

Grant Me JUSTICE!



In the previous article in this series, we looked at the distinction between “authority” and “jurisdiction” for major assemblies in our church federation. One of the questions that might come up is: how does this work in the case of an appeal?

In Article 31 of the Church Order, we have this rule: “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, and whatever may be agreed upon by a majority vote shall be considered settled and binding.” Here a major assembly can and must judge a decision of a minor assembly, and the result is binding. Is that hierarchy? No. As sister churches we have agreed to help each other to protect justice in the church by judging appeals. Article 31 formulates this by stating two principles: (1) the right of appeal, and (2) the willingness to accept the decisions as settled and binding.

LET JUSTICE ROLL ON LIKE A RIVER

If there is one community in the world where “doing justice” must have a very high priority, it is the church of Jesus Christ. This should be something that can be seen, experienced, and trusted by everyone inside and outside the church. When there is a conflict in the church, and someone complains that he or she has been treated unjustly, the Lord calls us to grant and protect justice. That’s because he himself is a God of justice, an impartial judge. And he wants his people to reflect this. Scripture is full of examples showing this principle.¹

In requiring justice, the Lord’s goal is the restoration of peace and harmony among his people. It is important to remember this when you are delegated to an assembly that is confronted with an appeal. After all, an appeal to a classis or other major assembly is always the result of a conflict that apparently cannot be solved locally. Article 31 CO gives every church member the right to appeal because office bearers can make mistakes; consistories and major assemblies can err. The church is not infallible.

At the same time, it is good to realize that a right is not an obligation. When there is a conflict in the church and my consistory makes a decision I don’t agree with, I do not *have to* appeal. I should first of all consider prayerfully, with the humility of Philippians 2:3–4, if I can bear what might feel like an injustice. Appealing a consistory decision to a classis is only justified when one is seriously convinced that one is “wronged,” as Art. 31 CO puts it. This means that an injustice has been committed which must be rectified.

The opening words of Art. 31 CO (“If anyone complains that he has been wronged . . .”) have led some to think that a church member can only appeal when he or she is personally affected by the decision of a minor assembly. But historically this has never been the way this article was read and used. Consistories and major assemblies can make decisions in conflict with God’s Word, the confessions, or the church order that may not directly wrong an individual personally, but any individual—convinced that a true injustice has taken place and that harm is being done by it—is within his rights to bring an appeal and so expose a threat to the well-being and faithfulness of the church.

HUMILITY AS PREREQUISITE

As mentioned earlier, an appeal is always the result of a local conflict that cannot be solved locally. Article 31 CO opens the way for those involved in such a situation to turn to the sister churches in that region and ask for help. God’s children may expect to receive help to resolve their conflict, to find justice, and see peace restored.

As a first step, this will mean an appeal to classis. It is crucial for this process that those who write an appeal and those who are called to judge have the right attitude. When *writing* an appeal, do so driven by love, in humility considering others better than yourself (Phil 2). Pray before you start writing. And when you—as a member of a broader assembly—*judge* an appeal, do so driven by love, as

¹ See Gen 18:25; Lev 19:15; Deut 1:16,17; 16:18–20; 32:4; Job 34:18,19; Ps 33:5; Isa 1:17; Amos 5:24; Zech 8:16; Luke 18:7–8.

part of God's humble instrument to administer justice. Pray before you start judging.

It may sound simple and straightforward: an appeal is a request to judge an action or decision of a minor assembly. Was that action or decision right or wrong? If, after thorough investigation, it becomes clear who is right and who is wrong, such must be stated.

But is that all a major assembly can say? Sometimes that may be sufficient. But quite often it is not. Remember: doing justice is God's way to restore peace in the covenant community. Jesus's call in Matthew 5:9 to be peacemakers, agents of reconciliation, also applies to members of major assemblies. When God's children turn to the sister churches for help, may they not expect to hear more than a formal "appeal sustained" or "appeal denied"? Some have argued that this is the only proper response. Everything a major assembly would say beyond this becomes pastoral advice, which is not a task for major assemblies.

THE ULTIMATE GOAL

Indeed, follow-up pastoral care in a local conflict is ultimately the responsibility of the local elders. However, that may not be as simple as it sounds. The appeal challenged a consistory decision, and thus the elders have already been part of this conflict. That won't help. Therefore, when a major assembly is called to grant justice, it cannot be separated from the call to help facilitating restoration where needed. It makes sense to expect such an approach in particular from a classis. True, it is not within the jurisdiction of a classis to step into a local situation on its own authority, but a classis is the major assembly closest to the local situation and therefore, when dealing with an appeal, it is uniquely positioned to suggest a way forward, perhaps offer arbitration, or whatever can be advised to get to the ultimate goal of the appeal process: restoring peace where the conflict originated.

This emphasis on the role of the classis is, of course, not meant to prohibit access to a regional or even general synod with an appeal for justice. The rule in Article 31 CO that "whatever may be agreed upon by a majority vote, shall be considered settled and binding" is not unconditional. There is also the "unless" clause at the end of said article. Above the authority of any assembly is the authority God's Word. And there is also the expectation that as churches we keep our promises.

In other words, if I have prayerfully come to the conviction that the decision on my appeal is in conflict with God's Word and that accepting it will bring me in conflict with God's Word, I cannot and may not consider it settled and binding. The same must be said when it is clear that such a decision violates what we have agreed upon in the church order. In those situations, the way is open to appeal a classis decision to a regional synod, and if that fails, to appeal a regional synod decision to a general synod.

WHERE DOES IT END?

Considering a classis decision "settled and binding" does indicate that the matter is finished. I may not like it or agree with it, but the conclusion of the classis settles the case. Rev. Van Oene, without denying the right to appeal to synods, emphasizes that this should be the rule.² It implies that, when the classis denies my appeal, I should not automatically jump to the next "level" just because I can do so. Always remember that a regional synod, and even more so a general synod, are farther removed from the original conflict. Perhaps sometimes that could be beneficial. But my experience in dealing with appeals, also at major assemblies, made me decide years ago already that if I ever have to appeal a decision of my consistory, I will accept the verdict of classis and not pursue my case at a regional or general synod. I have seen how complicated it can get when issues drag on for a while. Synods can easily get lost in historical and procedural details, which makes it increasingly difficult to focus on the ultimate goal of restoring peace among believers and with the Lord.

How can we make the appeal process work properly? Article 31 of the church order establishes the right to seek justice through an appeal, but procedural details are left wide open. How do we guard consistency and confidence in due process, transparency, and impartiality across the board and throughout the federation? More and more classes have adopted guidelines for dealing with appeals. That helps. What about developing similar structures for our synods? That needs more thought from our churches.³ 



Jan DeGelder

Minister Emeritus

Redemption Canadian Reformed Church, Flamborough

jdegelder8@gmail.com

² W.W.J. Van Oene, *With Common Consent*, Winnipeg, 1990, 150–151.

³ Something is in the works for general synods. See the Acts of GS Aldergrove 2025, Art.132, 5.2. But a more comprehensive approach might be recommendable. Any local church willing to initiate that?