Notes on Constitutions of the Church

1. Quoad Omnia.

This means that the Kirk Session is literally “responsible for all things”. From the time of the development of the Parish system in Scotland and the growth of Parish Churches, which dates from the Twelfth Century, the Parish (a geographical area usually with a church building in a prominent location), took on responsibility for a wide range of tasks in relation to obvious pastoral work and the administration and organisation of Poor Relief.

When the Reformation took place, after 1560, the Parish system of the Roman Catholic Church in Scotland was “adopted” by the newly formed Church of Scotland, and its character and traditions continued. All old Parish Churches operated this model until relatively recently, and had, until the Victorian Era, responsibility for the administration of Poor Relief, the provision of education and discipline over the behaviour of residents of Parishes. This constitution allows the Elders meeting as members of the Kirk Session to determine all aspects of a Congregation’s life, including property, buildings and finance, as well as “spiritual aspects”, like the time of worship and the pastoral oversight of the membership. The Moderator of the Session is usually a Minister, appointed to the charge, but may rarely be an Elder who has been asked to undertake a specific role in relation to the Kirk Session, and has been trained and authorised to undertake this responsibility.

2. Quoad Sacra or the “model constitution”.

This term refers to the type of constitution which was insisted upon at any union of congregations to form a united congregation, hence it was known as the model constitution. This method of management of the affairs of a congregation makes the Kirk Session responsible for the spiritual matters of a congregation’s life and creates a Congregational Board to take on the management of the temporal aspects of the life of a congregation, like finance and property. A proportion of the Congregational Board must comprise of Elders who have been duly ordained and elected to serve on the Kirk Session. Other members are elected at the Annual General Meeting of the Congregation for specific terms. The Minister is entitled to chair the Congregational Board, but may nominate someone to act in his or her stead.

3. The Deacon’s Court.

This is extremely similar to the above in 2, whereby the Kirk Session is responsible for the spiritual aspects of the life of the congregation, and the Deacon’s Court, like the Congregational Board, is composed of Elders and those elected as Deacons, and some of the Deacons may be appointed for life.

4. Committee of Management

From the development of the Relief Church and its growth in many middle-class areas, which came to be part of the United Presbyterian Church, this system of separation of the sacred and secular developed. The Congregations all had a Kirk Session, with a Minister as Moderator, to determine spiritual matters.

The Congregation also elected Managers, some of whom could be Elders, to look after property and finance (the temporal). Each Congregation had a constitution stating the number of managers who were to be appointed (usually 12 or 15) and some indicated that no women were allowed to be elected. In all instances, the Minister was NOT allowed to participate. This developed from the belief that if the Minister was undertaking the obligations of office effectively, the Managers would exercise diligence and care from a theologically informed conscience. It was seen by some as “the best system when it worked well and the worst system when it worked badly”.

5. **Unitary Constitution**

This is a relatively new form of Church government, which has strong parallels and similarities to the “Quoad Omnia” approach. It could be argued that the Unitary Constitution takes the best of the three earlier constitutions. While the Kirk Session is responsible, and individual members of the Session as Elders, have to act and take seriously their role as Trustees in relation to charity legislation, the practice allows for greater flexibility in the way it allows elders to use their skills and talents in their areas of interest.

In operation, while the Kirk Session in this form of governance, makes its decisions, sets its priorities on behalf of the Congregation, it often relies on groups (sometimes known as teams, committees or ministries), to look after various aspects of the Congregation’s life and witness (e.g. Finance, property, mission, community engagement). The Kirk Session is responsible for preparing the remit of each Committee. The members of these groups have to include Elders, but do not need to comprise of Elders in total, and therefore a number of people, who would be unwilling or unable to accept the obligations and duties of Eldership, are able to be as fully involved in the life of the Congregation and its organisation as circumstances allow.