Grant me justice...!

Dear readers, I invite you to meet brother VanDumpink. Brother VanDumpink is a wise elder in the Canadian Reformed Church at Trappatown, New Brunswick and at the last council meeting he was appointed as a delegate to the next Classis Atlantic. When he receives the provisional agenda for this classis, it comes with a package in which he finds – among other documents – a twenty-four page appeal from a brother against decisions of the consistory of the church at A.

Brother VanDumpink likes to be prepared for his meetings and so he reads this appeal. The writer seems to be very frustrated with his consistory and in particular with his minister, but it is not quite clear to brother VanDumpink what this angry brother wants Classis to do. Well, let’s wait and see, he thinks.

Three weeks later, when brother VanDumpink drives home after the meeting, he has a lot to think about. He does not feel very satisfied with how this whole appeal thing went. First there was a long discussion about the question whether this appeal was admissible or not. There were different opinions and it was pretty confusing. Then, when in the end the conclusion was, “yes, we are going to deal with this,” it did not get much better. There were lots of questions no one could answer. Some of the delegates seemed to know the brother. That did not help either. But when he had suggested asking the man to come to Classis and clarify his case, he was told, “No, no, we cannot do that. Classis can only judge by what is on paper.” But then the brothers of the church at A were free to give their own view on the case and on this brother’s difficult personality. He thought that was pretty odd. In the end they did come to a decision on this appeal, but as he drives home brother VanDumpink is wondering whether the result will do anything to solve the problem in the congregation at A. He does not sleep well that night.

Brothers and sisters, have any of you ever read something your consistory did or decided and thought, “This is wrong. I have a real problem with this. I should write a letter”? Perhaps some of you have done that. And then you received a reply after four or five months, but you feel that the consistory did not take your concerns seriously. You feel that you have been wronged.

Perhaps you have a conflict with a brother in the congregation, or with your elder. Or you have trouble with your minister, but you feel that your complaints are being ignored. You get frustrated because nothing is being done to solve the problem, to help you restore the relationship between you and your brother. Then what? The standard answer is that “you can go to classis.” Have you ever done that? Do you actually have an idea of how to do that? Where do you have to go and how does that work?

**God is a God of justice**

Why do we need to think about these matters in the churches? After all – these issues don’t seem to be too urgent. It is my impression that by and large things are relatively peaceful in our churches. And major assemblies like classes or synods don’t seem to be swamped with appeals from brothers and/or sisters that feel that they have been wronged by the decisions of consistories.

The question is, of course, whether that means that there are hardly any conflicts among God’s children where injustice causes pain and hurt, or frustration and anger. It could also mean that people that have been wronged don’t even bother seeking justice by way of bringing their case to the ecclesiastical assemblies as courts of appeal. The point that I want to make is that if there is one community in this world where doing justice has a very high priority, it is the church of Jesus...
Christ. And not just as a theoretical statement, but as something that can be seen, experienced, and trusted by everyone inside and outside the church.

Among God's people it must be clear beyond any doubt that we work with the highest standards possible to do what is just when there is a conflict. We have the responsibility to grant and protect justice when someone complains that he or she has been treated unjustly. In the churches of Jesus Christ we are to see to it that justice is being done under all circumstances. This expectation is also the background of what the Apostle Paul writes in 1 Corinthians 6:1-6 when he urges the believers to judge among themselves disputes and conflicts that arise in the church community. The key point here, that makes the manner in which we deal with each other in the church indeed an urgent issue, is that our God is a God of justice. This is a significant aspect when the Bible speaks about God. The Lord Himself is a judge – a just and impartial judge. And He wants his people to reflect that.

At the opening of the convocation we read from Deuteronomy 1. In the verses 16 and 17 Moses sets high standards for Israel's judges.

Hear the disputes between your brothers and judge fairly, whether the case is between brother Israelites or between one of them and an alien. Do not show partiality in judging; hear both small and great alike. Do not be afraid of any man, for judgment belongs to God.

Time and again the Lord stresses the need for his people to do justice because of who He is – "the judge of all the earth who does right," as Abraham calls Him in Genesis 18:25. Or "the just and mighty one, who does not show partiality or favoritism," as Elihu calls Him in Job 34:18, 19. And in the Song of Moses, in Deuteronomy 32:4, Moses says about Him that "all his ways are just. He is a faithful God who does no wrong, upright and just is He."

You can also think of how we get to know God in the Psalms. Just two examples. Psalm 43:1 says "Vindicate me, O God, and plead my cause." The words are legal terms. It is the language of the courts. The author issues an appeal: "Grant me justice, O God." And Psalm 146 describes the Lord as "the one who upholds the cause of the oppressed and who loves the righteous." And there is much more.

Later on in the Old Testament we read in the books of the prophets how disappointed and angry the Lord is when He sees how justice is perverted among his people. Isaiah laments in 5:7, "He looked for justice, but saw bloodshed; for righteousness, but heard cries of distress." O sure, they bring their sacrifices, they come to worship, they sing their songs, but God hates it, says Amos. "Do away with all these things, says the Lord, but instead let justice roll on like a river, righteousness like a never-failing stream."

In the New Testament God is the same and expects the same. In Luke 18, Jesus told the parable about this widow who keeps knocking on the door of this judge and who persistently pleads with him. Grant me justice! Grant me justice! The contrast is that God will bring about justice when his people cry out to Him and that He will do so quickly. He will show Himself as the God of justice.

Here again Scripture condemns in strong language the people who claim to stick to all God's rules, including the fine print of his law, but who neglect the more important things. "Woe to you, teachers of the law and Pharisees, you hypocrites," Jesus says, "you give God a tenth of your spices – mint, dill and cumin. But you have neglected the more important matters of the law – justice, mercy and faithfulness" (Matthew 23:23).

The Holy and Almighty One does not change. As the Lord, the God of the covenant who faithfully keeps his Word, He will do justice. And He expects us to do the same among each other. His Word sets the high standards for those in the church who are called as judges to do justice, whether this is as office bearers in the local church, or as members of a classis or synod.
Doing justice

When we talk about “justice” it is important to realize that in Scripture this is not an abstract ideal that can be reached by simply sticking to a set of rules. When the Lord requires justice, his goal is the wellbeing and healing of his people, the restoration of the peace and harmony among his children. Through the prophet Zechariah God gives the instruction, “Administer true justice; show mercy and compassion to one another.” And, “Speak the truth to each other, and render true and sound judgment in your courts” (Zechariah 7:9 and 8:16). Justice includes love, mercy, and compassion.

“Doing justice” is the way to restore the covenant community. That means that most of the time it is not sufficient to decide that A is right and B is wrong. If it is clear that A is right and B is wrong, it must be said, of course, but it goes further. The aim is that when God’s children are stuck with each other, they receive help to resolve the conflict and can go on together in peace and harmony. Then a decision of a classis or synod in response to an appeal becomes an appeal to brothers and sisters to open their hearts for each other, to be humble and forgiving. Then justice will serve the peace.

When there is a conflict in the congregation and the parties cannot solve it and one of the parties appeals to classis, they come to the sister churches in that region for help. The sister churches gathered in that classis are asked to judge. It is so important that the members of classis, who sit as judges, keep in mind that it is not just an A versus B case. No, they are confronted with disturbed relationships among brothers and sisters. And that does not occur in isolation. The congregation suffers. It hurts the covenant community. It affects the relationship with the Lord.

When an issue has dragged on for a while and a number of things have happened and many things have been said over time, the matter can become quite complicated. In a case like that a classis or synod can easily get lost in the historical or procedural details. It is important to remember the goal, that justice is to serve the restoration of the covenant community with brothers and sisters and with the Lord.

By the way, you can hear sometimes that as Christian believers we should be willing to humble ourselves and to bear injustice, if there is no other way to restore peace – even in the church. This is true. There can be times that I have to accept that injustice cannot be undone. This can be painful, but we live in a sinful world. And it is also true in the church that not everything that is broken can be healed or fixed on this side of the grave. We have to live with this reality and sometimes we must leave unfinished matters prayerfully in the hands of the Lord.

Having said that, this sad reality can never be an excuse for a consistory, classis, or synod to become sloppy in administering justice according to the high standards of God Himself. No, the people who are called to judge must always see themselves as God’s instruments to administer God’s justice. This means that it is to be done in such a way that in the decision both parties can recognize the desire to serve the restoration of peace.

Making it work

How can we make this work in our churches? When we are confronted with the cry “Grant me justice!” how can we respond to this and do so in such a manner that it may indeed lead to the restoration of peace in the covenant community of God’s children? How is this matter of granting justice dealt with in our Church Order? Well, all that we have is our famous Article 31: “If anyone complains that he has been wronged by the decision of a minor assembly, he shall have the right to appeal to the major assembly.” This is very compact and not very specific. In the Proposed Church Order, presented by the Joint CO committee of the CanRC and the URCNA, this matter is dealt with in Article 55. Although some aspects are spelled out in more detail, in essence it does not say much more than our Article 31. The rule seems simple, straightforward, and clear, but in fact it leaves many procedural issues wide open.
To mention a few: there is no timeframe. When will I receive an answer? People can feel wronged for many different reasons. Does everything carry the same weight? Do I get the opportunity to clarify my appeal verbally? Can I sit in when classis deals with my case? What could make my appeal inadmissible? What do I do then? In fact, the procedure is not very transparent. And it is not always consistent, either.

As far as I know, none of our classes have adopted a set of regulations or guidelines for dealing with appeals. And so in practice every classis goes by the collective memory of the delegates when it comes to these things. How can I be sure of consistency from one classis to the next? And can I count on equal treatment no matter whether I present my appeal to Classis Alberta, or Pacific East, or Niagara?

The suggestion to adopt as classis or synod a set of rules that would improve the clarity and transparency of the procedure, to guard the biblical standards for doing justice, has met several objections.

One is the idea that we don’t need a set of judicial regulations in the church. We don’t have to worry about those things. We are all brothers and sisters in the Lord and so we can trust each other. But that’s a fallacy! It sounds pious, but we are dealing with a conflict between sinful people. Especially in a situation in which the peace between brothers in the Lord has been disturbed, and mutual trust is broken, clear guidelines can help us to prevent such a conflict from turning into personal competition or a power struggle about side-issues. And such rules will allow the judges to focus on what needs to be done to restore peace and harmony by granting justice.

In our Canadian Reformed Churches, as a relatively small federation, this process is even more vulnerable, because we all know each other and many of us are related. When brother A’s appeal is tabled, chances are that more than fifty percent of the delegates at any given classis know brother A and have already an opinion about his character and about his case. Clear rules will enhance transparency and accountability, which can help us fight partiality.

Another objection is that traditionally we have been very hesitant in our churches to set up too many regulations. The reasoning is that over-regulation leads to bureaucracy, which leads to hierarchy. And major assemblies have no business trying to fix local problems. This is no doubt a very valuable consideration. But God is a God of justice and peace. And when you notice that a lack of clarity and transparency is causing confusion, frustration, and distrust among those who seek justice, it may be good to regulate some of these things. The slogan “no more rules” can also come from an independentistic streak in our collective character.

And so I do believe that it is time to work on improvements that ensure greater clarity, transparency, and consistency in this area of granting justice when confronted with an appeal at a classis or synod.

**Listen to the Scriptures first**

Tonight is not the time and occasion to spell out the more technical details of such a structure. But the first thing is that together as churches we need to be convinced that there is not only room for improvement when it comes to dealing with perceived injustice but that there is also a need for improvements here. As such this is not a new matter. Other churches and church federations have regulations for dealing with appeals and complaints that are much more detailed.

But it is not new in our own history either. P. Deddens was professor in Church History and Church Polity from 1945 to 1958 at the Theological Seminary of our Dutch sister churches in Kampen. In 1953 and 1954 he wrote two lengthy series of articles on this topic in the weekly *De Reformatie*. Especially fascinating is his overview of how these things were handled in the Reformed churches since the Reformation. We can learn much from these articles and I believe that Deddens’ conclusions are very valuable for us today.

Unfortunately, no one listened to Deddens for about forty years. This changed in the early nineties in The Netherlands. At that time Dr. M. te Velde, currently professor in Church Polity at the
Theological University in Kampen, revisited the matter and took the initiative to form a study committee. Ministers interested in Church Polity and specialists in legal matters got together and published conclusions and suggestions for better procedures. Some of these were taken up by local churches and in many classical districts guidelines has been adopted to guard a proper, transparent, and consistent procedure.\(^5\)

When we try to identify some of the weak points and some of the areas in which a lack of clarity, and perhaps a lack of consensus, can easily frustrate and discourage brothers or sisters who are looking for justice in the church, and when we want to identify ways in which we can improve here, it will be good to remember the important rule of Prof. Deddens. “Listen to the Scriptures first – and then to the Church Order.” It is important that those who write an appeal, as well as those who are called to judge it, are willing to apply the principles the Lord has given us in his Word.

Think of what we have seen already about the goal of administering justice, about the need for a thorough investigation, about impartiality, fairness, and consistency. Think of Paul’s words in Philippians 2 about Christian humility, considering others better than yourself, and looking to the interests of others. When you write an appeal you need love, humility, meekness, and carefulness. You need to pray before you start writing. And when you judge an appeal you need love, wisdom, careful discretion, patience, and mercy. You need to pray before you start judging.

Let me briefly present some suggestions as to where we could and should improve.

a. It may be helpful to set some clear guidelines for “admissibility.” Much time is spent finding out whether an appeal is admissible or not, and opinions differ. In the background there is always the attraction of a shorter meeting if you can avoid dealing with an appeal. This is dangerous and can jeopardize justice.

b. An essential rule in civil justice should also apply in the church. That is the requirement to hear both sides, preferably in each other’s presence. We have read it in Deuteronomy 1 and it was the practice in the Reformed churches in the sixteenth and seventeenth centuries. It was also done in the churches of the Secession in the nineteenth century.\(^6\) In our churches it has become the rule to deal with appeals only on the basis of the documents, but it would be good to return to this scriptural practice.

c. Confidential material that one of the parties is not allowed to see must not play a role in the procedures. Both parties must have access to all the documents that are relevant to the case.

d. All the steps of the procedure must be transparent and we must avoid even the slightest impression of partiality. “Justice must not only be done, but must be seen to be done.” If one party cannot speak or be present, then the other one should not speak or be present either. I would feel very uncomfortable if my appeal against my consistory is dealt with at classis and these brothers can perhaps say what they want, and I am not even allowed to be there!

e. In the legal profession the rule is “justice delayed is justice denied.” Our appeal process can drag on and on and the brother or sister who complains about injustice will be discouraged. If nothing seems to happen for a long time, they will lose respect for the assemblies and for office bearers. By the time the process is exhausted it may be very difficult to restore the peace and harmony in the covenant community.

f. We seem to have a fear for being too “pastoral” when we reply to an appeal in a major assembly. The argument is that pastoral advice in any form is the task of the local elders only and not of delegates to major assemblies. But in this context I believe that to be a false dilemma. When we remember the goal of doing justice in the church, there is no real contrast between a formal reply and pastoral wisdom. Scripture makes clear that justice includes mercy and compassion. Those who are called to administer justice are called to facilitate reconciliation, to help restore peace among God’s children and with God.

g. Would it not be wonderful to find ways to solve conflicts through arbitration? When both parties would be willing to agree to accept a binding conclusion and advice coming from a small number of trusted arbitrators, they would act in line with 1 Corinthians 6. It would also have the
advantage that a dispute can be dealt with much quicker than when someone has to wait for a few months or more for a classis or synod to be convened.

It should be very clear that all this is not a matter of expanding the rules for the sake of having more rules. But it should also be clear that especially today it is utterly urgent to have clear, fair, transparent and consistent procedures in place. And when I emphasize “today” I think of the possibility that a brother is so frustrated by what he feels as serious injustice that was done to him in the way classis has responded to his appeal, that he is going to take the whole matter to the civil court.

It is very difficult to predict what the judge is going to do in a court case that involves a church, but based on the legal precedents set by the courts, one or more of the following things could happen.7

- In our country the judge will most likely not step into judging spiritual matters
- The judge will as much as he can respect the internal rules and regulations of the church
- But he will look at the case and check carefully whether these rules were handled in a proper manner by the ecclesiastical courts
- The judge may also go a step further and review these internal rules and practices for consistency and clarity and whether they reflect generally accepted standards for procedural fairness in our society, looking at impartiality, a fair hearing, a fair trial, and things like that
- If these rules are found wanting or if a classis has applied them in a sloppy and unfair way, the judge may step in and set aside the conclusions of the ecclesiastical courts.

Conclusion

To sum it all up, brother VanDumpink learned from his experience at Classis Atlantic that when we hear the call “Grant me justice!” we need to think first of all: there is a problem in the communion of saints. There is a conflict between brothers and sisters in the Lord Jesus Christ. God’s children are hurting. God’s children are stuck and they need help and restoration to continue their journey together.

At the Theological College we prepare men for the Ministry of the Word in the church of the Lord Jesus Christ. They must be able to teach, preach, do pastoral work as they comfort, admonish, exhort, and encourage with God’s Word. We know all these things.

But the minister will also be confronted with painful conflicts in various forms. That will be unavoidable. He will face confusing and incomprehensible family feuds in the congregation. He will have to deal with brothers and sisters that are angry, because they feel wronged by others in the congregation, or by decisions and actions of the consistory. Perhaps one day he himself will feel wronged by something his consistory did. Then he sees himself confronted with the question: “can I bear what I feel as injustice or do I appeal?”

These things can be daunting, intimidating and sometimes frustrating. But together with the elders he must guard the church as a community that maintains the highest standards possible for doing what is just, even if the conflict would involve aspects of the minister’s own work. Then all the efforts in the community of God’s people to restore peace and harmony by administering true justice will reflect God’s justice, love, mercy, and compassion.

When brothers and sisters know this, they will feel safe to bring their appeals prayerfully to the assemblies and ask, “Grant me justice.” And the brothers VanDumpink among us can sleep well.

J De Gelder

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Other passages are Leviticus 19:15; Deuteronomy 13:14; 16:18; 17:4; 19:19; Psalm 37:28; Malachi 2:17.

Texts like Matthew 5:40; Galatians 6:2; Ephesians 4:2; Colossians 3:13 and Philippians 2:3-5 have great significance for those who write an appeal, but also for those who are called to judge an appeal.


De Reformatie, Vol. 28 (October 1952 – September 1953) and Vol. 29 (October 1953 – September 1954). In 2001 the Rev. G. van Rongen wrote an introduction to these articles of Prof. P. Deddens and gave a summary of the content in his brochure The Right of Appeal – How do we deal with it?

The magazine De Reformatie published the results of the work of this study committee in a thematic issue with the title “Appelrecht” (the right of appeal), Vol. 69, nr.30 (April 30, 1994). These articles were reprinted in Recht doen aan ‘bezwaarden’ (Doing justice to appellants), a brochure published by the Gereformeerd Wetenschappelijk Genootschap as GWG Publicatie 2, 1997.

For more details see the articles of Prof. P. Deddens mentioned in note 7

With thanks to Br. H. Faber, who, some time ago when we spoke about this matter, provided some information on various cases that have been before the civil courts.