of Palestinians to water, while assuring that their own citizens and the settlers have full access 24-7. Per capita use of water in 2014 was 183 liters per day in Israel, compared to 73 for Palestinians in the West Bank and a minimum of 100 recommended by the World Health Organization. Palestinians must have permission to drill or deepen wells, which is rarely granted. Many Palestinian towns get water only a few times a week, while nearby Israeli settlements enjoy swimming pools and watered lawns and gardens. Some of the incursions of the wall into West Bank territory seize control of aquifers there. Israeli wells along Gaza's border substantially deplete the safely drinkable water available there.
- **Two different sets of laws apply to economic development for Jews and non-Jews living in the West Bank**
Economic development in West Bank settlements is encouraged through Israeli state incentives. Economic development for Palestinians in the West Bank and Gaza suffers from Israeli restrictions that hinder exports of their products, imports of raw material, construction of economic infrastructure, transportation within the West Bank and with other economies, access to internet and other communications, and access to financial services. In Jerusalem and elsewhere, Palestinians cannot enforce contracts and property rights vis a vis settlers. A World Bank study showed that removing such obvious restrictions would allow the West Bank GDP to expand by at least a third.
- In the State of Israel, discriminatory laws apply to Palestinian citizens of Israel. According to Adalah, an independent human rights organization and legal center located in Haifa, there are over 65 Israeli laws that discriminate against Palestinian citizens in Israel and/or Palestinian residents of the Occupied Palestinian Territory (OPT) on the basis of their national belonging. (<https://www.adalah.org/en/content/view/7771>)
- In the State of Israel, Palestinian citizens live in Palestinian only villages, except for the cities of Haifa and Tel Aviv where they live in segregated neighborhoods.

United Nations and World Court Definition of Apartheid

The 2016 report to the General Assembly assessing the facts on the ground in Israel-Palestine described a situation where there are two different sets of laws that apply to different ethnic groups living in the same geographical area. This is defined as a system of apartheid under international law.

The classification of apartheid as a crime against humanity under international criminal law was made most strongly in the 1973 International Convention on the Suppression and Punishment of the Crime of Apartheid (U. N. Apartheid Convention), and the 1998 Rome Statute of the International Criminal Court (Rome Statute).

The U.N. Apartheid Convention states that the term "crime of apartheid" applies to acts committed for the purpose of establishing and maintaining domination by one racial group over any other racial group and systematically oppressing them. For the purpose of the Apartheid Convention, the term "the crime of apartheid" includes similar policies and practices of racial segregation and discrimination as practiced in southern Africa and applies to the following inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them:

- Denying a member or members of a racial group or groups of the right to life and liberty by murder, serious bodily or mental harm, the infringement of their freedom or dignity, or by subjecting them to torture or to cruel, inhuman or degrading treatment or punishment.
- Arbitrary arrest and illegal imprisonment of the members of a racial group or groups
- Imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part
- Denying basic human rights and freedoms, including the right to work, the right to form recognized trade unions, the right to education, the right to leave and to return to their country, the right to a nationality, the right to freedom of movement and residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association
- Measures, including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups, the prohibition of mixed marriages among members of various racial groups, the expropriation of landed property belonging to a racial group or groups or to members thereof
- Persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid.

The U.N. defines “racial discrimination,” as “any distinction, exclusion, restriction, or preference based on race, color, descent, or national or ethnic origin that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.” Israeli policies that establish and maintain Israeli domination over Palestinians meet this definition.

Government leaders can be accused of committing the crime of apartheid if they institute or administer laws, practices, and policies that establish apartheid conditions. It is up to the United Nations or the World Court to prosecute those guilty of apartheid. However, individuals, and churches can recognize apartheid and witness to that effect. This procedure is much like our criminal justice system. If a citizen witnesses a crime like a robbery or assault, they can recognize that a crime has been committed and witness to that effect even though only the court system can legally prosecute the crime.

How Israel’s Laws, Policies and Practices Constitute Apartheid Against the Palestinian People

Israel has created a system where one ethnic group, Israeli Jewish nationals, have a superior status and another ethnic group, non-Jewish Arabs living in Israel/Palestine, have an inferior status. Israeli laws, policies, and practices systematically prevent Palestinians from participating in the political, social, economic, and cultural life of their country. The expropriation of Palestinian land, restrictions on the freedom of movement and residence, confining Palestinians to ghettos, arbitrary arrest and imprisonment of Palestinians, the restriction or denial of Palestinian rights to work, education, peaceful assembly, and religious practices are all part of Israeli measures calculated to prevent Palestinians from full participation in the economic, environmental, and social life of their country. This discriminatory system benefits Israeli Jews and causes irreparable harm to non-Jews both in Israel itself and in the occupied Palestinian territories.

The 2016 General Assembly assessment of Israel-Palestine describes the facts on the ground in Israel-Palestine that show a system of apartheid. Highlighted below is an elaboration of seven areas in which the state of Israel’s laws, policies, and practices violate the International Convention on the Suppression and Punishment of the Crime of Apartheid ratified by the United Nations.

Expropriating Palestinian property for Jewish-Only settlements and infrastructure

- In June 1967 East Jerusalem was occupied by the Israeli military. Twenty-seven square miles of East Jerusalem were annexed to Israel. More than 30% of the land in East Jerusalem has been expropriated to build new settlements where approximately 200,000 Israeli's reside in 47,000 units of housing.
- Between 1967 and 2019, vast areas of West Bank land have been expropriated to allow over 121 settlements and 100 outposts for Jewish residents. Nearly 650,000 settlers now live in the occupied West Bank, including 190,000 in East Jerusalem.
- Separation walls/barriers are constructed on land in the West bank and expropriate an additional 11.9% of Palestinian land in the West Bank.
- The agricultural Jordan Valley area, about 30% of the West Bank, is now off limits to most Palestinians.
- Inside Israel – confiscation of so-called “absentee property” seized from Palestinians who were displaced from their homes in the 1948 war. Through Israel’s passage of the Absentee Property law in 1950, Israel confiscated the land of Palestinians who had been expelled from or fled their homes, and transferred it to the state, thereby depriving Palestinians of their rights to their property.

Most recently, Israeli Prime Minister Netanyahu suggested he would annex further parts of the West Bank, continuing the long trajectory of Israeli confiscation of Palestinian lands. The net result is that the state of Israel systematically and continually expropriates the landed property of Palestinians in violation of the International conventions on apartheid.

Denying the right to freedom of residence to Palestinians

- Israeli laws, policies, and practices systematically prevent Palestinians from freedom of residence through denial of building permits for the construction of Palestinian housing and the demolition of Palestinian housing. In those areas of the West Bank and East Jerusalem where Palestinian housing is destroyed or denied, homes for Jewish settlers are permitted and constructed and only Jewish people can live in the settlement colonies.
- In 1967 the population of East Jerusalem was almost entirely Palestinian. Today there are approximately 190,000 Jewish settlers. Palestinians now constitute one-third of East Jerusalem’s population.
- From 1967 to 2019, over 24,000 Palestinian homes have been demolished in the occupied territories.
- Israel’s 1950 Law of Return and its 1952 Citizenship, while conferring automatic citizenship to Jews who immigrate to Israel, denies return and citizenship to those residing outside of Israel between 1948 and 1952, including millions of Palestinians refugees and exiles. Israel thus manipulates the demographics in favor of Jews, while denying the right of return for indigenous Palestinian refugees and their descendants.
- The Citizenship and Entry into Israel Law, enacted in 2003 as a Temporary Order and renewed on an annual basis ever since, prohibits residency or citizenship status to Palestinian spouses from the occupied Palestinian Territories who are married to Palestinians with Israeli citizenship. This law thus prevents family unification and undermines the rights of Palestinian citizens of Israel and of Palestinians from the occupied Palestinian Territories, including the right to family life, and the right to equality in marriage and choice of spouse.

The net result is that the state of Israel systematically and continually denies the freedom of residence to Palestinians in violation of the International conventions on apartheid.

Denying Palestinians the right to freedom of movement_

- Israeli laws, policies, and practices systematically deny Palestinians the right to movement. Israel uses a number of means to restrict Palestinian movement in the West Bank, which include: permanent and tem-

porary checkpoints, physical obstructions, the Separation Wall, roads on which only Israelis can drive, and the movement-permit regime.

- **Checkpoints:** In 2019 over 600 checkpoints and roadblocks in the occupied West Bank restrict Palestinians' freedom of movement to their homes, businesses, schools, jobs, hospitals, and farms. Palestinians routinely suffer indeterminate waiting, humiliating treatment, uncertainty, and denial of access at checkpoints.
- **Segregated roads:** Segregated roads, which Israel euphemistically calls "bypass roads", link settlement colonies with one another and with Israel. The 493 miles of bypass roads provide unrestricted access to Israeli vehicles but restrict or prohibit Palestinian travel. These roads cut off Palestinians from their agricultural land, schools, hospitals, markets, and extended families and carve up the West Bank into isolated enclaves.
- **Separation Wall:** In the West bank much of the Separation Wall extends well beyond the internationally recognized border and separates Palestinian homes from their farmland, businesses, schools, hospitals, and the homes of family and friends. In East Jerusalem the Separation Wall is constructed through the middle of a once contiguous city, much like the Berlin Wall. The wall's main purpose is not security, but rather to separate Palestinians from Israeli settlement colonies on expropriated Palestinian land. The separation Wall cuts deeply into the West Bank in several locations. There is creeping confiscation of land in the areas between the Green Line and the Wall, where severe movement restrictions continue to result in the inability of Palestinian landowners to farm their land. Along this zone between the Green Line and the Wall thousands of Palestinians on both sides of the barrier are being driven into poverty by restrictions on residency, lack of access to farm lands, inability to market their crops, and confiscation of land.
- By implementing these means, Israel has split the West Bank into six geographical areas: North, Center, South, the Jordan Valley and northern Dead Sea. Movement between the sections and within each section has become, in recent years, hard, slow, and sometimes impossible. Israel almost completely forbids the movement of Palestinians between the West Bank and the Gaza Strip and impedes Palestinians from entering Israel and going abroad:
- These restrictions significantly affect the daily lives of Palestinians in commerce, in access to medical treatment and educational institutions, and in conducting social activities. Simple actions such as going to work in a nearby town, marketing farm produce, obtaining medical treatment, and visiting relatives entail bureaucratic procedures and great uncertainty.
- Israel's restriction on freedom of movement for non-Jewish Palestinians is discrimination based on ethnic origin since these restrictions apply only to Palestinians. Jewish residents are permitted to enter and leave settlements without restriction.

The net result is that the state of Israel systematically and continually denies the freedom of movement to Palestinians in violation of the International conventions on apartheid.

Dividing the population along racial lines

Sections a, b, and c and maps 1, 2, and 3 above show how Israeli laws, policies, and practices in the West Bank combined with the infrastructure of illegal settlements, by-pass roads, checkpoints, and the separation wall/barrier systematically create separate reserves or ghettos for Palestinians in the West Bank. Palestinians are forced to live in isolated enclaves which in turn eviscerates the Palestinian economy, and prevent the creation of a viable, contiguous, sovereign, and independent Palestinian state.

Inside the Green Line, Israel has formalized sub-national divisions of the Palestinian people into sometimes overlapping categories such as Christians, Druze, Arabs, Muslims, and Bedouin, as if each were distinct from the Palestinian people. In addition, other sub-groups of Palestinians are variously categorized for special status and

treatment, including “absentees,” “present absentees,” Arameans, Jerusalem residents (annexed, but rendered stateless) and “unrecognized village” residents. All these Israeli-constructed categories of the Palestinian people remain perpetually inferior in status and rights to “Jewish nationals” as a matter of law in Israel, and are effectively accorded second-class citizenship.

The net result is that the state of Israel systematically and continually divides the population along racial lines in violation of the International conventions on apartheid.

Denying Palestinians the right to a nationality

- On November 29, 1947 the United Nations endorsed a Partition Plan for Palestine that divided the League of Nations’ British Mandate of Palestine. In this partition plan 44% of the land was allocated for an Arab state and 56% was allocated for the Jewish state. While Israel did become an independent state in 1948, the independent Arab state did not come into existence because the land designated as an independent Arab state was militarily occupied by Israel, Jordan, and Egypt.
- From 1948 to date the state of Israel has systematically occupied and/or annexed all of the land that had been designated by the United Nations for an independent Palestinian state.
- In 1967 Israel annexed East Jerusalem in violation of international law.
- From 1967 to date, Israel has controlled Area C in the Oslo Peace agreement. Through the construction of settlement colonies, bypass roads, the separation wall/barrier, buffer zones, and the creation of land reserves, Israel has left Palestinians in control less than 10% of the land area of the British mandate of Palestine.
- Israel has failed to implement the November 22, 1967 United Nations Resolution 242 requiring Israel to withdraw its forces from the West Bank and Gaza.
- As noted earlier, the recent (2018) passage by Israel of the Jewish Nation-State Law stated that “the exercise of the right to national self-determination in the State of Israel is unique to the Jewish people.” Thus law thus codifies the Jewish character of the state and further cements institutionalized racial discrimination against the Palestinian people, relegating them to a lower status within their own homeland.

The policy of the most recent Israeli governments has been to explicitly obstruct the creation of a Palestinian state. In the words of Israeli Prime Minister Benjamin Netanyahu, “A Palestinian state will not be created, not like the one people are talking about. It won’t happen.” The plan, rather, in Netanyahu’s words “is to apply Israeli law to the communities in Judea and Samaria [the West Bank], which we will do in the next term. I want to do it gradually. I want to do it if possible with American support.”

<https://www.jpost.com/Arab-Israeli-Conflict/Netanyahu-A-Palestinian-state-wont-be-created-586017>

The net result is that the state of Israel systematically and continually denies Palestinians the right to a nationality in violation of the International conventions on apartheid.

Why Christians Cannot Be Silent about the Israeli System of Apartheid

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The PC (USA) strongly supports Israel’s right to exist as a sovereign nation within secure and internationally recognized borders in accordance with United Nations resolutions. We hope that Israel will live up to its potential to be a democracy with equal rights for all people living in security and prosperity. It is therefore with pain and sorrow that friends of Israel witness Israel’s oppressive policies and actions in the West Bank. It is with great sadness and disappointment that we watch as the promise of human rights for all peoples in the Holy Land for which we hoped has been unrealized, and replaced instead by Israeli laws, practices, and policies that promote the interests and human rights of Israeli Jewish citizens while denying human rights and a nationality to Palestinians, both Christian and Muslim.

The Israeli policies in the West Bank and the infrastructure of the illegal Israeli settlements, by-pass roads, checkpoints, and separation wall/barrier that constitute an apartheid regime are in plain view for all to see and have been denounced by PC (USA) at the last two General Assemblies. However, it is difficult for many Americans and Christians to recognize these Israeli actions as apartheid. One reason may be fear of disturbing our relationships with some of our Jewish or Christian brothers and sisters. It is difficult for many Christians to publicly criticize the policies of Israel's government for fear that even legitimate criticism may be seen as anti-Israel or anti-Semitic or characterized as "picking on Israel" among many countries in the Middle East with human rights violations. Some Christians believe they must silence their criticism of Israel's policies because of the history of the Nazi Holocaust and the failure of many Christians to speak out at the time. Some believe that using the word "apartheid" has a harsh or jarring effect that can hamper constructive dialog.

Our call as Christians means we must sometimes get out of our comfort zone and risk controversy and criticism from people or organizations with whom we are in relationship. It is because of this call that we must recognize what we witness in Israel/Palestine, which is that Israel's laws, practices, and policies constitute apartheid against the Palestinian people. The 2016 report approved by the GA clearly described facts on the ground in Israel-Palestine that constitute a system of apartheid.

After World War II when the horror of the Nazi Holocaust was revealed, Jews around the world said "never again." Many Christians around the world were shamed by their silence during the 1930's as Jews in Germany were given special cards identifying their religion, had their businesses shut down, had their land expropriated, and were forced to live in ghettos. Christians too vowed that never again would they be silent if a government passed laws establishing and maintaining the domination by one ethnic group over another ethnic group through systematic separation, oppression, and denial of basic human rights. Silence in the face of evil was wrong then, and it is wrong now.

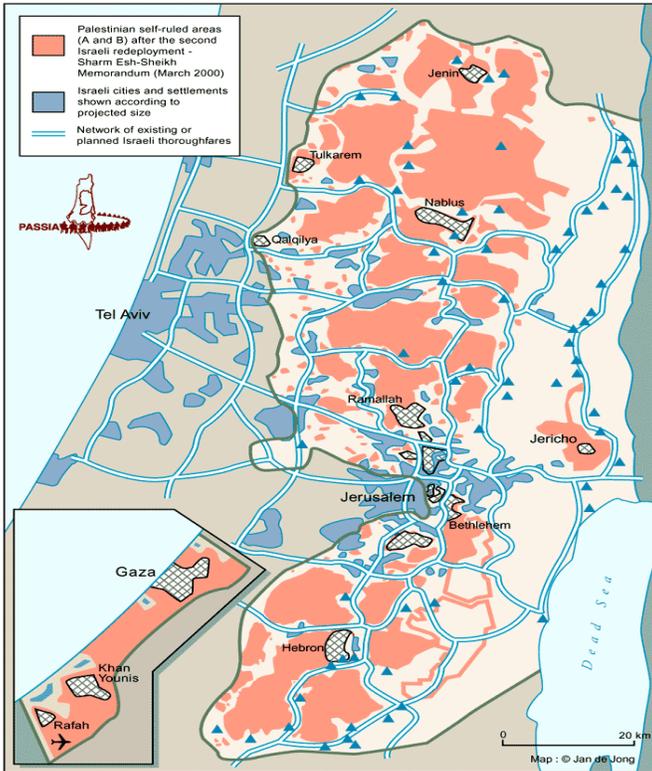
Each year the ordeals and injustices suffered by the Palestinian people in the West Bank, Gaza, and Israel continue. Land is expropriated, homes are demolished, and freedom of movement is restricted. The combination of Israeli settlement colonies on Palestinian land, the bypass roads connecting these settlements, and the Separation Wall creates a network of barriers that confine Palestinians to live in separate reserves and ghettos. The rights to work, education, freedom from arbitrary arrest, peaceful assembly, and freedom of expression granted under international law are restricted or denied.

Reference Maps

In order to visualize how the expropriation of Palestinian land and construction of Israeli settlements in the West Bank, Israeli only by-pass roads, and the separation wall/barrier combine to restrict Palestinians into isolated and ever shrinking enclaves it is necessary to refer to the four reference maps that are included in this overture. It is helpful to refer to these maps when reading the PC(USA) statements below.

- **Map 1: Bypass roads** linking settlement colonies in the West Bank with Israel to allow unrestricted settler movement but allow limited or no access to Palestinians
- **Map 2: The separation wall** is not on the internationally recognized Israel and Palestine boundary. Large swaths of Palestinian territory are on the "Israel side" of the wall.
- **Map 3: Encircled enclaves** (reserves or ghettos) confine Palestinians into 64 isolated and totally surrounded canton-like reserves in the West Bank.
- **Map 4: Palestinian Loss of Land 1946-2010**

Reference Maps

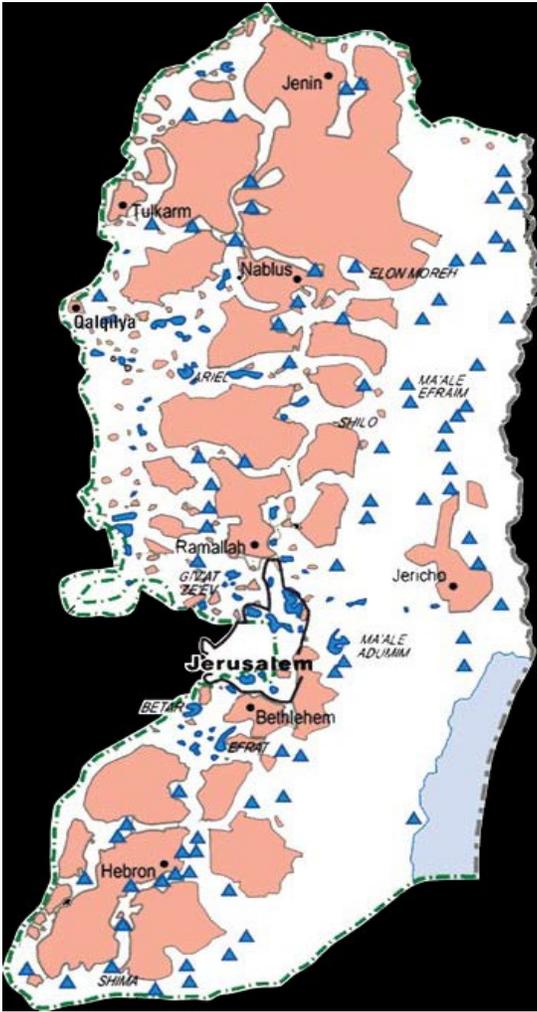


Palestinian Academic Society for the Study of International Affairs (PASSIA)

Map 1: Bypass roads linking settlement colonies in the West Bank with Israel allow unrestricted settler movement but allow limited or no access to Palestinians. Triangles are major Israeli settlement colonies.



Map 2: The Separation Wall (blue line). None of the Palestinian West Bank is part of Israel under international law. However, the separation wall is not on the West Bank's border, but meanders deeply into Palestinian territory and puts large swaths of the West Bank on the "Israel side" of the Wall.



Map 3: Encircled enclaves (reserves or ghettos) confine Palestinians into 64 isolated and totally surrounded canton-like reserves in the West Bank. The triangles are major Israeli settlement colonies.



Map 4: Palestinian Loss of Land 1946-2010

APPENDIX B

For Action by the Presbytery of New Brunswick:

To concur with the overture or not

Recommendation:

The Presbytery of Monmouth overtures the 224th General Assembly to:

1. Recognize that fossil fuels have been used by humans to create a better world for many people and that the time of their usefulness is now over.
2. Recognize that divestment from fossil fuels is a viable approach to the climate emergency, which thousands of other institutions have used to hold the fossil fuel industry accountable for their inadequate responses to this emergency.
3. Commend Mission Responsibility Through Investment (MRTI) for their ongoing work with shareholder engagement to hold these industries accountable to the just and equitable values that Presbyterians seek to uphold.
4. Call on the PC(USA), The Presbyterian Foundation, the Board of Pensions, and Presbyterian Investment and Loan Program to divest from the fossil fuel industry, using the Carbon Underground 200 and the S&P Global Industry Classification Standard's list of publicly-traded companies engaged in coal, oil and gas exploration, extraction, and production as the criteria to identify which companies are considered to be fossil fuel companies.
5. Proscribe (stop) any new investments in fossil fuel industry securities.
6. Instruct MRTI to correspond through form letter to all fossil fuel companies and presbyteries in which they are headquartered of the action and the theological and moral rationale for this decision.
7. Encourage the Board of Pensions and the Presbyterian Church (U.S.A.) Foundation to actively seek out and invest in securities of companies whose predominant focus is in renewable and/or energy efficiency.
8. Direct MRTI to monitor the Board of Pensions and Presbyterian Foundation on actions to divest/invest and to report to the 225th General Assembly on their progress in implementing recommendations 4-7.

Rationale:

Presbyterians, and all people of faith, are always called to serve the earth. This is God's call for all humanity from the very beginning (Genesis 2:15). While fossil fuels have allowed us to create a better world for many, we now know its impact on creation and future generations is threatening the life we know and cherish. As we confess

that failure, we must listen to and engage with the people in frontline communities who are already experiencing climate change, to better understand the human toll climate change has taken and will continue to take on God's children.

Here are just a couple of their voices:

"Every time there's an investment in fossil fuels, we in Africa have never been the winners of that investment. So yes this fight is about climate change but it's about decolonization and survival too." - Coumba Toure of Trust Africa

"There's 5.9 hours of sunlight on average every day in Puerto Rico [which is a lot]. But there's no [infrastructure for] solar or wind. Fossil fuel companies want to make money from oil here—and that's colonialism." - Dr. Ediberto Lopez of el Seminario Evangélico de Puerto Rico

Everything else we do as people of faith to rationalize the need for immediate and categorical divestment takes root in this context and the way our church already acts in the rest of the world. To that end, we offer the below rationale for divestment from fossil fuels from frontline communities, according to the science, and in line with previous Presbyterian policy.

We cannot continue to invest in the past while at the same time investing in the future.

Moral Rationale

Then the LORD said to Cain, "Where is your brother Abel?" "I don't know," he replied. "Am I my brother's keeper?" Genesis 4:9

'Truly I tell you, just as you did it to one of the least of these who are members of my family,¹ you did it to me.' Matthew 25:40

"The moral rationale that undergirds the divestment movement is driven by this logic: climate change is harming our planet and many who inhabit it; fossil fuels are a large driver of the climate problem; and alternatives to fossil fuels exist that can provide the core energy requirements of modern societies. Therefore, profiting from products that drive this damage is morally wrong, and divesting from these products is a moral obligation."¹

This quotation is from a 2019 statement in favor of divestment by GreenFaith, an international and interfaith environmental nonprofit that has been the lead on faith-based divestment movements. This is the moral foun-

¹ Gary Gardner, for GreenFaith, 2019.

dition of the movement to divest from fossil fuels that has been present in the PCUSA since 2013. This morality is guided by the biblical call that we humans are created by God to serve the earth and other people as a way to love God. We are called to love God with our whole hearts. Where our treasure is there our heart will be also (Matthew 6:21).

We have watched as MRTI has faithfully sat at the table of fossil fuel companies, speaking boldly to companies that have lied to the world about climate change and fossil fuels. Still, their faithful witness has garnered slow promises that do not yet address the suffering and injustice implicit in climate change.

And so, it is our unequivocal commissioning to leave the table and divest from the fossil fuel industry, allowing us to reinvest in renewable energy and climate solutions. In doing so, we live out our chief end “to glorify God and enjoy God forever.”²

Scientific Rationale

Human use of fossil fuels has spurred economic and social growth, literally fueling the industrial revolution. However, burning fossil fuels has already raised the average temperature of the earth by 1°C (1.8°F). The latest report from the Intergovernmental Panel on Climate Change³ (IPCC) shows the extent of the damage we will cause to creation if we allow the earth’s temperature to rise by 1.5-2°C, the targets agreed to by all nations of the world under the Paris Agreement of the United Nations Framework Convention on Climate Change⁴. Even at 1.5°C of warming, we can expect to see the extinction of over 300,000 species of animals, have an ice-free Arctic in most summers, expose 14% of people to extreme heat waves (especially in the Global South), expose 250 million people to severe drought, and raise sea levels by at least 1.3 feet.

The increase in global temperature is already causing more frequent heat waves, higher sea levels, more severe droughts, and more frequent heavy rainfall events, resulting in billions of dollars in damage through flooding, wildfires, intense hurricanes, and droughts. These climate disasters have also impacted organisms and ecosystems while reducing crop yields and quality, increasing undernourishment, and damaging human health. Climate change migration is presently a fact of life for people of the Carteret Islands of Papua New Guinea, Shismaref, Alaska, and Isle de Jean Charles, Louisiana--all of whom are preparing to relocate due to the above-mentioned climate change impacts. Sea level rise is projected to reach at least 0.8 feet by the end of 2100 and as much as 6

² Westminster Catechism, question 1

³ IPCC, 2018: *Summary for Policymakers. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty* [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)]. https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf

⁴ United Nations Framework Convention on Climate Change 2015. *Report of the Conference of the Parties on its twenty-first session, held in Paris from 30 November to 13 December 2015.*

<https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

feet if we do not take significant measures to reduce climate warming.⁵

Knowing we must keep climate to 1.5°- 2°C of warming sets limits to how much fossil fuel can be burned. We have about 10 years after GA 224 to stay within these warming limits. However, the fossil fuel industry's own estimates⁶ show that burning the proved reserves of fossil fuels will release almost three times the carbon budget at 2°C⁷ and an astounding five times the 1.5°C budget – CO₂ that will remain in the atmosphere for hundreds of years. Despite these dire realities, oil and gas production is increasing, and PC(USA)'s money has helped allowed oil and gas companies to spend over \$114 Billion in 2017⁸ to acquire new deposits of oil and gas that we can't afford to burn.

The fossil fuel industry often places new refineries and petrochemical plants in poor communities of color who lack the resources to stand in the way. This form of environmental racism drives some of the highest rates of cancer and disease in the country. A predominantly African-American South Philadelphia community, for example, surrounds the Philadelphia Energy Solutions (PES) refinery. That plant was already Philadelphia's biggest single air polluter before it recently exploded, sending toxic fumes into the surrounding community of people who cannot afford to move away from them. A 2017 report⁹ said the PES complex was responsible for 72 percent of the toxic air emissions in Philadelphia, a major factor in the city's childhood asthma rate, which is more than double the national average, as well as causing a range of other health effects including headaches and cancer.¹⁰ Marathon Oil (one of PCUSA's GA9 investments¹¹), which recently spent \$1.9 billion to expand their refinery in a Detroit suburb, purchased property from nearby white neighbors in the path of the refinery's pollution clouds, leaving communities of color to suffer.¹²

⁵ L. Bamber, Jonathan; Oppenheimer, Michael; E. Kopp, Robert; P. Aspinall, Willy; M. Cooke, Roger 2019. *Proceedings of the National Academy of Sciences*. Ice sheet contributions to future sea-level rise from structured expert judgment. doi:10.1073/pnas.1817205116.

⁶ BP Statistical Review of World Energy 2019. 68th edition.
<https://www.bp.com/content/dam/bp/business-sites/en/global/corporate/pdfs/energy-economics/statistical-review/bp-stats-review-2019-full-report.pdf>

⁷ Richard Heede and Naomi Oreskes 2016. *Global Environmental Change*. Potential emissions of CO₂ and methane from proved reserves of fossil fuels: An alternative analysis. doi: 10.1016/j.gloenvcha.2015.10.005

⁸ Robert Rapier 2018. *Forbes*. Oil Company Spending And Oil Reserves Are On The Rise.
<https://www.forbes.com/sites/rrapier/2018/07/27/oil-company-spending-and-oil-reserves-are-on-the-rise/#207559c54a31>

⁹ Lesley Fleischman and Marcus Franklin 2017. *Fumes Across the Fence-Line: The Health Impacts of Air Pollution from oil & Gas Facilities on African American Communities*.
http://www.catf.us/wp-content/uploads/2017/11/CATF_Pub_FumesAcrossTheFenceLine.pdf

¹⁰ Frank Kummer 2019. *The Philadelphia Inquirer*. Philadelphia refinery that caught fire is city's biggest single polluter.
<https://www.inquirer.com/science/climate/philadelphia-refinery-fire-pollution-history-20190624.html>

¹¹ Ibid

¹² Rich Copely 2019. *Presbyterian News Service*. Investment group meets Detroit residents living in refinery's toxic shadow.
<https://www.presbyterianmission.org/story/investment-group-meets-detroit-residents-living-in-refinerys-toxic-shadow/>

While we sit at the table trying to convince these companies to change their ways, they continue to perpetuate sins against humans and all creation. We currently profit from these scientific realities and sins against our neighbor. In the face of this climate emergency, we must stand firm in a bold witness with people who have been hurt by the fossil fuel industry--we must divest.

Criteria Rationale

The criteria this overture calls upon the denomination to use to define which companies are fossil fuel companies, and thereby, which will go on the divestment and proscription list, are of vital importance. The first criterion, the Carbon Underground 200¹³, compiled and maintained by Fossil Free IndexesSM, identifies the top 100 coal and the top 100 oil and gas publicly-traded reserve holders globally, ranked by the potential carbon emissions content of their reported reserves. This is the approach that has been most commonly used by institutions seeking to divest. By identifying the publicly-traded companies with the largest reserves, divesting from these companies has the most immediate impact.

The second criterion is the S&P Global Industry Classification Standard (GICS®)¹⁴ listing of publicly-traded companies engaged in coal, oil and gas exploration, extraction, and production. The GICS was designed in response to the global financial community's need for accurate, complete and standard industry definitions. The GICS structure consists of 11 Sectors, 24 Industry groups, 69 Industries and 158 sub-industries. Used for financial indices such as the S&P Oil & Gas Exploration & Production Select Industry Index, the GICS Industry categories Oil, Gas & Consumable Fuels (101020) and Energy Equipment & Services (101010) capture the entire industry. Using this criterion prevents proscribing investment in companies selling petroleum products while still profiting from companies engaged in exploration, extraction, and production, such as oil rig producers and independent fracking companies.

The third criterion calls for divestment. The Board of Pensions has consistently argued that they cannot divest without undermining their fiduciary responsibility to pension holders. However, over 1000 institutions – who must also uphold fiduciary responsibility – have already divested, representing over \$11 trillion worldwide.¹⁵ *Clearly it is possible (and one might argue necessary) to divest from fossil fuels and still be responsible for the investments of pensioners.*

in 2017 the IPCC reported we have about 10 years after GA 224 to make major changes, including a 45% reduction in CO₂ emissions by 2030 and reaching net-zero emissions by 2050 to stay within 1.5°C of warming¹⁶. PC(USA)'s Mission Responsibility Through Investment (MRTI) committee currently uses a set of criteria that fail

¹³ <https://fossilfreefunds.org/carbon-underground-200>

¹⁴ S&P Global 2018. *Global Industry Classification Standard*.

https://www.spglobal.com/marketintelligence/en/documents/112727-gics-mapbook_2018_v3_letter_digitalspreads.pdf

¹⁵ <https://gofossilfree.org/divestment/commitments/>

¹⁶ Ibid

to respond prophetically to the urgency of climate change. MRTI's methodical approach is unnecessarily time consuming when there is little time left to act. MRTI has carefully constructed an evaluation rubric consisting of 20 environmental metrics, 12 social metrics, and 12 governance metrics (with several subcategories in some of these). Such an environmental, social, and governance (ESG) evaluation is the cornerstone of modern socially-responsible investing. GA222 charged MRTI with identifying these metrics in 2016. GA223 approved the metrics and identified an initial list of nine companies to consider, of which only six are oil and gas companies¹⁷. MRTI may deliver a list of proposed divestments to GA224 – six years since GA221 first considered divestment. There is no certainty that MRTI will consider any additional companies post 2020 because such a move would require a mandate from General Assembly. In fact, current MRTI efforts will not even provide a clear idea which of these companies are moving towards a low-carbon future and which are not until 2023, making further significant action unlikely before the 2024 GA226 meeting¹⁸. Additionally, the MRTI approach includes no proscription of investment in other fossil fuel companies, so PC(USA) funds divested from one oil company could be re-invested into another. Finally, The MRTI process is too slow to make the changes we need now to protect creation.

PCUSA Policy Rationale

*He has told you, O mortal, what is good; and what does the Lord require of you
but to do justice, and to love kindness, and to walk humbly with your God? Micah 6:8*

The PC(USA) has a long history of divestment and, in particular, of categorical divestment. The church has divested from five industrial categories – military-related products, tobacco companies, alcohol corporations, gambling businesses, and for-profit prisons. The church has also divested from particular corporations that have contributed to human rights abuses in specific times and places.

In 1984 when the PC(USA) adopted its policy on divestment¹⁹ it provided for “divestment of holdings in a particular firm or class of firms is both part of the normal management of funds and potentially an occasion for Christian witness to God's call for justice and the renewal of society”. However, in its implementation of this policy, PC(USA)'s committee on Mission Responsibility Through Investment (MRTI) has developed a policy for divestment from an entire industrial category (class of firms). The paths to categorical divestment and the forms it has taken have thus diverged in each case. Such flexibility has allowed the church to appropriately respond to different industries and the various social and environmental problems each creates.

¹⁷ Ibid

¹⁸https://www.presbyterianmission.org/story/mrti-shares-first-round-of-general-assembly-environmental-compliance-scores/?utm_source=ActiveCampaign&utm_medium=email&utm_content=Presbyterian+Church+USA+Weekly+News&utm_campaign=Presbyterian+Church+USA+Weekly+News+%7C+Sep+04-10+2019&fbclid=IwAR1GsHB6vEJUlhx_9gGqcWN9Tkma2U8uBhF410dLP71kt6ly-xnBB3XZqc

¹⁹ Office of General Assembly 1984. The Divestment Strategy: Principles and Criteria. 196th General Assembly Journal, 193-207.

The 194th General Assembly of the United Presbyterian Church in the USA, for example, instructed the church to divest from corporations involved in military activities. Between 1982 and 1998, the General Assembly refined this industrial category to include (1) the five biggest military contractors to the US government, (2) companies that receive at least 50 percent of their sales from military contracts and are among the 100 highest-earning military contractors, (3) the top five earning companies engaged in foreign military sales, and (4) corporations that produce weapons that can lead to mass civilian casualties. MRTI began recommending these measures after ten years of shareholder engagement.

The General Assembly instructed the church to divest from all tobacco companies in 1990. The overture to divest called upon MRTI to “develop annually a list of corporations ‘whose primary business is tobacco and are known as such.’” In 1996, GA directed MRTI to use the Investor Responsibility Research Center, the American Lung Association, and Corporate Campaign, Inc. to define what qualifies as a tobacco company. From these guidelines, 21 corporations were identified. MRTI did not conduct any shareholder engagement prior to the GA’s decision to divest.

Neither the General Assembly nor MRTI has ever called for divestment from alcohol or gambling corporations. However, the Board of Pensions and the Presbyterian Church (USA) Foundation have their own policies, which govern divesting/proscribing investments in all domestic and international alcohol and gambling corporations.

The GA voted in 2003 to call for the abolition of all for-profit prisons, jails, and detention centers. In 2012, the GA instructed MRTI to “report on the feasibility of affecting the corporate practices of Corrections Corporation of America (CCA), the GEO Group, and any other publicly traded corporation that directly manages or operates for-profit prisons and/or detention centers.” MRTI determined, “while efforts could be made through shareholder advocacy (where stock is owned in a publicly traded company), such efforts might improve some prison conditions, but would not address the fundamental contradictions identified by the 215th General Assembly (2003).” The GA therefore voted to divest from all publicly traded for-profit prison companies.

The denomination has chosen to divest from each of these entire industrial categories in the first place because the very nature of these industries has been seen as harmful to the spiritual and biological life of God’s creation.

This overture to categorically divest from the fossil fuel industry would take a prophetic stance to protect God’s creation and ensure a sustainable energy future for the church and God’s world.