Overture RSW 2024

The following overture was presented by the Willoughby Heights Canadian Reformed Church to Classis Pacific West September 26, 2024.

It was then presented by CPE September 26, 2024, to Regional Synod West 2024.

It is now being presented by RSW 2024 to General Synod 2025, along with the entire decision of RSW 2024.

Proposal to change Article 30 of the Church Order

Ecclesiastical Route overture

INTRODUCTION

The issue

Church Order (CO) article 30 states: "a new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it." This sentence prescribes what is commonly referred to as "the ecclesiastical route." It requires that a proposal (aka overture) regarding a new matter common to all the churches originate with the most minor ecclesiastical assembly, i.e. consistory or council, and via approval by, first classis and then regional synod, be decided upon by general synod.

While this approach is not improper, it is proving cumbersome, frustrating, inefficient, and ineffective. Research done on the ecclesiastical route as practiced by the Canadian Reformed Churches (CanRC) indicates that following the ecclesiastical route is not achieving its purposes well.[1] There is a better way to accomplish the same goal. This way has been practiced in the CanRC in the past but at one point was deemed incompatible with the current church order.

The proposal

This overture requests General Synod 2025 (GS 2025) to revise the church order to ensure that the better way is compatible with the church order, and to adopt a synod guideline to ensure that in the practice of this better way, principles of Reformed church polity in the Dort tradition are adhered to.

Concretely these requests are:

Revise the following sentence in CO article 30:

> *A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it.*

To read:

> *A new matter which has not previously been presented to that major assembly and is common to its churches may be put on the agenda by one of its churches.*

Remove Synod Guideline I.F, which reads:

> *Since matters on the agenda of general synod involve the churches in common, regional synods shall distribute copies of adopted overtures to all the churches in the federation no later than five months prior to the convening of a general synod.*

Adopt a new Guideline, which reads:

> *For new matters common to the churches of the general synod, individual churches may address proposals directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six months prior to general synod.*

In what follows the background to the ecclesiastical route is explained, the concerns with current practice are set out, consideration is given to the history and purpose of our practice as well as underlying principles, thus coming to the text of this overture's proposal, including grounds general synod could use to adopt this proposal. Two appendices are attached. The first contains the text of all General Synod Decisions and other materials (such as reports to general synods) referenced in this overture. The second

[1] This research can be found in appendix 2 to this overture.

is a series of fourteen articles authored by Rev. Dr. R.C. Janssen and published online on the website officebearers.com; a summary of these articles was published in *Clarion* (vol. 73, no. 2 and 3).Background

In the wake of a change made by the Reformed Churches in The Netherlands (liberated) (hereafter: GKv) to their church order, the CanRC added the following line at GS 1983 to CO article 30: "A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it."[2] This sentence regulates "the ecclesiastical route".

The sentence indicates that a *proposal*, as the church order terms it, or *overture*, as common parlance now refers to it, must originate with the local ecclesiastical assembly (consistory or council[3]) and be adopted by the classis to which the church belongs,[4] and then by the regional synod to which the classis belongs, before being dealt with by a general synod. Two elements in the sentence point this out.

1) "That major assembly" cannot deal with "a new matter" unless it has been dealt with by "the **minor** assembly". This means a broader assembly[5] cannot set its own agenda. Since there is no assembly minor to the consistory or council, a consistory or council is free to set its own agenda.
2) "That major assembly" cannot deal with "a new matter" unless it has been dealt with by – not "**a**" but – "**the** minor assembly". This implies that a new matter must come from the churches through the path of broader assemblies: from consistory/council via classis and regional synod to general synod.

When GS 1983 added this line, it was not inventing a new process. The ecclesiastical route was already prescribed in CO article 31 for appeals: "If anyone complains that he has been wronged by the decision of a minor assembly, he shall have the right to appeal to a[6] major assembly." The change introduced by GS 1983 was that this ecclesiastical route would also apply to "a new matter".

General synods after GS 1983 would sometimes insist that the ecclesiastical route be followed, and thus declare a proposal on a new matter inadmissible. Sometimes, however, general synods would overlook the fact that the ecclesiastical route had not been followed, and thus declare a proposal on a new matter admissible.[7]

At GS 2007 the admissibility of a matter was hotly debated. The admissibility decision of GS 2007 was appealed to GS 2010. The Acts of GS 2010 quote the appeal: "we also believe that the lack of consistency in practice when declaring material admissible/inadmissible is unwise and does not give clarity in proper procedure to other congregations and members for making overtures to General Synod."

Though GS 2010 denied the appeal, it did decide to create consistency in practice and give clarity in proper procedure by changing the Synod Guidelines.[8] Keeping in mind principles of church polity GS 2010 had considered, the following was added to the Guidelines:

For all matters of the churches in common, individual churches may address proposals or other

[2] GS 1983 art. 91.

[3] For the sake of space this overture uses the term "council" as per Belgic Confession article 30, rather than the expression "consistory with deacons" as per the Church Order.

[4] Throughout this overture the expression "[major assembly] to which the church belongs" is used. This reflects the language of CO article 30, where "its churches" is the equivalent of "the churches belonging to a specific major assembly".

[5] The broader assemblies are general synod, regional synod, and classis and are to be distinguished from the local assemblies (consistory, council, deaconate). Note that "broader assembly" and "major assembly" are not synonyms. The terms "major assembly" and "minor assembly" are relative. For example, while a classis is always a broader assembly, it is a "major assembly" with respect to a consistory and a "minor assembly" with respect to a regional synod.

[6] As per Acts GS 1965 p. 102. GS 1983 changed the indefinite article "a" to the definite article "the". The reason for this change is not germane to this overture.

[7] As researched and reported by GS 2010 art. 62.

[8] As per the final guideline, general synods are free to "suspend, amend, revise, or abrogate" the guidelines.

> *significant submissions directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six months prior to general synod.*[9]

It is relevant to note that the GS 2010 decision concerns "**all** matters of the churches in common", not just "**new** matters". It also spoke of "proposals" and "other significant submissions".

GS 2013 received four appeals against this decision of GS 2010. Among others it was noted that this Guideline was at odds with CO article 30. GS 2013 agreed, considering: "Synod 2010 attempted to clarify Article 30 CO by enacting Guideline 1.E for the benefit of the churches, but in fact it rendered the last paragraph of this article ineffective." GS 2013 therefore decided to rescind the guideline adopted by GS 2010. Instead it adopted the following guideline, which became Guideline I.F:

> *Since matters on the agenda of general synod involve the churches in common, regional synods shall distribute copies of adopted overtures to all the churches in the federation no later than five months prior to the convening of a general synod."*[10]

This Guideline only prescribes how **regional synods** are to submit overtures for consideration by general synod. This is in line with CO article 30 speaking of a new matter going from "**the** minor assembly" to "that major assembly". Hence, all proposals regarding new matters must travel the ecclesiastical route.

GROUNDS FOR IMPLEMENTING THE ECCLESIASTICAL ROUTE FOR (NEW) MATTERS

The following considerations functioned as grounds or reasons for implementing the ecclesiastical route for proposals regarding new matters.

1. A broader assembly cannot set its own agenda

The 1979 (Draft) and 1981 (Provisional) reports of the CanRC Committee on the Church Order indicate that the sentence prescribing the ecclesiastical route was added, following the example of the sister churches in The Netherlands, the GKv. Regrettably, the CanRC Committee Reports are very brief on argumentation. Thankfully, the Dutch reports are not; and the thought process from step to step has been collated and documented per change made to the Church Order.[11]

The GKv had embarked on a major review of their church order in the early-1970s. The GKv committee noted lack of clarity regarding how matters can be placed on the agenda of a broader assembly. Their research indicated that the first proper Dutch general synod, GS Emden 1572, had determined that delegates to a broader assembly should come with two letters: credentials and instructions. The credential letter indicated who had been delegated by the minor assembly to the major assembly. The instructions indicated what matters the minor assembly wanted the major assembly to deal with.

Thus, a first principle of church polity taken into consideration was that a broader assembly cannot set its own agenda.

2. Prevent hierarchy

In the GKv it was noted that prescribing the ecclesiastical route would be a good safeguard against hierarchical tendencies. It would prevent a major assembly from lording it over a minor assembly by taking a decision regarding a matter impacting the minor assembly, without the minor assembly being aware the matter is being considered.

A GKv committee opined that the requirement for a letter of instruction implied a principle, namely that only the delegating bodies can set the agenda of the major assembly. Their report concluded: "This thus means, … that the church councils determine the agenda of the classis, the classes [the agenda] of

[9] GS 2010 art. 62.

[10] GS 2013 art. 99.

[11] https://kerkrecht.nl/node/7283/. For the changes to CO article 30, see https://kerkrecht.nl/node/7320/. This material can be found in appendix 1 to this overture, both the original and a translation.

the regional synod, and the regional synods [the agenda] of the general synod."[12]

GS 2010 agreed that hierarchy should be prevented. It considered: "The benefit of the older understanding of Article 30 is that every congregation has direct access to the broadest assembly on matters which are deemed to belong to the churches in common. This is desirable and healthy in our system of checks and balances whereby the autonomy of the local church is not lost (while it voluntarily binds itself to the decisions of the broader assemblies) and the threat of hierarchy at the broader assemblies is reduced."[13]

Curiously, GS-GKv 1978 articulated this principle to advocate *in favour* of the ecclesiastical route, while GS 2010 articulated the principle to advocate *against* the ecclesiastical route. What GS-GKv 1978 and GS 2010 agreed on was that a broader assembly cannot create its own agenda: agenda items must be submitted by other bodies, be that a minor assembly (GS-GKv 1978) or a church (GS 2010).

Thus, a second principle taken into consideration was that the agenda of a major assembly is determined by minor assemblies.

3. Engender support

The GKv committee were of the conviction that a proposal should have been seen and supported by churches before it is considered by a broader assembly. They reported: "it could happen that a general synod is obligated to take a decision that pertains to all the churches, while the proposal has been placed on its agenda by a church or classis and has not (yet) found support in the broader federation. The church scape could even be disturbed, without there being a need for it."[14]

GS 2010 agreed with this principle. It considered: "The benefit of the newer understanding of Article 30[15] is that it does not give undue influence to any one church who could potentially place a proposal on the agenda of a general synod without any of the other churches having seen it or studied it, much less interacted with it. The desire to have submissions first be tested, evaluated and filtered by the minor assemblies is beneficial in that it will ensure that only proposals which have won the support of a large number of churches reaches the broadest assembly. Such a check and balance helps protect the integrity of the bond of churches in the federation."[16]

Thus, a third principle taken into consideration was that any proposal brought to a broader assembly ought to be known to the churches and have support among the churches.

CONCERNS

In this section we outline some of the more major concerns with the current practice.

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[12] *"Dit betekent {niet alleen de wettige samenstelling, maar ook de wettige agendering van de meerdere vergaderingen geschiedt door de mindere. En wel zo,} dat de kerkeraden het agendum bepalen voor de classis, de classes voor de particuliere synode en de particuliere voor de generale synode."* The words between curly brackets have been left out of the translation as they are not so material and there is no point in adding "clutter" when this matter is already so convoluted. Source: https://kerkrecht.nl/node/7320/ heading "Deputatenrapport 1977" point 5.

[13] GS 2010 art. 62 cons. 3.6.

[14] "*Het kan dan gebeuren dat een generale synode verplicht wordt een besluit te nemen dat alle kerken raakt, terwijl het voorstel daartoe door slechts een kerk of classis op haar agendum is geplaatst en in het bredere kerkverband (nog) geen weerklank heeft gevonden.*" Source: https://kerkrecht.nl/node/7320/ heading "Deputatenrapport 1977" point 7.

[15] At GS 2010, "older understanding" is that a church may directly approach a general synod with a proposal, "newer understanding" that a church may only approach a general synod via the ecclesiastical route.

[16] GS 2010 art. 62 cons. 3.6.

Practical experience

The Hamilton CanRC wrote in to GS 1983 that adoption of the third sentence proposed for CO article 30 "introduces a very confusing rule and would make a 'bureaucratic mess' with respect to matters of common concern."[17] Much can be said about the mess that indeed eventuated.

For the period 1983-2010 and for the purpose of this overture it is sufficient to express agreement with the assessment found in a consideration of GS 2010: "This back-and-forth battle of opinions at subsequent general synods is extremely unhelpful in establishing equity and fairness among the churches as to how matters are received and dealt with at the broadest assembly. A solution to this dilemma must be found."[18] The research reported in Appendix 2 to this overture provides some examples.

GS 2010 attempted to solve the situation by adopting a Guideline. However, this created a new mess for, as GS 2013 correctly determined, the solution was contrary to the Church Order.

In turn, GS 2013 emphasized a view which GS 2010 had dubbed the "minority view at GS 2007" and the "newer understanding". GS 2013 was of the opinion that only this view was consistent with CO article 30. It maintained the considerations of GS 2010 but rescinded the solution of GS 2010.[19] It then adopted a synod guideline which further codified the ecclesiastical route.

Since 2013 there have been three general synods: GS 2016, GS 2019, and GS 2022.[20]

GS 2016 received two overtures that had travelled the ecclesiastical route. Both were denied for not containing a clear proposal.[21] Given that these overtures had passed through three types of ecclesiastical assemblies (a council, a classis, and a regional synod), it was clear that no one had figured out yet what a proposal should look like.

Between 2016 and 2022 many overtures set out on the ecclesiastical route. Some made it to general synod's agenda, others did not. A study[22] of the passage of overtures and of appeals regarding matters common to the churches, both old and new, paints a picture of confusion, frustration, and inefficiency. For example, even though both regional synods in the CanRC adopted a certain proposal, supposedly implying this had the majority support of the churches, GS 2022 denied the proposal.[23] Another example: upon upholding an appeal against a regional synod decision to refuse to pass on an overture to general synod, GS 2022 explicitly decided that any church could now pass on the overture directly to a next general synod for consideration (i.e. no regional synod approval required).[24]

Avoiding hierarchy creates hierarchy

The process of following the ecclesiastical route is understood to prevent hierarchy. Ironically, from another perspective it creates hierarchy.

The second sentence of CO article 30, which is original to CO-Dort 1619, states: "A major assembly shall deal with those matters only which could not be finished in the minor assembly or **which belong to its churches in common**."

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[17] GS 1983 art. 91 obs. 4 re Art. 30.

[18] GS 2010 art. 62 cons. 3.4.

[19] GS 2013 art. 99.

[20] With a view to transparency, the original author of this overture, Rev. Dr. R.C. Janssen, served as first clerk at these three synods.

[21] GS 2016 art. 112.

[22] See the "tangles" section in Appendix 2, where the individual decisions are referenced and, in the digital version of this overture, linked to the source text as published on www.officebearers.com. Except for the two decisions referenced in the text of the overture, these decisions have not been appended to this overture, as doing so would be the equivalent of republishing a third of the acts of GS 2019 and GS 2022.

[23] GS 2022 art. 105. The Advisory Committee came with a Majority Report (to reject the overture) and a Minority Report (to adopt the overture).

[24] GS 2022 art. 78. An amendment to have the overture as yet first approved by a regional synod was defeated.

Now, an overture regarding a matter which belong to the churches of the general synod in common first needs to be considered by a classis and then by a regional synod. If that classis or that regional synod rejects the overture, a church that is not part of that classis or that regional synod has seen a matter in which it has an interest decided upon by an assembly it does not belong to. One could even argue (as the "older understanding" does) that a matter which is common to the churches of general synod cannot be considered by a classis or regional synod, because it does not *just* belong to its churches in common. This second sentence of CO article 30 not only prevents a classis from dealing with a matter that belongs to the jurisdiction of a council, it also prevents a classis from dealing with a matter that belongs to the jurisdiction of a regional or general synod.

It is the reality that the minor broader assemblies (classis and regional synod) have jurisdiction to halt a proposal that is the source of much frustration in our churches. As a general synod has upheld an appeal against a regional synod decision to halt a proposal, this frustration may be rightly deemed understandable and legitimate.

Involvement or Support?

The ecclesiastical route is in place to increase support among the churches for a proposal. Yet, even though both regional synods supported a proposal, GS 2022 rejected the proposal. Though odd, it is not entirely improper. For an ecclesiastical assembly is to be swayed not by numbers but by arguments.[25] Admittedly, such an argument could be that a measure has broad support in the churches, "lives in the churches" as it was referred to.[26] Nevertheless, this is not the *only* argument to be considered.

Churches need to be aware of what the broader assemblies to which they belong are considering. Churches should have an opportunity to voice their thoughts on any proposal on a matter that is common to them. That was the correction GS 2010 made in deciding to a process somewhere between that of the "old understanding" and the "newer understanding". GS 2013 sustained the correction but opted for a process that aligned with the "newer understanding".

Another process is needed

The attempt of GS 2010 to resolve the situation failed because its solution contradicted the Church Order. However, the lack of anything other than the sentence added by GS 1983 to CO article 30, as well as the considerations of GS 2010 and GS 2013 and the guideline adopted by GS 2013, has meant that a solution still must be found. For while there is now consistency, there is also "confusion" and "mess".

The path to such a solution is to do what GS 2010 did: carefully consider whatever is applicable and decide on a process that is in accord with the necessary principles and meets the intended purpose.

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[25] A practical problem is that local churches don't voice their objections when a certain proposal is being considered by the classis to which they belong or the regional synod to which they belong, and so its arguments against a proposal are not considered until a general synod. Thus, a proposal may "slip through" classis and regional synod without actually having majority support within the classis or regional synod.

[26] Cf. GS 2007 art 96 obs. 2.2: "Smithers requests a revision of the Church Order regarding the administration of the Lord's Supper to shut-ins, because this issue is living in the churches, but is not clearly dealt with in the Church Order.". On the weight of whether something is living in the churches, see GS 2010 art. 45 and GS 2013 art. 65. GS 2013 considered: "3.2. As Synod Burlington 2010 noted, the term is vague. Barrhead is correct in stating that every matter brought before the broader assemblies first has to meet the admissibility criteria of the Church Order and that such matters should then be dealt with on the basis of their own merit, according to the Word of God and the confessions. In making its decisions, a broader assembly should never simply resort to counting how many members or churches are giving attention to a certain issue and react thereto; however, in matters of preference this remains a distinct factor. // 3.3. It is true that it can be helpful for a broader assembly to note whether there is concern for or interest in a particular matter among the churches, as the churches do look to the assemblies in some instances to provide them with guidance and direction." (Note: The text of these decisions have not been included in appendix 1).

And if the resultant solution is contrary to the Church Order, due consideration should be given to the question whether the Church Order should be changed. After all, the issue is with a sentence not original to the church order but introduced by GS 1983.

CONSIDERATIONS OF PRINCIPLES AND PURPOSE

This section outlines matters that need to be taken into consideration in order to come to a process that will serve the CanRC well.

1. A broader assembly cannot create its own agenda, the churches do

The Dutch committee deduced a principle from the letter of instructions as prescribed by the first synods in The Netherlands in the 1500s. That principle was that a broader assembly cannot create its own agenda.

However, the Dutch committee, and in its wake the Canadian committee, took that principle one step further. It was argued that the letters of instructions implied the principle that the agenda of a major assembly is set by the minor assemblies sending delegates to the major assembly. At most, however, one can argue that the minor assemblies sending delegates can put matters on the agenda of the major assembly. It does not necessarily mean that *only* "the minor assemblies sending delegates" can put matters on the agenda of the major assembly. It could also be assemblies minor to these minor assemblies.

A general synod cannot set its own agenda. Its agenda is set by minor ecclesiastical assemblies.

2. No lording it over others

Another basic principle of Dort polity is that assemblies are not to lord it over other assemblies, including the most minor assembly: the consistory/council (cf. CO articles 37 and 74). If a matter is common to the churches belonging to a general synod, and a proposal regarding such a matter is considered only by a classis, then that classis is lording it over the churches which do not belong to it.

Indeed, it would be worth considering whether a classis dealing with a matter that is common to the churches belonging to a general synod is acting contrary to CO article 30: that matter does not belong on the agenda of a classis but on the agenda of a general synod.

3. Broader assemblies are assemblies of churches

A third basic principle of Dort polity is that broader assemblies are assemblies of churches. They are not assemblies of church members nor of minor assemblies. Dort polity is presbyterial-synodal: local churches are governed by office bearers (*presbyteros* is Greek for "elder") and churches together are governed by assemblies (*synodos* is Greek for "assembly").

In practice the current ecclesiastical route turns major assemblies more into assemblies of the minor assemblies: not the churches but the regional synods set the agenda of the general synod. If assemblies are to be assemblies of churches, there should be minimal distance between the more major assemblies (regional and general synods) and the most minor assembly (consistory/council).

4. Involve the churches

A fourth principle to consider is that, since broader assemblies are assemblies of churches, churches should be aware of proposals being considered by the broader assemblies to which they belong, and should have the opportunity to present their considerations on those proposals to the major assembly considering the proposal. That approach is a long-standing practice where reports of committees of broader assemblies (e.g. Committee on Ecumenical Relations, Standing Committee for the *Book of Praise*) are concerned.

GS 2010 recognized this principle by determining that a local church should submit a proposal regarding a new matter *to all the churches 6 months prior to the convening of general synod*. GS 2013

recognized this principle by determining that a regional synod should submit a proposal regarding a matter *to all the churches 5 months prior to the convening of general synod*. GS 2022 recognized this principle in deciding that, once an appeal has been sustained against an overture not being forwarded to a general synod by a regional synod, any church is free to submit that overture directly to the broadest assembly that should deal with it, *provided all the churches receive a copy in a timely manner*.[27]

5. Efficiency

It has been said at times that the ecclesiastical route also exists to keep frivolous proposals away from general synod. In his research, Janssen did some calculations[28] and notes:

> *If an overture fails to proceed from a classis, only five to twelve churches will have considered it, and one broader assembly of 10 to 24 delegates. Regional synod (16 delegates and roughly 23-40 churches) and general synod (24 delegates and roughly 48-65 churches) have been spared the trouble of reviewing it. If a church could submit an overture directly to a general synod, it would be dealt with by some 70 churches and one general synod (24 delegates).*

However, for the ecclesiastical route indeed to be efficient, there needs to be a fairly high "fail" rate of overtures reaching general synod. Janssen notes that the higher the "pass rate", the less efficient the route becomes. For the ecclesiastical route to be efficient, **more than half** of the overtures placed on the route need to be halted on that route before they reach general synod. A review of 2016-2022 suggests that the current "pass rate" at the minor broader assemblies is so high that the route is actually inefficient.

Moreover, even if an overture "fails" by stalling along the ecclesiastical route, a church is free to appeal the decision to reject an overture. Thus the matter is still, in a sense, before the major assembly and no one has been spared any work. If the appeal is upheld, as happened at GS 2022, things become more complicated yet. For now the ecclesiastical route expands to include an extra major assembly.

The principle at play here is that churches should be stewardly with their human, financial, and time resources.

THIS OVERTURE

There is a way out of the conundrum. GS 2010 came with a good solution in adopting a guideline. GS 2013 noted that it was contrary to the church order, and so changed the guideline. Another obvious solution is to change the church order, and ensure that the guideline is in line with the church order.

GS 2010 and GS 2013 were not at liberty to change the church order, as no one was requesting this. It is that reality which spawned this overture.

Changing the church order may seem like a huge thing to do. In this situation it is not, because the change relates to something which was introduced into the church order as recently as 1983. It is within the freedom of the churches, through general synod, to change, augment, or diminish the church order if the interest of the churches demand it (CO article 76).

The following proposal is being made because the interest of the churches demand it.

Considerations

GS 2010 weighed two approaches to having matters come to a broader assembly. It considered: "A blending of these two approaches in a clear direction from synod would serve to benefit the churches and clarify the procedure for churches to address a general synod in the future." The solution GS 2010 came up with was deemed inconsistent with CO article 30, more specifically, with a sentence that was added to CO article 30 by GS 1983. Wisdom suggests that this sentence should then be revised to allow for solution of GS 2010.

[27] GS 2010 art. 62; GS 2013 art. 99; GS 2022 art. 78.

[28] See Appendix 2, the 13th article entitled "Efficient?".

If the main concern is indeed that the churches need to have the opportunity to interact with materials presented to the major assembly at which they, in those delegated, are present, then the solution is to prescribe a procedure that involves all the churches within the region covered by a major assembly. At the same time, this procedure should allow the churches to address any major assembly they belong to, be it classis, regional synod, or general synod. And they should be able to do that on any matter common to the churches that are part of that assembly. CO article 33 deals with matters that have been decided upon, i.e. "old matters". CO article 30 should restrict itself to new matters. However, it would be wise for the synod guideline to pertain to both "new" and "old" matters, as seems to have been the intent of the guideline adopted by GS 2010.

Proposal

That Synod decide:

1. To change the last line of CO art. 30 from:

   A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it."

   To:

   A new matter which has not previously been presented to that major assembly and is common to its churches may be put on the agenda by one of its churches.
2. To remove Guideline 1.F from the Guidelines for Synod.
3. To add to the Guidelines for Synod the following Guideline:

   For matters common to the churches of the general synod, whether "new" (CO article 30) or "once decided upon" (CO article 33), individual churches may address proposals directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six (6) months prior to general synod.

Grounds:

1. As a process for proposals regarding new matters, the ecclesiastical route is not serving the churches well. This process was made part of the Church Order in 1983 (GS 1983 art. 91). During the period 1983 – 2010 there was "a lack of consistency in practice when declaring material admissible/inadmissible" which GS 2010 considered "unwise and does not give clarity in proper procedure to other congregations and members for making overtures to General Synod." (GS 2010 art. 62) GS 2010 adopted a synod guideline to encourage more consistency in practice. GS 2013 determined this guideline to be at odds with the Church Order and removed it. GS 2013 introduced a new guideline in an attempt to encourage more consistency in practice (GS 2013 art. 99). However, the process has at times proved cumbersome, frustrating, inefficient, ineffective, and resource consuming as evidenced by overtures that (strove to be) presented to GS 2016, GS 2019, and GS 2022. Among others the following issues can be noted:
   1.1. The ecclesiastical route exists to encourage support for a proposal. Yet GS 2022 (art. 105) rejected a proposal that came to it from both Regional Synods. The ecclesiastical route does not necessarily create convincing support for a proposal.
   1.2. At GS 2022 (art. 78) it became clear that, when a minor broader assembly rejects an overture, the appeals process can be used to place the matter as yet before the broader assembly. GS 2022 also determined that, when an appeal has been upheld, the approval of an immediately minor broader assembly is no longer required. Clearly, given the existence of the appeals process, the ecclesiastical route cannot serve as a filter for proposals.
   1.3. While the ecclesiastical route prevents a church from lording it over other churches, the ecclesiastical route in fact allows a minor broader assembly to which a church does not belong to lord it over that church, since such a minor broader assembly can prevent a matter common to the churches of general synod from being considered by general synod.

2. A broader assembly should not decide a matter on the basis of the support it enjoys among the churches, but on the basis of arguments (GS 2013 art. 65). One such argument can be, but does not have to be, the level of support a new matter has in the churches. Ensuring that all churches have an opportunity to express their opinion about a new matter is important. Both the solutions of GS 2010 and GS 2013 ensured this, implying that it is not necessary to go the ecclesiastical route with a proposal regarding a new matter.
3. Since the solution of GS 2010 was deemed solely improper because it was at odds with the church order, consideration should be given to changing the church order. Such consideration is all the more warranted given that, when the matter was introduced into the church order in 1983, it was already noted that it could cause "confusion" and "a bureaucratic mess" (GS 1983 art. 91).
4. The adopted revision and new guideline for submissions re new matters to general synod take into due consideration the following relevant principles of Reformed church polity:
    4.1. Broader assemblies are assemblies of churches, not of church members, nor of major assemblies;
    4.2. The agenda of a broader assembly is set by the churches (CO article 30);
    4.3. Just as churches may not lord it over others, so church assemblies may not lord it over others beyond the jurisdiction they have (CO article 37, 74);
    4.4 Churches must be aware of and may involve themselves in matters presented to the broader assemblies to which they belong;
    4.5. A church order practice should not be unnecessarily resource-consuming or inefficient.
5. The adopted revision of the Church Order recognizes the validity of the principle that only a minor assembly can place matters on the agenda of a major assembly. The revision removes the requirement that the minor assembly in question can only be the one immediately minor to the major assembly in question.
6. The adopted Guideline ensures that all churches receive adequate notice of a new matter being proposed to general synod (CO article 30), as well as proposals regarding matters "once decided upon" (CO article 33) and have ample time to submit to general synod their thoughts on a proposal. The process is identical to that used for reports from General Synod Committees.
7. GS 2010 determined in the guideline it adopted "individual churches may address proposals *or other significant submissions* directly to general synod." The only submissions churches can make to general synod are proposals, interactions with proposals and reports, and appeals. There are no "other significant submissions". Hence that phrase can be left out of the guideline.

APPENDIX 1 – SOURCES REFERENCED AND QUOTED IN THIS OVERTURE

The following list of sources is arranged in chronological order. Materials originally in Dutch have been translated and are presented in two columns.

1970S - DUTCH (GKV) MATERIALS

Artikel 30	**Article 30**
Deputatenrapport 1977[29]	**Deputies' Report 1977**
32.Artikel 30 en 33 (acta) TM. 1. Depp.combineren de behandeling van art.30 en 33 om redenen die hierna zullen blijken. De aanduiding TM betekent, dat depp. tijdens de taalkundige behandeling aanleiding vonden, ook t.a.v. de materie iets voor te stellen. In dit geval gaat het echter niet om een materiële verandering. Integendeel, depp. willen hier pleiten voor handhaving van een zinrijk element in de vigerende kerkorde, dat in de praktijk enigszins op de achtergrond is gekomen. 2. Over het vigerende art.30 als zodanig hoeft niet gesproken te worden. Het geeft aan, welke zaken op de kerkelijke vergaderingen in het algemeen (kerkelijke zaken) en op de meerdere vergaderingen in het bijzonder aan de orde mogen komen en hoe ze behandeld moeten worden (op kerkelijke wijze). Depp. wisselden alleen de elementen in het tweede lid: eerst de zaken die de kerken van een ressort gemeenschappelijk aangaan, en daarna de zaken die in de mindere vergadering niet konden worden afgehandeld. Eerst wordt nu het altijd voorkomende genoemd, daarna wat van de omstandigheden afhankelijk is. 3. Art. 30 bepaalt niet, door wiens toedoen of op welke wijze de bedoelde zaken aan de orde gesteld kunnen worden. Als het gaat over zaken, die op de mindere vergadering niet kunnen worden afgehandeld, zal het deze vergadering zijn die de zaak bij de op haar volgende meerdere vergadering aanhangig maakt. In geval van appèl zal het degene zijn, die uit Gods Woord of de kerkorde bezwaar aanvoert tegen een besluit van de mindere vergadering. Maar als het gaat over de zaken, die de kerken in een ressort gemeenschappelijk aangaan, is	32.Articles 30 and 33 (acta) TM. 1. Deputies combine the treatment of Articles 30 and 33 for reasons which will be seen below. The designation TM means, that deputies during the linguistic treatment to make a suggestion with regard to the subject matter as well. In this case, however, it is not a material change. On the contrary, deputies would like to argue here for the maintenance of a meaningful element in the current church order, which in practice has somewhat taken a back seat. 2. There is no need to discuss the current Article 30 as such. It indicates which matters may be discussed at the ecclesiastical assemblies in general (ecclesiastical affairs) and at the various assemblies in particular, and how they are to be dealt with (in ecclesiastical fashion). Deputies only exchanged the elements in the second part: first the matters which concern the churches of a district jointly, and then the matters which could not be dealt with in the minor assembly. First that which always happens is mentioned, then what depends on the circumstances. 3. Article 30 does not prescribe by whom or in what way the matters referred to may be raised. In the case of matters which cannot be dealt with at the minor assembly, it will be this assembly which will refer the matter to the next meeting. In the event of an appeal, it will be the one who objects from God's Word or the church order to a decision of the minor assembly. But when it comes to matters which

[29] While there is material prior to 1977, it is not until 1977 that there is mention of adding a third sentence to CO article 30.

de procedure niet uit art.30 af te lezen. Heeft ieder kerklid het recht een dergelijke zaak bij de classis aan de orde te stellen? Kan elke kerkeraad zich in zo'n zaak tot een particuliere of generale synode wenden? 4. Het antwoord op deze vragen is te vinden in art.33 KO. Daar wordt bepaald, dat afgevaardigden naar de meerdere vergaderingen hun credentiebrieven en instructiën, beide door hun zenders ondertekend, mee moeten brengen. Alleen zij zullen keurstem hebben. Het is direct duidelijk, dat hier de wettige samenstelling van de meerdere vergaderingen wordt geregeld. De mindere vergaderingen stellen de meerdere samen door wettige afvaardiging. 'Credentiebrieven zijn de bewijzen van wettige afvaardiging, die tevens het karakter der meerdere vergaderingen als samenkomsten van kerken aangeven'(Jansen p.153) Niet direct duidelijk is, dat hier nog meer geregeld wordt. Maar art.33 bepaalt nog een tweede zaak, door naast de ondertekende credentiebrieven de ondertekende instructies vereist te stellen. 'Reeds de synode te Embden, 1571, bepaalde dat de afgevaardigden naar de particuliere en generale "Brieven van haare zendinge, mitsgaders de puncten schriftelyk vervat, die zy voorstellen zullen", moeten meebrengen. Twee stukken dus nl. een credentiebrief, want alleen die wettig afgevaardigd waren mochten zitting nemen, en een schriftelijke instructie inzake de punten van "de Leer, het Kerkregiment en byzondere zaaken", die behandeld zouden worden, want niemand mocht eigener autoriteit allerlei punten aan de orde stellen'(Jansen p.151). 'Een instructie (Latijn: litterae mandati, d.i. brieven van mandaat) is een lastbrief, die inhoudt wat de afgevaardigden op de vergadering hebben te behandelen. Het karakter van een instructie is een schriftelijke opdracht van de lastgevende kerk of kerken (classe, synode) aan hare afgevaardigden van hetgeen zij op de vergadering aan de orde stelt of stellen (onderstr. Van depp.). Geen enkele afgevaardigde mag eigener autoriteit een of andere zaak aan de orde stellen. De	concern the churches in a district jointly, the procedure cannot be discerned from Article 30. Does every member of the Church have the right to raise such a matter with classis? Can any consistory apply to a regional or general synod in such a matter? 4. The answer to these questions can be found in Church Order article 33. There it is stipulated that delegates must bring to the various meetings their letters of credentials and instructions, both signed by their senders. Only they will have a vote. It is immediately clear that the lawful composition of the major assemblies is regulated here. The minor assemblies compose the major by lawful delegation. "Credential letters are the proofs of lawful delegation, which also indicate the character of the major assemblies as meetings of churches" (Jansen[30] p.153) It is not immediately clear that more is being arranged here. But art.33 stipulates a second matter, by requiring the signed instructions in addition to the signed letters of credentials. "Already the Synod of Embden, 1571, decreed that the delegates should bring to the regional and general [synod] "Missive letters, together with the points contained in writing, which they will propose." So two documents, namely a letter of credentials, because only those who were legally delegated could be seated, and a written instruction on points regarding " Doctrine, Church Order and specific matters", which were to be dealt with, because no one was allowed to raise all kinds of points on his own authority" (Jansen p.151). "An instruction (Latin: litterae mandati, i.e. letters of mandate) is a letter of charge, which means what the delegates have to deal with at the meeting. The character of an instruction is a written instruction from the mandated church or churches (classis, synod) to its delegates of what they are raising at the meeting (emphasis deputies[31]). No delegate may raise any matter on his own authority.

[30] This is Jansen, J., *Korte Verklaring van de Kerkenordening*, 1923., republished in 1976. (Note the dates, other editions contain a shift in church polity towards "synodocracy").

[31] The digital version does not make clear what exactly the deputies emphasized.

lastbrieven moeten aangeven wat zij hebben te doen'(Jansen p.154). 5. Jansen legt in zijn toelichting alle nadruk hierop, dat de afgevaardigden niets uit eigen beweging aan de orde mogen stellen, maar dat zij een hun instructie gebonden zijn. Tegelijk is hier echter duidelijk, hoe de zaken een wettige plaats krijgen op het agendum van de meerdere vergaderingen. Ze komen daar via de meegebrachte instructies van de zendende vergadering. Andere zaken mogen de afgevaardigden niet in behandeling nemen, met uitzondering uiteraard van de in art.31`geregelde mogelijkheid. Dit betekent dat niet alleen de wettige samenstelling, maar ook de wettige agendering van de meerdere vergaderingen geschiedt door de mindere. En wel zo, dat de kerkeraden het agendum bepalen voor de classis, de classes voor de particuliere synode en de particuliere voor de generale synode. Depp. zijn van oordeel dat hier een principiëel element ligt van de behandelingsbevoegdheid van meerdere vergaderingen. 6. Een exacte naleving van art.33 ook in onze tijd zou inhouden, dat elke meerdere vergadering pas bij het verzamelen van de meegebrachte instructies zou weten, wat er op haar agendum kwam te staan. Volgens de huishoudelijke regelingen van veel ressorten moeten thans 'stukken voor het agendum' geruime tijd voor de opening van een meerdere vergadering aan de roepende kerk worden toegezonden. Deze stelt een voorlopig agendum op en geeft daarvan kennis aan de kerken en mindere vergaderingen, die vervolgens de afvaardiging bepalen. Deze werkwijze, die door snelle en accurate postverbindingen begunstigd wordt, heeft grote voordelen voor een verantwoorde voorbereiding van de meerdere vergaderingen. Depp. willen niet voorstellen, dat de kerken van deze praktische werkwijze moeten afzien. De kerkorde zelf maakt ook mogelijk, dat zaken die eenmaal wettig aan de orde zijn gesteld, van de ene classis of synode op de andere weer in behandeling komen via tussentijdse arbeid en rapportage van deputaten (art.49). Het is in veel gevallen van groot belang dat de kerken van te voren weten, welke zaken aan de orde komen en hoe erover gerapporteerd zal worden.	The letters of charge must indicate what they have to do' (Jansen p.154). 5. In his explanatory statement, Jansen emphasizes that the delegates may not raise anything of their own accord, but that they are bound by their instructions. At the same time, however, it is clear how matters are to be given a legitimate place in the agenda of the major assemblies. They get there through the instructions brought by the sending assembly. Members are not allowed to deal with other matters, with the exception, of course, of the possibility provided for in article 31. This means that not only the lawful composition, but also the lawful agenda of the major assemblies is done by the minor ones. And this is in such a way that the church councils determine the agenda for the classis, the classes for the regional synod and the regional for the general synod. Depp. are of the opinion that this is a principle element of the jurisdiction of major assemblies. 6. An exact observance of Article 33, even in our time, would mean that each assembly would not know what was to be included in its agenda until the collection of the instructions that delegates had brought. According to the internal regulations of many districts, "documents for the agenda" must now be sent to the convening church well in advance of the opening of a major assembly. This church draws up a provisional agenda and notifies the churches and minor assemblies, who then determine the delegation. This way of working, which is favoured by fast and accurate postal connections, has great advantages for the responsible preparation of the major assemblies. Deputies do not mean to suggest that the churches should abandon this practical method. The church order itself also makes it possible for matters that have once been legally raised, to be dealt with again from one classis or synod to another through interim work and reports from deputies (art.49). In many cases it is very important that the churches know in advance what matters will be discussed and how they will be reported.

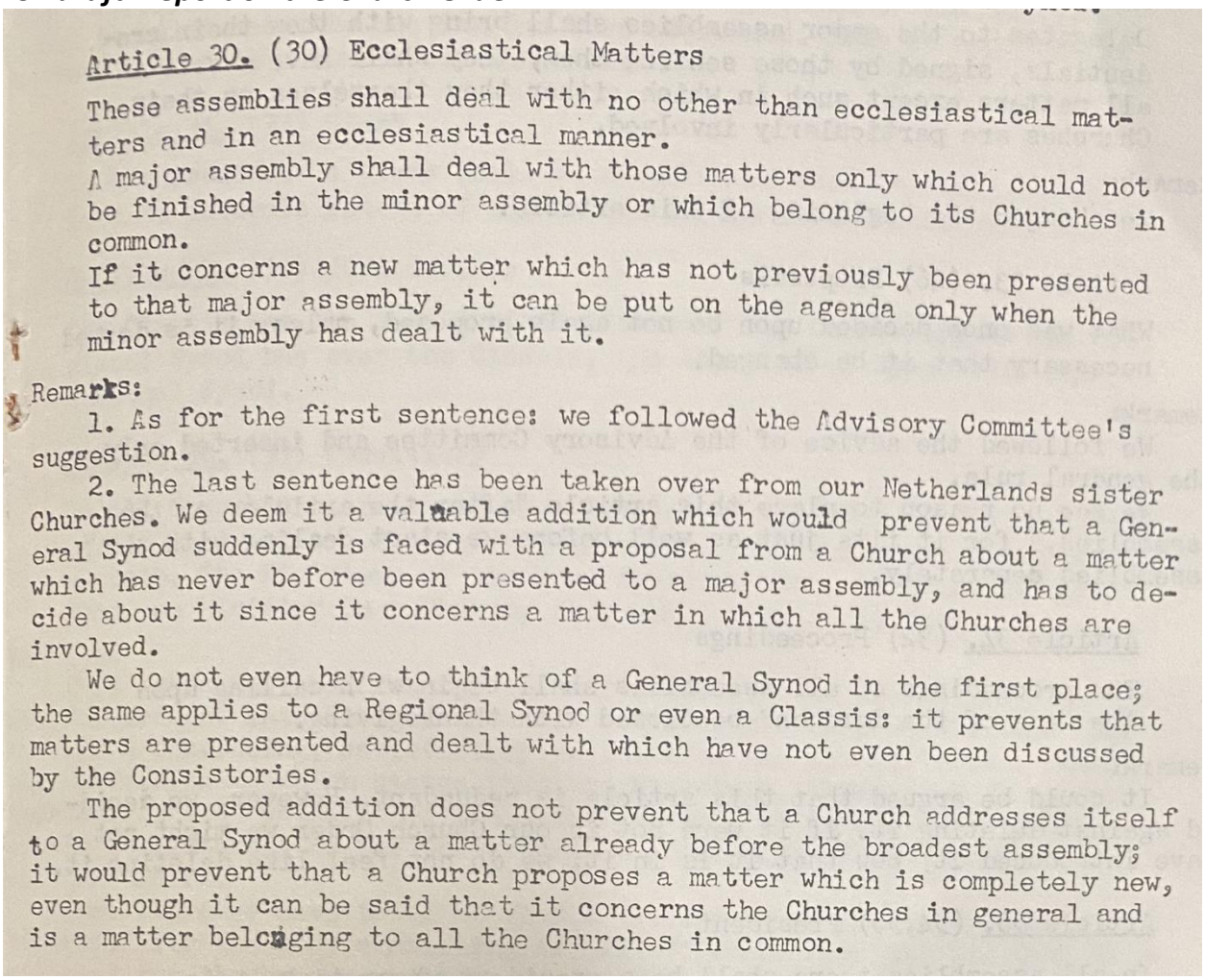
7. Naar het oordeel van depp. dient echter het principiële element, dat punten voor de meerdere vergaderingen wettig aan de orde komen door inzending vanuit de mindere vergadering bewaard te blijven (of die inzending nu gebeurt via de afgevaardigden dan wel via de posterijen en op een vroeger tijdstip). Anders komt de behandelingsbevoegdheid van de meerdere vergaderingen, die nu nog door art.30 en 33 volledig omsloten wordt, maar een zijde open te staan. Het kan dan gebeuren dat een generale synode verplicht wordt een besluit te nemen dat alle kerken raakt, terwijl het voorstel daartoe door slechts een kerk of classis op haar agendum is geplaatst en in het bredere kerkverband (nog) geen weerklank heeft gevonden. De gehele kerkelijke samenleving kan door een zo tot stand gekomen besluit in beroering komen, zonder dat daarvoor enige noodzaak aanwezig is. Het kan zelfs gebeuren dat in een dergelijke materie de zaak in feite aan het rollen wordt gebracht door afgevaardigden. Depp. denken aan de heilloze gang van zaken ter synode van Amsterdam 1936, waar een verzoek van een classis het handvat werd voor enkele afgevaardigden een voorstel te doen waardoor de destijds zo genoemde leergeschillen in synodaal-kerkelijke behandeling kwamen. Dit leidde tot de beruchte leeruitspraken en tuchtmaatregelen, waarom de kerken via hun vergaderingen niet gevraagd hadden en die resulteerden in de noodzaak tot vrijmaking. 8. Als de kerken zich houden aan de orde volgens art.33, dan kunnen voorstellen tot verandering in zaken, die de kerken in het gemeen betreffen, de generale synode slechts bereiken via het toetsend en schiftelijk overleg in de mindere vergaderingen, classis en particuliere synode. Brengt een P.S. de zaak op de generale synode dan is er garantie van een goede en brede kerkelijke voorbereiding en blijkt ook, dat de zaak voldoende draaggrond heeft om de kerken van de andere ressorten te doen meewerken. 9. Depp. zijn van oordeel dat ook eventueel gewenste veranderingen in oude synodebesluiten onder deze regel vallen. Het is strikt genomen niet mogelijk dat een besluit uit bijv. 1933 over de kerkregering door een synode in 1981 veranderd wordt, op verzoek van een enkele kerk of classis. De kerkordelijke lijn in dezen blijkt duidelijk uit het	7. In the opinion of deputies, however, the principle of the fact that items for the several meetings are legally raised by submission from the minor assembly should be preserved (whether this is done through the delegates or through the postal service and at an earlier time). Otherwise, the jurisdiction of the major assemblies, which is currently completely covered by Articles 30 and 33, will be open to one side. It may then happen that a general synod is obliged to take a decision that affects all churches, while the proposal to do so has been placed on its agenda by only one church or classis and has not (yet) found an echo in the broader church federation. The whole ecclesiastical community can be agitated by a decision thus made, without any need for it. It may even happen that in such a matter the matter is actually set in motion by members. Deputies think of the disastrous course of events at the Synod of Amsterdam in 1936, where a request from a classis became the way in for some delegates to make a proposal whereby the then so-called doctrinal disputes were dealt with by the synodical-ecclesiastical authorities. This led to the notorious doctrinal rulings and disciplinary measures, which the churches had not requested through their assemblies, and which resulted in the need for liberation. 8. If the churches abide by the order according to Article 33, then proposals for change in matters concerning the churches in general can only reach the General Synod through the scrutiny and written consultations in the minor assemblies, classis and regional synod. If a regional synod brings the matter to the General Synod, then there is a guarantee of a good and broad ecclesiastical preparation and it also appears that the case has sufficient support to make the churches of the other districts cooperate. 9. Deputies are of the opinion that any desired changes to old synod decisions are also covered by this rule. Strictly speaking, it is not possible for a decision from 1933 on church government to be changed by a synod in 1981, at the request of a single church or

verband tussen art.33 en art.46 K.O. 'De instructiën der dingen, die in meerdere vergaderingen te behandelen zijn'(art.46) zijn geen andere dan die volgens art.33 aan de afgevaardigden worden meegegeven. Ze behoren door de mindere vergadering te worden opgesteld en art.46 zegt: niet voordat de besluiten van voorgaande synoden gelezen zijn, want wat eenmaal afgehandeld is moet niet opnieuw in behandeling komen, 'tenzij dat men het achtte veranderd te moeten zijn'. Depp. onderstrepen het woordje 'men'. Dit heeft een uiterst algemene klank. Maar het wordt in de oude K.O. dikwijls gebruikt, niet in de zin van 'wie ook maar, iedereen', maar als onpersoonlijke aanduiding van de bevoegde instantie, zij art.7,8,20,43,61 in de vigerende K.O. In art.46 is 'men' in de afgevaardigden, in casu de mindere vergadering. Dit is in de redactie van de g.s. Kampen reeds zichtbaar gemaakt door invoeging van de woorden: door de mindere vergaderingen. 10. Gelet op de tegenwoordig gevolgde manier om stukken voor het agendum in te zenden kan de tekst van art.33 niet zonder meer worden gehandhaafd. De afgevaardigden brengen de instructies, in de zin van dit artikel, over het algemeen niet meer mee. Kerkordelijk blijft dit wel mogelijk, gezien art.46, en het gebruik van instructies voor classicale vergaderingen zoals dat in zwang is hoeft zeker niet te worden afgeschaft. Maar datgene wat de bepaling van art.33 inhoudt voor de competentie van de meerdere worden gebracht. Depp. menen dat dit het best kan worden opgevangen, door dit element over te brengen naar art.30, aan het einde van het tweede lid. De voorgestelde bijzin, die begint met 'mits de zaak' slaat terug op de beide soorten zaken die in lid 2 genoemd worden.	classis. The ecclesiastical line in this matter is clear from the connection between art.33 and art.46 C.O. "The instructions of things, which are to be dealt with in major assemblies" (art.46) are no different from those that are given to the delegates according to art.33. They should be drawn up by the minor assembly, and Article 46 says: not until the decisions of previous synods have been read, for what has been dealt with once must not be re-examined, "unless one figures it needs to be changed." Deputies underline the word 'one'. This has an extremely general sound. But it is often used in the old C.O., not in the sense of 'whoever, everybody', but as an impersonal designation of the competent authority, be it art.7,8,20,43,61 in the current C.O. In art.46 'one' is in the delegates, in this case the minor assembly. This is already clear in the edition of GS Kampen (1975) with the insertion of the words: by the minor assemblies. 10. In view of the current procedure for submitting documents for the agenda, the text of Article 33 cannot simply be retained. Members generally no longer bring the instructions within the meaning of this Article. In ecclesiastical order, this remains possible, in view of art.46, and the use of instructions for classical meetings as it is in vogue certainly does not have to be abolished. But that which the provision of Article 33 implies must be brought before the competence of the major [assembly]. Deputies believe that this can best be dealt with by transferring this element to Article 30, at the end of the second paragraph. The proposed clause, which begins with 'provided that the case' refers to the two types of cases mentioned in paragraph 2
Voorstel art.30: Deze vergaderingen mogen alleen kerkelijke zaken behandelen en dat op kerkelijke wijze. Een meerdere vergadering mag slechts in behandeling nemen wat voor de kerken in haar ressort een gemeenschappelijke zaak is of wat in de mindere vergadering niet kon worden afgehandeld, mits de	Proposal art.30: These assemblies are only allowed to deal with ecclesiastical matters and in an ecclesiastical way. A major assembly may only deal with what is a common matter for the churches in its jurisdiction or what could not be dealt with in the minor assembly, provided that the matter has been raised by

zaak door de mindere vergadering aan de orde is gesteld, behalve in gevallen van appèl naar art.31.	the minor assembly, except in cases of appeal under Article 31.
Commissierapport 1978	**[Advisory] Committee Report 1978**
Art.30. De tekst van art.30 door depp. voorgesteld, acht uw commissie aanvaardbaar. De wijziging van de oude tekst uitermate belangrijk. Uw commissie verwijst naar “bruin”, pag. 38-42. Uw commissie acht het verder een duidelijk gereformeerd principe, dat de agenda van de meerdere vergadering door de kerken van die vergadering wordt gevormd: “mits de zaak door de mindere vergadering aan de orde is gesteld”, en wel door middel van de in art.33 te noemen instructie. Een goede beveiliging tegen hiërarchische tendenzen.	Art.30. Your committee considers the text of art.30 proposed by deputies acceptable. The amendment of the old text is extremely important. Your commission refers to "brown", p. 38-42. Your Committee further considers it a clear Reformed principle that the agenda of the major assembly is formed by the churches of that assembly: "provided that the matter has been raised by the minor assembly", and this by means of the instruction to be mentioned in Article 33. Good protection against hierarchical tendencies.
Synodebehandeling 1978	**Dealings of Synod 1978**
In de bespreking van art.30 komt de vraag naar voren, of in het voorgestelde de arbeid van de meerdere vergaderingen niet te sterk wordt beperkt. Deputaten wijzen erop, dat de wettige agendering van de meerdere vergaderingen geschiedt door de mindere. Zij zijn van oordeel, dat hier een principieel element ligt van de behandelingsbevoegdheid van meerdere vergaderingen. Na enige wijzigingen wordt art.30 aanvaard (zie echter artikel 208 van deze Acta).	In the discussion of Article 30 the question arises as to whether the proposed does not restrict the work of the major assemblies too much. Deputies point out that the lawful agenda of the major assemblies is put together by the minor ones. They are of the opinion that this is a fundamental element of the jurisdiction of major assemblies. After some amendments, Article 30 is accepted (see, however, Article 208 of these Acts).
Uit artikel 208 van de Acta:	From article 208 of the Acts
Voorts stellen deputaten voor art.30 thans zo te lezen: ‘Deze vergaderingen mogen alleen kerkelijke zaken behandelen en dat op kerkelijke wijze. Een meerdere vergadering mag slechts zaken in behandeling nemen die de kerken in haar ressort gemeenschappelijk aangaan of die in de mindere vergadering niet konden worden afgehandeld. Betreft het een nieuwe zaak die vanuit de kerken aan de orde wordt gesteld dan kan deze alleen in de weg van voorbereiding door de mindere vergadering op de agenda van de meerdere vergadering worden geplaatst’. Nadat deputaten nog enige toelichting hebben gegeven, wordt art.30 aldus vastgesteld.	Furthermore, the deputies propose that Article 30 should now read as follows: 'These assemblies may only deal with ecclesiastical matters and that in an ecclesiastical manner. A major assembly may only deal with matters which concern the churches in its jurisdiction jointly or which could not be dealt with in the minor assembly. If it concerns a new matter that is raised by the churches, it can only be placed on the agenda of the major assembly in the way of preparation by the minor assembly. After the deputies have given some explanation, Article 30 is thus adopted.

Kerkorde 1978	**Church Order 1978**
Artikel 30. *Bevoegdheid van de vergaderingen* Deze vergaderingen mogen alleen kerkelijke zaken behandelen en dat op kerkelijke wijze. Een meerdere vergadering mag slechts zaken in behandeling nemen die de kerken in haar ressort gemeenschappelijk aangaan of die in de mindere vergadering niet konden worden afgehandeld. Betreft het een nieuwe zaak die vanuit de kerken aan de orde wordt gesteld, dan kan deze alleen in de weg van voorbereiding door de mindere vergadering op de agenda van de meerdere vergadering worden geplaatst.	Article 30. Jurisdiction of Assemblies These assemblies are only allowed to deal with ecclesiastical matters and in an ecclesiastical way. A major assembly may only deal with matters which concern the churches in its jurisdiction jointly or which could not be dealt with in the minor assembly. If it concerns a new matter that is raised by the churches, it can only be placed on the agenda of the major assembly in the way of preparation by the minor assembly.

1979 "draft" report on the Church Order



Article 30. (30) Ecclesiastical Matters

These assemblies shall deal with no other than ecclesiastical matters and in an ecclesiastical manner.
A major assembly shall deal with those matters only which could not be finished in the minor assembly or which belong to its Churches in common.
If it concerns a new matter which has not previously been presented to that major assembly, it can be put on the agenda only when the minor assembly has dealt with it.

Remarks:

1. As for the first sentence: we followed the Advisory Committee's suggestion.

2. The last sentence has been taken over from our Netherlands sister Churches. We deem it a valuable addition which would prevent that a General Synod suddenly is faced with a proposal from a Church about a matter which has never before been presented to a major assembly, and has to decide about it since it concerns a matter in which all the Churches are involved.

We do not even have to think of a General Synod in the first place; the same applies to a Regional Synod or even a Classis: it prevents that matters are presented and dealt with which have not even been discussed by the Consistories.

The proposed addition does not prevent that a Church addresses itself to a General Synod about a matter already before the broadest assembly; it would prevent that a Church proposes a matter which is completely new, even though it can be said that it concerns the Churches in general and is a matter belonging to all the Churches in common.

1981 "provisional" report on the Church Order

ARTICLE 30. (30) Ecclesiastical Matters

These assemblies shall deal with no other than ecclesiastical matters and that in an ecclesiastical manner.
A major assembly shall deal with those matters only which could not be finished in the minor assembly or which belong to its Churches in common.
A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it.

In the first sentence we added the word "that" as suggested by one Church.

Another Church asked whether it would not be better to say "in a minor assembly" instead of "in the minor assembly." Our answer is : "No, that would not be better." Now it is clear that the assembly immediately minor to that particular major assembly is meant. If we used the indefinite article, one could argue that as long as a(ny) minor assembly -- e.g. a Consistory -- has dealt with a matter, a General Synod would be permitted to put it on its agenda. Such would indeed be an abuse of this article, but there is no article that cannot be abused if faithfulness is absent.

One Church suggested to delete the last sentence since there is "too much danger that sentence will be abused."

Whether there is more danger that abuse will occur with respect to this article than to any aother other article is only a matter of speculation.

Follwoing our Netherlands sister Churches, we consider it a very wise and edifying provision. It may be new in wording, whoever studies the Acts of the General Synods of the Canadian Reformed Churches will discover that more than once a matter was deleted from the provisional agenda because the minor assemblies had no opportunity to discuss or study the matter.

If we may use an example: Synod Coaldale 1977 received, at the very last moment, a proposal to instruct the Committee for Contact with the Orthodox Presbyterian Church "to seek contact with the Reformed Presbyterian Church, Evangelical Synod, with a view to determining whether church correspondence can be established with this church federation."

No Consistory ever had an opportunity to discuss this matter, much less did the broader assemblies. It was just dumped onto Synod's table, and Synod should have refused to deal with it on that ground. However, Synod dealt with it in spite of the fact that no minor assembly could have considered the matter. That Synod did not accede to the proposal was not on this ground but on the ground of insufficient information.

We consider the proposed provision an important guideline which will serve to prevent that broader assemblies take to hand matters which have not been sufficiently prepared in the Churches.

Of the Churches only one suggested to delete this provision.

1983 "final" report on the Church Order to GS 1983

ARTICLE 30. (30) Ecclesiastical Matters

These assemblies shall deal with no other than ecclesiastical matters and that in an ecclesiastical manner.
A major assembly shall deal with those matters only which could not be finished in the minor assembly or which belong to its Churches in common.
A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it.

The term "major" assembly has been object of discussion. One Church suggested to abandon this term because of possible connotations with an hierarchical concept and, instead, to use the term "broader assemblies." There would be no objection to using the term "broader assemblies" throughout our Church Order, but there is one drawback: What is one then going to call the "minor assemblies" ? What term will be used? "Narrower," or "smaller," or "restricted" ? We see no other possibility than retaining the term "major" overagainst "minor." Every one who knows what truly Reformed Church polity is all about will not misunderstand this term; whereas, on the other hand, if the truly Reformed character of our Church Order is denied, even the use of the term "broader" will not prevent misinterpretation and misuse.

One Church proposed to read "resolved" instead of "finished" in the second paragraph. Matters are usually finished in the sense that an end is brought to the deliberations, thus the argument ran.

However, the point is not that there is an end to deliberations but that the question could not be brought to an end, to the finish. This term is still to be preferred as "resolved" appears to cover only part of the matters which could be brought to the major assembly.

The suggestion of one Church to read "which belong in common to its Churches" does not appear to be any improvement over the reading which the committee proposes.

Another Church asked, "We wonder if the word 'that' before 'major' is necessary? Will 'a' not suffice? We think that this is a different situation than you suggest with your footnotesas to the question 'a/the minor assembly.' The word 'that' makes one think of specific major assemblies (e.g. Regional Synod Smithers- June 1,2,1982 or Synod Coaldale 1977) whereas you are referring to that level of assemblies. Taken as we suggest it might be taken, the word 'previously' would then of course not have a place in connection with 'that.' "

We think that the word "previously" precludes thinking of a specific assembly in the past. The word "that" refers to the previous paragraph where it is provided that a major assembly shall deal. . . When a new matter is presented to that particular assembly, it shall not . . . etc. When it concerns a general synod, it shall not deal with it unless a regional synod has dealt with it; the same applies to regional synods and classes, respectively.

GS 1983 ARTICLE 91 – Decisions re Revision Church Order[32]

A. MATERIAL – Agenda VIII, F.

1. Report from the Committee on the Church Order (plus addition).
2. Letter from the Church at Burlington (Ebenezer).

…

6. Letter from the Church at Hamilton.

- …

B. OBSERVATIONS

1. Synod 1980 *gave* the Committee the following mandate:
   - "to send a complete definite draft of the Revised Church Order to the Churches before January 1. 1982, soliciting remarks from the Churches to be sent to the Committee before January 1, 1983. and to present the result of its work to General Synod 1983. (Acts, Art. 19. D. 3)."
2. …
3. The Committee has submitted its report to the Churches and comes to Synod 1983 with a definite draft, which was also linguistically corrected.
4. Synod 1983 has received the following submissions from Churches and individual members:

…

- Art. 30 the Church at Burlington (Ebenezer) objects to the new rule added to Art. 30 since it would restrict addressing Synod on matters of urgent common concern.
- the Church at Hamilton suggests to delete the last sentence since it introduces a very confusing rule and would make a "bureaucratic mess" with respect to matters of common concern.

…

C. CONSIDERATIONS

1. The Committee has presented Synod with a definite draft, linguistically corrected, of the revised Church Order and thus has fulfilled its mandate.

…

3. The following considerations regard the submissions of Churches and individuals (cf. Observation 4):

- …
- Art. 30 the proposals of the Churches at Burlington (Ebenezer) and Hamilton should not be followed, for the addition re "urgent matters of common concern "would defeat the purpose of the preceding stipulation, namely to prevent new issues from being placed before major assemblies hastily and unlawfully before having been dealt with in the minor assemblies.

D. RECOMMENDATIONS

Synod decides:

1. to thank the Committee on the Revision of the Church Order for the faithful completion of their mandate.

   ADOPTED

2. …
3. to adopt the revised Church Order, with the following amendments:

…

[32] To avoid clutter, only materials relevant to CO article 30 are retained.

GS 2010 Article 62 – Appeal from Kerwood re: Women's Voting

1. Material

1.1 Acts of previous synods.

1.2 Appeal from the church at Kerwood re: Article 136 of Synod Smithers (8.5.W).

2. Observations

2.1 Kerwood appeals the decision of Synod Smithers 2007, Article 136 on the following grounds:

[a .] We believe Synod 2007 erred in declaring the letter from Hamilton admissible (CO art. 30). Churches should not send overtures directly to General Synod when they have not first been dealt with by the church's local classis and regional synod. (General Synod Neerlandia 2001, Article 101 – 2.3 "The Church at Langley brought its overture to a classis: however, it was defeated. Therefore, this overture is declared inadmissible on the basis of CO Article 30"). In addition, we also believe that the lack of consistency in practice when declaring material admissible/inadmissible is unwise and does not give clarity in proper procedure to other congregations and members for making overtures to General Synod.

[b.] The church at Kerwood also wishes to express concern about the fact that Synod appointed the same church that asked for a study to do a study. It certainly gives an impression of bias in a particular direction.

2.2 The *adopted* motion of Article 136 of Synod Smithers reads concerning admissibility:

[2.1] This item is admissible because it comes from one of the churches and deals with a matter that has been perceived as one belonging to the churches in common" (p.149).

2.3 One of the *defeated* motions of Article 136 of Synod Smithers reads concerning admissibility:

[2.1] This item is not admissible" (p.145). This same motion gives as considerations for this judgment a summary of the decisions of previous synods as follows:

[3.6] General Synod 1995 was approached to establish a new committee to study the matter of women's voting. Synod declared these requests "inadmissible on the grounds: A. that according to Article 33 CO matters once decided upon may not be proposed again unless they are substantiated by new grounds; B. a new matter which has not previously been [sic] presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it (Article 30 CO)."

[3.7] General Synod 1998 received appeals from the Ebenezer church at Burlington, the Fellowship church at Burlington, as well as overtures from the church at Aldergrove and the Fellowship church at Burlington. The appeals challenged the decision of Synod 1995 and called for a new committee. The overtures go the route of arguing that this matter should not have been declared inadmissible on the ground of Article 30 CO (see Acts 1998, Arts. 109,110,111,112)."

2.4 Synod 1998 gave the following considerations in Article 110:

[B.] It is also true that previous General Synods have dealt with matters even when minor assemblies had not dealt with them. The appellants are also correct in their assertions that synods have, on occasions, defended this course of action on the basis that these matters 'belong to the churches in common.' This is not normative, however, because it is contrary to the adopted Church Order.

[C.] It is unfortunate that these precedents have given the appellants the impression that when matters belong to the churches in common, it is no longer necessary for the minor assembly to deal with them first. The fact that Article 30 CO was not always applied properly in the past, however, does not mean that we should violate the adopted order today.

[D.] It is also true, as the appellant observes, that the request was not within the province of a common assembly. This does not mean, however, that these minor assemblies do not have to

deal with them first. On the contrary: it is first necessary that a consistory place a matter on the agenda of classis; and only if a classis is convinced of the validity of the proposal will it be placed on the agenda of Regional Synod. If Regional Synod is convinced that the proposal is valid, it will place the matter on the agenda of General Synod.

2.5 Synod 1974 received as admissible a submission from Toronto concerning the matter of women's voting (Acts, Article 84). Synod 1977 received as admissible individual submissions from two churches on this same topic (Acts, Article 27). Synod 1992 received as admissible an overture directly from one church concerning the matter of relations with a new federation of churches (Acts, Article 36).

2.6 Article 30 of the Church Order adopted by Synod 1968 and in force until 1983 reads, "In these assemblies no other than ecclesiastical matters shall be transacted and that in an ecclesiastical manner. In major assemblies only such matters shall be dealt with as could not be finished in minor assemblies, or such as pertain to the Churches of the major assembly in common."

2.7 Article 30 of the Church Order adopted by Synod 1983 reads, "These assemblies shall deal with no other matter than ecclesiastical matters and that in an ecclesiastical manner. A major assembly shall deal with those matters only which could not be finished in the minor assembly or which belong to the Churches in common. A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it."

3. Considerations

3.1 Kerwood rightly highlights the inconsistency of past synods in matters of admissibility as per Article 30 CO. Synod Smithers itself was not unanimous on this point as can be seen by comparing the defeated and adopted motions under Article 136. That this gives rise to confusion and frustration within the churches is understandable and regrettable. Inconsistency, however, is not in itself a valid ground to appeal under Article 31 CO.

3.2. Synod 1998 was outspoken in its view that previous synods were incorrect in dealing with matters of the churches in common even though submissions on these matters had not been dealt with by the minor assemblies. Synod 1998 worked with a certain interpretation of Article 30 CO whereby all submissions or proposals on matters – whether new or not – must first travel the route of the minor assemblies before being dealt with by the major assemblies. This is clearly a reversal of how previous synods, particularly 1974, 1977 and 1992, understood this Article.

3.3 Synod Smithers struggled with this very matter and gives evidence of a divided opinion over it. The one opinion is that so long as the matter is already a matter of the churches in common (e.g. the *Book of Praise,* as per Article 55 CO; the Theological College, as per Article 19 CO), it is in itself not a *new* matter. As such, individual churches ought to be able to directly address general synod. The other opinion is that all proposals and submissions dealing with any matter must first be dealt with by the minor assemblies for their evaluation (appeals and interactions with committee reports excepted). Only if the minor assemblies are convinced of the validity of the proposal will it be placed on the agenda of a general synod. In the end, the majority view of Synod Smithers 2007 concluded in favour of the first view.

3.4 Synod Smithers did not account for its view of Article 30 CO, but neither did Synod 1998. Although Synod 1998 gave elaborate considerations on this point, those considerations amount to assertions and statements which themselves are unproven. Synod 1998 did not prove that earlier synods were wrong in their

understanding of Article 30 CO; it merely stated its opinion that they were wrong. In the same way, Synod Smithers did not prove that Synod 2001 or 1998 was wrong in its understanding of Article 30; it merely implied it with its decision to admit Hamilton's overture. This back-and-forth battle of opinions at subsequent general synods is extremely unhelpful in establishing equity and fairness among the churches as to how matters are received and dealt with at the broadest assembly. A solution to this

dilemma must be found.

3.5 It seems that the new sentence added to Article 30 in 1983 is the source of the difficulty. "A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it" is to some in harmony with the pre-1983 understanding. This view takes it that "new matters" refers to *topics* or *subjects* not either historically or by way of the Church Order dealt with as matters for the churches in common. In this view, new proposals under an existing matter (topic) of the churches in common should be sent directly to general synod while only proposals of matters (topics) never dealt with by general synod before should first go through the minor assemblies. The newer view is that all proposals or submissions – whether concerning existing matters (topics) of the churches in common or not – must first be dealt with and supported by the minor assemblies before a general synod can deal with it.

3.6 The benefit of the older understanding of Article 30 is that every congregation has direct access to the broadest assembly on matters which are deemed to belong to the churches in common. This is desirable and healthy in our system of checks and balances whereby the autonomy of the local church is not lost (while it voluntarily binds itself to the decisions of the broader assemblies) and the threat of hierarchy at the broader assemblies is reduced. The benefit of the newer understanding of Article 30 is that it does not give undue influence to any one church who could potentially place a proposal on the agenda of a general synod without any of the other churches having seen it or studied it, much less interacted with it. The desire to have submissions first be tested, evaluated and filtered by the minor assemblies is beneficial in that it will ensure that only proposals which have won the support of a large number of churches reaches the broadest assembly. Such a check and balance helps protect the integrity of the bond of churches in the federation. A blending of these two approaches in a clear direction from synod would serve to benefit the churches and clarify the procedure for churches to address a general synod in the future.

3.7 Kerwood in its second point does not prove that Synod Smithers contravened Scripture or Church Order when it appointed the church at Hamilton to be the Committee that dealt with Women's Voting. The wisdom of that appointment may be debatable but its illegitimacy according to Scripture or Church Order is not established by Kerwood.

4. Recommendation

That Synod decide:

4.1 To deny the appeal of Kerwood.

4.2 To add the following to the Guidelines of General Synod: For all matters of the churches in common, individual churches may address proposals or other significant submissions directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six months prior to general synod.

ADOPTED

GS 2013 Article 99 – Appeals re: General Synod Guidelines

Committee 2 presented its second draft with this result:

1. Material:

Letters of appeal from the churches at Burlington-Ebenezer (8.1.9), Dunnville (8.5.7), Grand Valley (8.5.20) and Orangeville (8.5.33)

2. Observations:

2.1. Article 30 of the Church Order stipulates that "a new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it."

2.2. Synod Burlington 2010 decided to add the following new guideline to the *Guidelines for Synod*:

"For all matters of the churches in common, individual churches may address proposals or other significant submissions directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six months prior to general synod" (Article 62, Recommendation 4.2, now General Synod Guideline 1.E)

2.3. The four churches assert that this new guideline contravenes Article 30 CO, since the guideline allows churches to place matters for the churches in common on the agenda of general synod without having the minor assemblies (classis and regional synod) filtering these matters first.

2.4. The church at Grand Valley also states that Synod Burlington 2010 erred and was "not fair to the churches" when synod wrote "its own rules… in order to deal with a matter on its agenda."

2.5. The church at Orangeville proposes an amended guideline to try to bring synod Guideline 1.E more into harmony with Article 30 CO. They propose that only *returning* matters go directly to synod, while *new* matters go via the minor assemblies. Their proposal is as follows:

> [1.E.] For *any* matters of the churches in common, *dealt with at a previous general synod***,** individual churches may address proposals or other significant submissions directly to general synod… *All other matters of the churches in common, not dealt with at a previous synod, may be put on the general synod's agenda only when the minor assembly has dealt with it.*

2.6. Since Article 30 CO was changed in 1983, there has been a great degree of inconsistency in terms of understanding and application among the churches and subsequently, at various synods.

2.7. Article 30 CO has been applied in essentially two ways at the various general synods (1974, 1977, 1992, 1995, 1998, 2007, etc.). *Position A*: Consistory may make a submission directly to synod if the matter is one of significance for the churches in common. *Position B*: Consistory must make all its submissions on matters for the churches in common via all the ecclesiastical assemblies (classis, etc.). Exceptions have been submissions that respond to various synodical committee reports.

2.8. Synod Burlington 2010 outlined the benefits of both positions as follows:

> 2.8.1 "The benefit of the older system [Position A] is that every congregation has direct access to the broadest assembly on matters which are deemed to belong to the churches in common… this is healthy in our system of check and balances…";
>
> 2.8.2 "The benefit of the newer system [Position B] is that it does not give undue influence to any one church who [*sic*] could potentially place a proposal on the agenda of a general synod without the other churches having… interacted with it."

2.9 Synod Burlington 2010 adopted the new Guideline (1.E) to, in its words, "blend the two approaches in a clear direction from synod [to] serve to benefit the churches…."

3. Considerations:

3.1. Burlington-Ebenezer is correct when it maintains that "Article 30 CO stipulates that any new matter, even if it is a matter 'which belongs to its churches in common' needs to follow the route of consistory-classis-regional synod-general synod." Burlington-Ebenezer correctly points to and highlights the word "new" in Article 30 CO, whereas Synod Guideline 1.E essentially undermines this stipulation by making provision for "all" matters. As a result, Burlington-Ebenezer ("not in step") and Dunnville ("too broad") are both correct in claiming that Guideline 1.E is not consistent with Article 30 CO.

3.2. Grand Valley is correct in its claim that having matters go through minor assemblies has worked well and will eliminate unnecessary matters before synod. Grand Valley, however, is not justified in its claim that Synod Burlington 2010 erred in implementing a new guideline. Synod was merely responding to the church at Kerwood, clarifying Article 30 CO for the benefit of the churches. It is worth noting that synod has the right to suspend, amend, revise, or abrogate its own guidelines by majority vote (Guideline 4 J.).

3.3. Orangeville's proposed modification to Guideline 1.E would make this guideline redundant, as it

essentially re-states what is already implied in Article 30 CO.

3.4. Synod 2010 attempted to clarify Article 30 CO by enacting Guideline 1.E for the benefit of the churches, but in fact it rendered the last paragraph of this article ineffective.

4. Recommendations:

That Synod decide:

4.1. That Synod Burlington 2010 erred in its decision to implement Guideline 1.E

4.2. To remove Guideline 1.E from the *Guidelines for Synod.*

ADOPTED

GS 2016 Article 112 – Overture from Regional Synod West 2015 (RSW 2015)

1. Material

1.1 Overture from Regional Synod West 2015 (RSW 2015), re: care of theological students by their home church and examination of theological students by their home classis (8.4.1)

1.2 Letters from the following CanRC: Burlington-Rehoboth (8.5.1.1), Ancaster (8.5.1.2), Fergus-North (8.5.1.3), Hamilton-Providence (8.5.1.4), Grand Rapids (8.5.1.5), Abbotsford (8.5.1.6), Grassie-Covenant (8.5.1.7), Lincoln-Vineyard (8.5.1.8)

2. Observations[33]

…

3. Considerations

3.1 "Overture 1" is incomplete:

3.1.1 The Overture does not contain a clear request for action, nor a statement that can be adopted or taken over by Synod. Neither the statement of proposal, nor the paragraphs under the heading "Overture", could be adopted by synod in their current form.

3.1.2 The specifics of how such an overture would be implemented have not been spelled out. This is evident in the concerns raised by the letters from the churches. Implementation of the proposal would require amending the Support Guidelines, published in Appendix 16 to the Acts GS 2013 for the CNSF. The Overture does not include a proposal for such an amendment, nor does it propose how such guidelines could be constructed. In fact, there is no interaction with the current guidelines at all.

3.2 "Overture 2" is incomplete:

3.2.1 The Overture does not contain a clear request for action, nor a statement that can be adopted. Neither the statement of proposal, nor the paragraphs under the heading of "Overture", could be adopted by synod in their current form.

3.2.2 The specifics of how such an overture would be implemented have not been spelled out. This is evident in the concerns raised by the letters from the churches. The Overture requests that CO 4B be changed. However, implementation of the proposal would also require:

3.2.2.1 Interaction with GS 1958 Art. 188. This article stipulates the guidelines for ecclesiastical examinations in the federation. These guidelines would need to be changed;

3.2.2.2 Direction for local classes, whose regulations would need to be changed to accommodate this overture;

3.2.2.3 A recommendation regarding possible funding needed to cover the extra cost of travel for the students. This, in turn, could require further amendments to the Support Guidelines of the CNSF;

[33] For the sake of space, section 2 has been omitted.

3.2.3.4 A recommendation for how to deal with foreign students.

3.3 Although there may be merit to the ideas contained in the Overture, neither part of the Overture can be adopted in its current form.

4. Recommendations

That Synod decide:

4.1 Not to adopt the Overture of Regional Synod West 2015.

ADOPTED

GS 2022 Article 78 – Appeal against RSE 2020 Art. 13 (Language of questions in Liturgical Forms)

1. Material

1.1 Appeal from the Hamilton-Blessings CanRC against the decision of RSE 2020 (Art. 13) not to adopt the overture of Classis Central Ontario (CCO) May 2020, regarding the amendment of the language of the questions in the liturgical forms (8.6.9.1).

1.2 Overture (request), embedded in the appeal, from Hamilton-Blessings that if their appeal to GS 2022 is upheld, GS 2022 would adopt the CCO May 2020 overture to RSE 2020 (8.6.9.1).

2. Admissibility

2.1 The appeal, and the overture within it, was declared admissible.

3. Decisions

Synod decided:

3.1 To sustain the appeal of Hamilton-Blessings (1.1);

3.2 To deny the overture (request) of Hamilton-Blessings (1.2).

4. Grounds

4.1 Re 3.1: RSE 2020's decision not to take over the overture is based on insufficient grounds as demonstrated by the following:

4.1.1 In Consideration 1 RSE 2020 makes an observation about the overture. Hamilton-Blessings is correct to note this. An observation cannot be a ground for a decision without further clarification as to how that observation would form an argument against the overture being adopted. As such, RSE 2020 Art. 13 Cons. 1 is insufficient.

4.1.2 RSE 2020 misunderstands the intent of the overture when it states in consideration 2 that the current phrase in our forms, namely, "summarized in the confessions" is "inclusive of what is expressed in the Apostles' Creed". Hamilton-Blessings is correct to assert that the overture does not say this, but rather seeks to have the form refer to the Apostles' Creed to make explicit the historical connection between triune baptism and faith in the triune God as we confess it in the Apostles' Creed.

4.1.3 Although Hamilton-Blessings overstates RSE 2020's position in Consideration 3 as "a theological blunder" since it is evident from the context in which RSE 2020 made their statement that they did not intend to say that every theological formulation in the confessions is promised to candidates for profession of faith, nevertheless, RSE 2020 in answer to Ground B of the overture uses as a ground the very consideration the overture is contesting in Ground B (GS 1986 Art. 144 Cons. 1). It is not sufficient to answer an objection against a consideration by repeating the consideration.

4.1.4 RSE 2020 Art. 13 Cons. 4 fails to consider Ground C on its own merits, even though later in Consideration 7, it will acknowledge that the overture does make a historical case that the

Apostles' Creed is the correct referent for the phrase "the articles of the Christian faith" in the original liturgical forms. RSE 2020's primary concern with both considerations 4 and 5 is to argue against the overture's conclusion that if the historical referent for the phrase "the articles of the Christian faith" is the Apostles' Creed, then the term "confessional membership" is erroneous. Whether or not the term is erroneous, the overture's contention that the phrase "articles of the Christian faith" cannot mean "confessions" does not necessarily mean the overture seeks to minimize the confessions in the life of the members. Contrary to what RSE 2020 says in Consideration 4, when it refers to Ground D of the overture, there is no evidence that the overture is arguing that the Apostles' Creed is something that "stands alone" from all that is in the Scriptures as summarized in the confessions.

4.1.5 RSE 2020 declares in Consideration 6 that no evidence was presented that the sister churches referred to in the overture (URCNA and OPC) "limit their member's confessional vow" to only the Apostles' Creed in their formulations; however, RSE 2020 offers no evidence themselves that the phrase "articles of the Christian faith" in the URCNA membership vows includes more than the Apostles' Creed.

4.1.6 Although Hamilton-Blessings did not appeal Consideration 7, the question of whether the 1983 decision changed what the churches were asking in the liturgical forms goes to the heart of what the overture is addressing and, therefore, cannot be used as an argument against the overture.

4.2 Re 3.1: GS 2019 Art. 64 Rec. 5.1 left Hamilton-Blessings with the impression that their request could come back to Synod in the form of an overture via the ecclesiastical route when they pointed Hamilton-Blessings to Considerations 4.1, 4.2 and 4.4. This is certainly the impression given by Consideration 4.4 which states, "In this way, *all the churches* will have ample time and opportunity to interact with it through this filtering process." (Italics added)

4.3 Re 3.2: It is not possible for GS 2022 to adopt the overture since all the churches have not had the opportunity to interact with the overture through submissions to GS 2022. Since this overture has already been considered by a Regional Synod, a church can take over this exact same overture and submit it directly to GS 2025, at least six months prior to the synod, also distributing it to all the churches, analogous to Synod Guidelines I.F.

During discussion, a motion to amend was made and duly seconded:

To remove:

Since this overture has already been considered by a Regional Synod, a church can take over this exact same overture and submit it directly to GS 2025 at least six months prior to the synod.

And add at this point:

To be considered, the overture should be sent to the next RSE, which can then decide whether to submit the overture to the next general synod as per Synod Guidelines.

The motion was defeated.

During the course of making this decision, it was moved and seconded to divide the question into 3.1 (with 4.1 and 4.2) and 3.2 (with 4.3) This motion was defeated.

GS 2022 Article 105 – Overtures RSE 2020 and RSW 2021 re GS 2004 Art. 115 (Hymn Cap)

Committee 1 presented draft 2 of a majority report and draft 2 of a minority report on Overtures RSE 2020 and RSW 2021 re GS 2004 Art. 115 (Hymn Cap). The reports were discussed. The Majority Advisory Committee Report was voted on first (as per Synod Guidelines III.A.5) and adopted.

1. Material

1.1 Overture: RSE 2020 to Remove the Current Hymn Cap for the *Book of Praise* (8.4.1).

1.2 Overture: RSW 2021 to Rescind the decision of GS 2004 art. 115 re Hymn Cap (8.4.3).

1.3 Submissions from the following CanRC and ARC: Toronto-Bethel (8.3.2.41), Owen Sound (8.5.1.1), Carman-West (8.5.1.2), Brampton-Grace (8.5.1.3), Niagara-South (8.5.1.4), Nooksack Valley (8.5.1.5), St. Albert (8.5.1.6), Willoughby Heights (8.5.1.7), Smithville (8.5.1.8), Yarrow (8.5.1.9), Cloverdale (8.5.1.10), Attercliffe (8.5.1.11), Coaldale (8.5.1.12), Carman-East (8.5.1.13), Flamborough-Redemption (8.5.1.14), Fergus-Maranatha (8.5.1.15), Glanbrook-Trinity (8.5.1.16), Barrhead (8.5.1.17), Neerlandia (North) (8.5.1.18), Edmonton-Immanuel (8.5.1.19), Lynden (8.5.1.20), Burlington-Ebenezer (8.5.1.21), Grand Rapids (8.5.1.22), Edmonton-Providence (8.5.1.23), Owen Sound (8.5.3.1), Ancaster (8.5.3.2), Willoughby Heights (8.5.3.3), Neerlandia (North) (8.5.3.4), Edmonton-Immanuel (8.5.3.5), Langley (8.5.3.6).

2. Admissibility

2.1 Overture RSE 2020 to Remove the Current Hymn Cap for the *Book of Praise* was declared admissible.

2.2 Overture RSW 2021 to Rescind the Decision of GS 2004 Art. 115 re Hymn Cap was declared admissible.

2.3 The submissions from the churches were declared admissible.

Ground

Both overtures are applying the decision of GS 2019 (Art. 64, Cons. 4.4) and CO Art. 33.

3. Decisions

Synod decided:

3.1 To work with both overtures together;

3.2 To deny the recommendation of both overtures to remove the cap of 100 hymns regarding the *Book of Praise*.

4. Grounds

4.1 Re 3.1:

4.1.1 Both overtures seek the removal of the cap of 100 hymns regarding the *Book of Praise*, although providing different considerations.

4.1.2 Most churches interacted with both overtures in one submission to GS 2022.

4.2 Re 3.2:

4.2.1 GS 2004 (Art. 115 Obs. 6.1.1, Cons. 6.2.1, Rec. 6.3) expressed the principle that Psalms have a predominant place in the liturgy of the Reformed churches, and on that basis, set a limit. Any decision to rescind the conclusion of GS 2004 should demonstrate that the basis of that decision is erroneous.

4.2.1.1 GS 2004 (Art. 44 Cons. 4.3) affirmed this principle when it states that the Committee on Relations with Churches Abroad (CRCA) is correct that a "proper proportion between the number of hymns in itself reflects the importance – even the priority – of the Psalms".

4.2.1.2 GS 2007 (Art. 133 Rec. 5.3) did likewise when it mandated the CRCA to "end the discussion [with the Reformed Churches in The Netherlands (GKv)] about the proportion of Psalms and hymns by expressing the concern that the vast multiplication of hymns does nothing to advance the priority of Psalm singing and places at risk this principle".

4.2.2 Although RSE 2020 acknowledged the unique, privileged, and predominant role of the singing of Psalms in the liturgy of the churches, and that they should be retained as such, it then concluded that limiting the number of hymns in the *Book of Praise* is not an effective way of achieving this goal. Many of the churches, however, appreciated how the hymn cap flows from the principle of the predominance of Psalms in Reformed liturgy. As one church put it, "Why

should the appearance of a thing not testify to and confirm the underlying principle of that very thing? If Psalms [are] predominant, then that should be visibly testified to and confirmed by a greater number of Psalms than hymns in the church's songbook."

4.2.3 Additionally, RSW 2021 argued that "it is clear from the Preface of the *Book of Praise* that the hymns are not less desirable" (Cons. 2.5). This argument is a round-about way of stating that, when it comes to the selection of songs to sing in the worship services, there is to be no distinction between hymns and Psalms. This is not the Reformed principle held since the Reformation, and stated time and again by our general synods (e.g., GS 2004 Art. 44 Cons. 4.3; GS 2007 Art. 133 Cons. 4.2; GS 2013 Art. 173 Cons. 3.6). RSW 2021 did not treat the Preface from the *Book of Praise* forthrightly, specifically where it states, "Although in Reformed liturgy the *Psalms have a predominant place*, our churches have not excluded the use of scriptural hymns".

4.2.4 Although RSW 2021 argued that a limit of 100 hymns makes it likely that there would be less room for hymns that are traditionally sung during specific seasons of the Christian calendar, such a claim is unsubstantiated. In fact, as one church argued, for hymns to be useful to the churches, they would largely centre around the days of commemoration and would leave out many other hymns of praise, adoration, supplication, petition, etc. since there are Psalms which do the same.

4.2.5 Although RSE 2020 and RSW 2021 suggested that the hymn cap needlessly limits the churches in their choice of other Christian songs, limiting the churches' selection is exactly the purpose of CO Art. 55, and therefore, does not serve as an argument for additional hymns.

4.2.6 Although RSE 2020 and RSW 2021 argued that a hymn cap does not guarantee the primacy of Psalm singing, numerous churches, both in favour and against removing the hymn cap, have argued for a change to CO Art. 55 that includes a statement re the primacy of Psalm singing as a way to maintain the practice of this principle.

4.2.7 It is true that RSE 2020 and RSW 2021 argued that the specified limit of 100 hymns is arbitrary and has no other function than to force the churches to choose from among the best hymns for inclusion in the *Book of Praise* rather than allow for the consideration of all best hymns, also as they continue to be written.

4.2.7.1 This implies, however, that the *Book of Praise* will never be a completed book, and that it needs to include an unlimited number of hymns.

4.2.7.2 Despite the considerations of RSW 2021 and RSE 2020, a goal of a church songbook should be that the congregation can know it well, can memorize it, and make it part of its everyday life. The proliferation of hymns works against this. As such, it does a disservice to the churches. This sentiment was expressed by the Committee Church Books, Psalms and Hymns Section (1980) when they wrote, "if we keep changing the rhymings, the rhymed Psalms and the hymns will never become 'part and parcel' of the lives of believers and they will never become such an integral part of the knowledge of faith…" Such would also be the case when the churches add and change the Book of Praise regularly.

4.2.7.3 Many churches rightly expressed concern with the claim of arbitrariness. As one church put it, "this is true as far as it goes, but both overtures then leap to the conclusion that this means there should be *no* limit on the number of hymns. This does not follow from the question of arbitrariness."

4.2.8 Although RSW 2021 argued that a limit on the hymns means that the churches will have to struggle with the process of removing good hymns to make room for better hymns, this process has benefits since it continuously forces us to evaluate the strength of new hymns by comparing them to existing ones. Without the limit on hymns, the churches may well resort to a default practice of simply adding new hymns without deciding if they are an improvement on existing hymns. A hymn cap helps the churches to be careful when adding hymns.

For the text of the Minority Advisory Committee Report that was not voted on, as the Majority Advisory

Committee Report was adopted, see Appendix 24. *(With respect to retaining this document, see GS 2022 Art. 115.)*

APPENDIX 2 – RESEARCH ARTICLES

The following 14 articles were written by Rev. Dr. R.C. Janssen and published on www.officebearers.com (> TOPICS > OPINION). A summary of these articles was published in Clarion.

A "BUREAUCRATIC MESS"

There's a "bureaucratic mess" in our churches (the Canadian Reformed Churches). A church once predicted it could happen. So don't take offense at the phrase, it is that church's, not mine. Maybe "mess" is saying it too strongly. However, there's certainly confusion within our churches when it comes to "the ecclesiastical route".

What is this "ecclesiastical route" (aka "the way of the church order")? What evidence is there for a "bureaucratic mess"? How did this all come to be? And what might be done to clear up the confusion and clean up the mess? Those are matters I intend to address in a series of articles.

CO article 30

The ecclesiastical route is articulated in the last line of CO art. 30 as follows: "A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it."

What this means is that a major assembly – a classis, a regional synod, or a general synod – can only deal with items that have been placed on its agenda by the minor assembly. Note the definite article "the" in "the minor assembly". Only the assembly that is minor to the major one can put things on the agenda of the major assembly.

In other words, only a church council can put things on the agenda of a classis, individual church members or office bearers cannot. Only a classis can put things on the agenda of a regional synod. Only a regional synod can put things on the agenda of a general synod. And, since in some ways a previous general synod is a minor assembly with a view to a next general synod, also a general synod can put things on the agenda of a next general synod.

Appeals

This "ecclesiastical route" applies to the two types of submissions listed in our church order: appeals (CO art. 31) and proposals (CO art. 33). There is a difference here that should be noted.

Where appeals are concerned, only the two parties in the original conflict (usually a local church assembly and a church member) can submit a matter to the major assembly once the minor assembly has dealt with it. For example, if Jeffrey is placed under church discipline by a consistory, only Jeffrey can appeal this consistory decision to classis. If classis rejects the appeal, Jeffrey can then appeal to regional synod. If regional synod upholds the appeal, Jeffrey's consistory can appeal to general synod. Classis does not appeal the decision of regional synod to general synod, for classis is simply a meeting that exists only for the duration of its agenda.

Proposals

Where proposals are concerned, the ecclesiastical route applies specifically to "new matters".

For example, if the Yellowknife is feels the CanRC should consider a relationship with another church (a "church abroad" as per CO art. 50) that proposal will have go the ecclesiastical route. Yellowknife will overture classis to overture regional synod to overture general synod to explore a relationship with that particular church abroad. A proposal to have the church order prescribe mid-week worship services would have to go the same way. The same is true for a proposal to add a question and answer to the Heidelberg Catechism defining marriage.

However, if the matter is not new, the ecclesiastical route need not be followed. For example, GS 2019 mandated the committees for interchurch relations (CRCA and CCCNA) to reflect on how CO art. 50 might

best be executed. The churches had this report well before GS 2022 convened and had opportunity to reflect on it and submit their thoughts on it to GS 2022. Their submissions did not have to follow the ecclesiastical route. Do realize, only churches may respond in this way to reports to synods, not individuals.

(GS 2019 art. 149; GS 2022 art. 108)

The "mess"

It seems all neat and tidy, until one sees the rubber of the church order hit the road of church practice. This "route" is causing confusion, some would even call it a "mess". We will next look at recent general synods for evidence of confusion and mess.

2. INCONSISTENCY ACKNOWLEDGED

In the previous article I noted that a church once predicted a "bureaucratic mess" would ensue in our churches. While "mess" is might seem too strong a term, confusion is certainly present. It relates to the so-called "ecclesiastical route".

Last time I described the factors somewhat, concluding that it all seems neat and tidy. However, when the rubber of the church order hits the road of church practice things do get messy. In this article I will give evidence of this messiness.

A new matter

The argument is that new matters must follow the ecclesiastical route and old matters need not. An old matter is a matter that has already been dealt with by the major assembly or is to be dealt with by the major assembly.

Matters already dealt with by the major assembly are primarily matters concerning which major assemblies commission reports. Alternative proposals to recommendations made in reports to synod do not need to go the ecclesiastical route. For example, a synod committee proposed to GS 2019 to end contact with a certain church abroad and a CanRC proposed to GS 2019 to continue contact with that certain church abroad. The church's proposal did not need to travel the ecclesiastical route.

(GS 2019 art. 101)

For the sake of efficiency, some matters are assigned a certain route that does not follow the ecclesiastical route. For example, the proposal to adopt a certain song for use in worship can be submitted by a church directly to general synod (via the Standing Committee for the *Book of Praise*). It hasn't always been so, there was a time when every new hymn proposal had to go the ecclesiastical route.

(GS 2019 art. 145 rec. 4.2.5; GS 2013 art. 125 rec. 4.5)

However, a proposal by a CanRC to enter into a relationship with a specific church abroad does have to go the ecclesiastical route . That CanRC cannot submit its request directly to general synod (via the Committee on Ecumenical Relations). This is considered a "new matter".

(GS 2019 art. 111)

There is a measure of inconsistency here, and inconsistency creates confusion. This confusion was acknowledged by what transpired in the course of GS 2007 through GS 2013.

Evidence of Confusion

GS 2010 received an appeal against the decision of GS 2007 to consider a certain letter from a certain church admissible. The appeal to GS 2010 argued that the 2007 letter addressed a matter which should have followed the ecclesiastical route. Because it did not, the letter should have been declared inadmissible.

(GS 2010 art. 62)

Among others the appeal indicated: "we also believe that the lack of consistency in practice when declaring material admissible/inadmissible is unwise and does not give clarity in proper procedure to other congregations and members for making overtures to General Synod."

(GS 2010 art. 62 obs. 2.1)

In this sentence we already have a first indication of existing confusion. While this appeal emphasized the need to follow the ecclesiastical route, it speaks of "congregations" and "members" making "overtures" to "general synod".

However, where the ecclesiastical route is practiced, only *regional synods* can make overtures (proposals) to general synods.

GS 2010 responds

GS 2010 carefully reviewed acts of past synods and agreed with the appeal that past synods had been inconsistent. By way of example GS 2010 pointed out that GS 1998, in its insistence upon the ecclesiastical route for submissions, "worked with a certain interpretation of Article 30 CO" which "is clearly a reversal of how previous synods, particularly 1974, 1977, and 1992, understood this Article."

GS 2010 described how GS 2007 had struggled with the question of when "the ecclesiastical route" applies. There had been a majority and minority position at GS 2007. The majority allowed churches greater freedom in placing matters on the synod agenda. The minority emphasized the need for churches to go the ecclesiastical route. In line with CO art. 31, the majority view prevailed.

Still…

GS 2010 recognized there was a problem here. One of its considerations ends with: "This back-and-forth battle of opinions at subsequent general synods is extremely unhelpful in establishing equity and fairness among the churches as to how matters are received and dealt with at the broadest assembly. A solution to this dilemma must be found."

The term was not used by GS 2010, but "confusion" is appropriate. I wonder if GS 2010, having had knowledge of what a church had once said in the past, would have used the words "bureaucratic mess".

Next time we'll review more of what GS 2010 considered and the fix it adopted.

3. A FIX ADOPTED

GS 2010 admitted that, where the ecclesiastical route is concerned, there was a dilemma. There had been a "back-and-forth battle of opinions at subsequent general synods" which was "extremely unhelpful in establishing equity and fairness". Decades earlier a church had predicted this "bureaucratic mess" could happen.

(GS 2010 art. 62)

Thus far I have described the scene and begun proving from GS 2010 that there is an issue. In this article we continue the story. GS 2010 attempted to fix the problem.

Considerations of GS 2010

GS 2010 pondered the dilemma some more. Pertinent considerations are well worth quoting in full, as they will help us get a handle on why the issue existed.

3.5 It seems that the new sentence added to Article 30 in 1983 is the source of the difficulty. "A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it" is to some in harmony with the pre-1983 understanding. This view takes it that "new matters" refers to topics or subjects not either historically or by way of the Church Order dealt with as matters for the churches in common. In this view, new proposals under an existing matter (topic) of the churches in common should be sent directly to general synod while only proposals of matters (topics) never dealt with by general synod before should first go through the minor assemblies. The newer view is that all proposals or submissions – whether concerning existing matters (topics) of the churches in common or not – must first be dealt with and supported by the minor assemblies before a general synod can deal with it.

3.6 The benefit of the older understanding of Article 30 is that every congregation has direct access to the broadest assembly on matters which are deemed to belong to the churches in common. This is

desirable and healthy in our system of checks and balances whereby the autonomy of the local church is not lost (while it voluntarily binds itself to the decisions of the broader assemblies) and the threat of hierarchy at the broader assemblies is reduced. The benefit of the newer understanding of Article 30 is that it does not give undue influence to any one church who could potentially place a proposal on the agenda of a general synod without any of the other churches having seen it or studied it, much less interacted with it. The desire to have submissions first be tested, evaluated and filtered by the minor assemblies is beneficial in that it will ensure that only proposals which have won the support of a large number of churches reaches the broadest assembly. Such a check and balance helps protect the integrity of the bond of churches in the federation. A blending of these two approaches in a clear direction from synod would serve to benefit the churches and clarify the procedure for churches to address a general synod in the future.

(GS 2010 art. 62 cons. 3.5 & 3.6)

"Older" and "newer"?

The considerations of GS 2010 suggest that there is an older view and a newer view. The older view downplays the need for the ecclesiastical route. The newer view emphasizes it.

However, as we will see in future articles, the terms "older" and "newer" are relative, and maybe even suggestive. For it has been argued that what GS 2010 dubbed "the newer view" is in fact the original intent of Dort polity.

"Direction from synod"?

Also worth noting is that GS 2010 took it upon itself to propose a solution to a problem it had analyzed. Was GS 2010 justified in doing so *without any church asking for this*?

Both the older and newer views would not have been fine this. A proposal regarding a matter must come either from a church (older view) or via the ecclesiastical route (newer view). The fact that an appeal alerted GS 2010 to a dilemma in and of itself, so most will argue, does not give GS 2010 the right to address it, even if it was wise.

Revised Guidelines

GS 2010 denied the appeal but did proceed to provide direction. Changing the Church Order was not an option – that takes a proposal from a church. However, changing the Synod Guidelines was. For the last Guideline reads: "These Synodical Guidelines may be suspended, amended, revised or abrogated by a majority vote of Synod."

GS 2010 therefore decided: "To add the following to the Guidelines of General Synod: For all matters of the churches in common, individual churches may address proposals or other significant submissions directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six months prior to general synod."

(GS 2010 art. 62 rec. 4.2)

The issue

The concern with the older view was that proposals could be submitted to a major assembly without other churches having seen it or had an opportunity to interact with it. The newer view argued that going the ecclesiastical route would ensure involvement of the churches. GS 2010 stuck with the "older view" and sought to address the concern of the "newer view" with this "older view". What became new was that all proposals had to be sent to each church in the federation within such a time period that these churches could acquaint themselves with the proposal and, if desired, submit their thoughts to the major assembly.

In essence it meant that a proposal from a church would follow a process similar to that of a report from a synod committee. GS 2010 had provided a fix.

GS 2013, however, judged the fix to be contrary to the church order and rescinded it. We intend to

review that, and the consequences of this, next time.

4. THE FIX UNDONE

Adherence to the ecclesiastical route has proven confusing in our churches. The confusion may even be considered a "bureaucratic mess", to quote one church. Thus far we have reviewed what the issue is about, how GS 2010 acknowledged and described the inconsistency of practice over the years and decided to a fix by adding something to the Synod Guidelines.

In this article we will review why GS 2013 undid the fix of GS 2010 and begin to review what has happened since GS 2013 codified the ecclesiastical route.

The Revision Undone

GS 2010 had attempted to give clear direction by adding to the Synod Guidelines the following: "For all matters of the churches in common, individual churches may address proposals or other significant submissions directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six months prior to general synod."

GS 2013 received four appeals against this decision. It was argued (among others) that this guideline contravened CO art. 30. The issue was in part that the guideline indicated that "**all** matters of the churches in common" could be presented to a general synod while CO art. 30 stipulates that this is not the case for **new** matters.

GS 2013 agreed, considering "Synod 2010 attempted to clarify Article 30 CO by enacting Guideline 1.E for the benefit of the churches, but in fact it rendered the last paragraph of this article ineffective." And so the guideline was removed.

(GS 2013 art. 99)

A new approach

Rescinding a decision should have returned the churches to the situation that existed prior to 2010. As GS 2010 had denied the appeal and upheld what GS 2007 had done, it should have meant that CanRC are free to submit something to a major assembly without submitting it to the other churches. That had been the "majority" view at GS 2007, dubbed the "older" view by GS 2010.

Ironically, the result of GS 2013 was the opposite. The "minority" view of GS 2007, dubbed the "newer" view by GS 2010, became the approved practice. This is likely because GS 2013 considered, in response to one of the appeals: "having matters go through minor assemblies has worked well and will eliminate unnecessary matters before synod."

It may seem pedantic but note that the word "matters" is not qualified by the adjective "new". This could suggest that not only "new matters" but "all matters" need to go the ecclesiastical route. A review of actions of synods after GS 2013 in response to submissions from churches would support this understanding.

In essence it means that the "minority" or "newer" view is now understood to be the prescribed practice in the CanRC. Nevertheless, confusion (if not "mess") persists.

Disclosure

The only way to prove that the confusion persists is to review what happened at GS 2016, GS 2019, and GS 2022. As readers may know, I served as First Clerk of these three synods. I was also the clerk of the two Regional Synods West that adopted materials to submit to GS 2019 and GS 2022 (hereafter RSW 2018 and RSW 2021). The clerk of a regional synod and the first clerk of a general synod is responsible for the acts of these assemblies. Thus he tends to keep a close watch on consistency in procedure.

As I describe what happened at these five synods, I will be doing so not only on the basis of acts, but also of personal experience.

For the record, I was also heavily involved in the submission of an overture authored by a professor at CRTS, our seminary. For the professor it was awkward to get the overture to reach general synod: only a

church can place an overture on the ecclesiastical route. As a result, he requested two ministers, one in the east and one in the west, to set the ball in motion. I was the minister "in the west".

Confusing terms

GS 1016 had to deal with a report commissioned by GS 2013. In dealing with this report, it also took into consideration three "letters", an "overture" from the Brampton-Grace CanRC, and an "appeal" from the Burlington-Fellowship CanRC.

The acts of GS 2016 indicate that both the "overture" and the "appeal" contained "proposals", some of which were also found in "letters" from three other churches. GS 2016 deemed everything admissible and interacted with all 5 submissions.

Since the "proposal" of Brampton-Grace was, in substance, also found in letters from other churches, one wonders how helpful it is to consider Brampton-Grace's submission an "overture" as opposed to a "letter in response to a report." Just because Brampton-Grace called it an overture, and the convening church did as well, and GS 2016 did too, doesn't mean it is an overture.

I mean: If it looks like a duck, swims like a duck, and quacks like a duck, then it probably is a duck, even if someone calls it a goose.

By the way, the same is true for the "appeal" which, as summarized in the observations, is not an appeal but also a proposal and thus comes down to a "letter in response to a report". In the end, GS 2016 adopted the "proposal" contained in the "appeal".

(GS 2016 art. 111)

Are you confused? I am.

Incomplete

GS 2016 also received an overture from RSW 2015. This overture had gone the ecclesiastical route, originating with the Winnipeg-Redeemer CanRC, and having been adopted by a Classis Manitoba and then RSW 2015. This overture consisted of two parts, referred to as "Overture 1" and "Overture 2". GS 2016 rejected the overtures, considering regarding both: "The Overture does not contain a clear request for action, nor a statement that can be adopted."

(GS 2016 art. 112 cons. 3.1.1 and 3.2.1)

It would seem that Winnipeg-Redeemer, the Classis Manitoba in question, and RSW 2015 assumed that general synod would seize on the idea being proposed and decide on a format for implementation, maybe as synod met, maybe by way of a study committee. GS 2016, however, decided that an overture should not just propose an idea, but also a concrete format for the implementation of that idea.

The fact that an overture could wend its way along the route of the church order only to be deemed "incomplete" at its final station suggests lack of clarity not only with respect to process (they got that right), but also with respect to substance (they got that wrong).

Now, GS 2016 does not really give proof of a "bureaucratic mess", just of "confusion" and maybe "naivety". It's very different where GS 2019 and GS 2022 are concerned. That will have our attention next time.

5. TANGLES (1)

The need for the "ecclesiastical route" for proposals has been a point of debate in our churches. GS 2010 sought to clarify things but GS 2013 considered itself compelled to undo what GS 2010 had decided to. There is some evidence of uncertainty at GS 2016 regarding overtures, but not really of confusion, other than of terms.

The manifestation of "confusion" (if not "bureaucratic mess") arose at GS 2019, and again at GS 2022. In this article I will begin to review what happened at these two synods. So much happened that there will be four articles in total on the tangles encountered.

Bear with me, we're leaving the pavement and will be doing a lot of 4WD rock-crawling. The following

overview is not intended to be exhaustive with respect to everything done. Rather, the intention is to discover tangles and knots. As we do so we will begin to distill some of the intended principles and purposes of the ecclesiastical route. And we will come to the point where it will be clear, we need to rethink this.

Ten Overtures and other submissions

Both GS 2019 and GS 2022 each received 5 overtures. As I am not necessarily concerned with the substance of the overtures, but with the process for dealing with overtures, I will not describe them, but simply list them as they will be referenced in this and following articles. Each reference indicates which broadest assembly last approved the overture for submission to general; then, in parentheses, the origin of the overture (i.e. where the ecclesiastical route began); and finally, an indicator of the topic.

GS 2019 received the following overtures:

- RSW 2018 (Denver-Emmanuel, TPH [Trinity-Psalter Hymnal]),
- RSW 2018 (Aldergrove, TPH),
- RSW 2018 (Willoughby Heights, Licensure),
- RSE Nov 2018 (Hamilton-Cornerstone, Licensure),
- RSE Nov 2018 (Toronto-Bethel, LS Forms).

GS 2019 also received the following submissions that are relevant for our purposes:

- Appeals (3 in total) against RSE 2017 refuse to adopt an overture on the TPH,
- Request for Revision regarding the expression "confessions" in liturgical forms
- Appeal Hamilton-Blessings against RSE Nov 2018's refusal to adopt an overture on CO art. 55,
- Letters from 5 churches regarding the appeal re RSW Nov 2018 on CO art. 55,
- Appeal Chilliwack against RSW 2018 for treating an appeal against a classis decision to adopt an overture as a submission on the overture and not an appeal.

GS 2022 received the following overtures:

- RSE 2020 (CCO*, Hymn Cap) – *GS 2022 was not informed which church initiated the overture at Classis Central Ontario.
- RSE 2020 (Burlington Waterdown-Rehoboth, Bracketed Qualifier),
- RSW 2021 (Winnipeg-Redeemer, Hymn Cap),
- RSE 2021 (Ancaster, location of prep. exams),
- RSE 2021 (Flamborough-Redemption, LS Forms).

GS 2022 also received the following submissions that are relevant for our purposes:

- Appeal Winnipeg-Redeemer, GS 2004 re Hymn Cap,
- Appeal Chilliwack, RSW 2021 re Hymn Cap Overture,
- Appeal/Overture Hamilton-Blessings, RSE 2020 re expression "confessions" in liturgical forms; this appeal had "an overture or request" "embedded in it",
- Appeal Burlington-Fellowship GS 1980 and GS 1983 re liturgical forms.

Who submits?

Who should submit the overture to a major assembly?

Should it be the local church that originally wrote the overture? *RSW 2018 (Denver TPH)* was submitted by Denver to RSW 2018, with the approval of Classis Manitoba.

(RSW 2018 art. 4 agenda 5.10 and 5.11)

Should it be the broader assembly that last considered the overture? *RSW 2018 (Aldergrove TPH)* and *RSW 2018 (Willoughby Licensure)* were submitted to RSW 2018 by Classis Pacific East and Classis Pacific West respectively.

(RSW 2018 art. 4 agenda 5.1 and 5.3)

The question may seem pedantic but is relevant, for the answer will indicate who owns the overture as it travels the ecclesiastical route.

Assume, for a moment, that it is the responsibility of the church. Now imagine a situation where a local church submits an overture to a classis, gets approval, then submits it to a regional synod, gets approval but sees the overture changed in a manner it does not agree with, can the local church refuse to submit to general synod the overture as adopted by regional synod? If yes, that church is lording it over other churches. If no, that church is being lorded over by a broader assembly.

Where general synods are concerned, in 2019 and 2022, all adopted overtures were submitted by regional synods. This is also presumed by the Synod Guidelines, which state: "Since matters on the agenda of general synod involved the churches in common, **regional synods** shall distribute copies of adopted overtures to all the churches in the federation no later than five months prior to the convening of a general synod." (Emphasis added).

(Synod Guidelines I.F)

GS 2022 received an overture which was "embedded" in an appeal against a regional synod decision not to adopt the overture. GS 2022 denied the overture but did say: "Since this overture has already been considered by a Regional Synod, a church can take over this exact same overture and submit it directly to GS 2025, at least six months prior to the synod, also distributing it to all the churches, analogous to Synod Guidelines I.F." A motion to amend these words to "To be considered, the overture should be sent to the next RSE, which can then decide whether to submit the overture to the next general synod as per Synod Guidelines." was defeated. This suggests that there is an exception to the rule that only a regional synodcan submit an overture to a general synod.

(GS 2022 art. 78)

Who submits the overture to a major assembly? The minor assembly, with this exception: if it concerns an overture which has been rejected by a minor assembly, and regarding which an appeal has been sustained by the major assembly, the overture can be submitted by a (any) church to the (next) major assembly of the same sort that sustained the appeal.

Are tweaks permitted?

Can a major assembly revise the substance of an overture presented to it for adoption and submission to a broader assembly?

Both RSE 2018 and RSW 2018 received an overture on licensure which, originally, had been identical. RSE Nov. 2018 made changes to the overture. RSW 2018 decided not to, figuring that amending the overture should be the role of general synod. Instead, it considered "it is more proper for general synod than a regional synod to consider amendments to this overture" and decided "to request GS 2019 to consider the following amendments to the overture."

(RSE 2018 art. 7, RSW 2018 art. 20 rec. 3.3)

GS 2019 did not judge the changes made by RSE Nov. 2018 to be improper. GS 2019 did decide, however, not to adopt most of the changes RSE Nov. 2018 had made as they were "cosmetic". GS 2019 considered the amendments proposed by RSW 2018, adopting one and not the other. No mention was made of whether RSW 2018 should have made these changes itself.

(GS 2019 art. 85)

RSW 2021 took it upon itself to tweak an overture it had received; mindful that GS 2019 had not determined that RSE 2018 had been wrong in tweaking an overture. GS 2022 was confronted with the question of tweaking when a church appealed this decision of RSW 2021 to make substantial changes to an overture before submitting it to GS 2022. The fact that the question was asked indicates that the answer was not known. Since GS 2022 denied the appeal it is clear that it was convinced that overtures can be amended as they travel the ecclesiastical route.

(GS 2022 art. 76 rec. 4.1)

Can a major assembly revise the substance of an overture presented to it for adoption and submission to a broader assembly? The two most recent general synods have assumed "yes".

In summary

We reviewed two tangles that have been untangled in recent years. As to who submits an overture to the major assembly, it is the minor assembly, with one exception (that is too complicated to describe in this summary). As to whether a broader assembly may tweak an overture as it travels the ecclesiastical route, the answer is "yes".

Six tangles to go…

6. TANGLES (2)

Last time we began considering tangles in following the ecclesiastical route. We've considered who submits an overture to the major assembly (the minor assembly, with one exception) and whether a broader assembly can tweak an overture as it travels the ecclesiastical route (yes). This time some more tangles, and as we progress, things will get messier, and tangles prove to be knots.

Appeals against adoption to forward

Is it possible to appeal the substance of the decision of an assembly to forward an overture along the ecclesiastical route? With the word "substance" we are indicating the question is not about the "procedure" that is being followed. (The legalese for this is the distinction between substantive justice and formal justice.)

One might think, surely all assembly decisions are appealable, so isn't the answer "yes"?

The issue is that an appeal against the substance of a decision by an assembly to forward an overture on the ecclesiastical route could be considered an interaction with the overture by the major assembly that should next consider the overture.

This is how RSW 2018 treated three appeals against the overture submitted by Classis Pacific East. As these appeals were not concerned with procedure but with the substance of the overtures, these submissions were appended to the overture and passed on to general synod to consider as challenges to the overture.

(RSW 2018 art. 19)

One of these churches appealed this decision of RSW 2018 to treat its appeal as a submission on the appeal; GS 2019 upheld the appeal.

(GS 2019 art. 62)

GS 2022, however, decided otherwise. When considering an appeal against the adoption of an overture, one of the grounds stated for denying the appeal said: "Churches may interact with overtures by means of letters, but by their very nature, overtures cannot be appealed."

What makes this particular decision extra remarkable is that the 2022 appeal was submitted by the same church that submitted the 2019 appeal.

(GS 2022 art. 77 ground 4.1)

Is it possible to appeal the substance of the decision of an assembly to forward an overture along the ecclesiastical route? According to GS 2019, yes, for every appeal should be considered. According to GS 2022, no, because it belongs to the very nature of an overture that it cannot be appealed.

This is messy. And we're not done yet….

Assume GS 2019 was right…

At GS 2019 this matter was rather hypothetical. For (to the best of my knowledge) RSW 2018 was the first broader assembly to be confronted with an appeal against the substance of a decision to forward an overture along the ecclesiastical route. What would dealing with such a submission as an appeal look like? What should RSW 2018 have done?

Should it have done what GS 2016 did, when, regarding a certain matter, it received a report from a committee appointed by GS 2013, three submissions from churches in response to that report, an overture(!) from a church on that matter, and an appeal regarding that matter? GS 2016 considered all

these submissions in one act and, in having dealt with the report, "consider the above as answering the appeal."

(GS 2016 article 111)

If it had done so, RSW 2018, in deciding to forward the overture on to GS 2019, would have "answered the appeal" by that decision. The issue for RSW 2018 was, though, the question whether it was within the jurisdiction of a regional synod to judge the substance of an overture; RSW 2018 was of the opinion that the jurisdiction of a regional synod is limited to judging whether the issue warrants the attention of the churches. For the rest, it is for a general synod to judge the substance of the overture. Remember: RSW 2018 also decided not to tweak overtures itself, but simply make recommendations for tweaks to GS 2019. *(We'll come back to this yet.)*

As an indication of how confusing (messy) things are, the same church that felt wronged by RSW 2018 and saw its appeal regarding this wrong sustained by GS 2019 wrote in to GS 2019 regarding an appeal submitted by another church to GS 2019 and shared with all the churches, that this submission "does not constitute an appeal but is actually an overture". This suggests that while it is not okay to judge that an appeal against an overture is an interaction with the overture, it is okay to judge that an appeal against an overture is an overture.

(GS 2019 art. 130)

And finally, this same church is also caught between the decisions of GS 2019 and GS 2022 on whether a decision to forward an overture down the ecclesiastical route can be appealed.

Personally I believe the decisions of RSW 2018 and GS 2022 make more sense than GS 2019.

Can one appeal the substance of a decision by a minor assembly to forward an overture down the ecclesiastical route? In my opinion the answer should be "no". Instead, the church should submit its substantial concerns via a letter interacting with the overture.

Appeals against refusal to forward

Is it possible to appeal the substance of the decision of an assembly to refuse to forward an overture along the ecclesiastical route?

GS 2019 had to consider four such appeals against RSE 2017 refusal to forward two overtures. GS 2019 considered all four appeals admissible.

The three appeals regarding the refusal by RSE Nov 2017 to forward an overture regarding the Trinity Psalter-Hymnal were considered "answered" by the decision of GS 2019 in response to two overtures from RSW 2018 on the same matter. There is no evidence that GS 2019 actually considered the substance of these appeals.

(GS 2019 art. 143)

There is more to this. GS 2019 recorded its considerations and decision regarding the two overtures forwarded by RSW 2018 in one act and its consideration and decision regarding appeals against the overture, on the same matter, refused by RSE Nov. 2018, in the next article. **Procedurally**, GS 2019 did as figured RSW 2018 should have done: treat an overture as an overture and an appeal as an appeal. **Substantially**, however, GS 2019 did as RSW 2018 had done: answer appeals against an overture as it answered submissions on an overture with the same topic.

(GS 2019 art. 142)

The fourth appeal was denied. In denying the appeal, GS 2019 considered the arguments presented against the reasoning used to reject the overture. This means that GS 2019 dealt with many substantial elements of the original overture, even though RSE Nov. 2018 had determined GS 2019 should not consider it (spend time considering it).

(GS 2019 art. 130)

This implies that the ecclesiastical route does not necessarily prevent something from being considered by a major assembly. If the path of an overture is obstructed, a church can turn to the path of

appeal. *(There's more, I'll get to it soon.)*

Is it possible to appeal the substance of the decision of an assembly to refuse to forward an overture along the ecclesiastical route? Yes.

In summary

Can one appeal the substance of a decision to forward an overture? GS 2019 said yes, GS 2022 said no. Can one appeal the substance of a decision not to forward an overture? Yes.

That second question has a follow up. What if the appeal against the substance of a decision not to forward an overture is sustained? Should the major assembly then consider the overture? As we'll see next time, we've already been there…

7. TANGLES (3)

Two tangles resolved. One tangle is a knot, with GS 2019 saying one thing and GS 2022 the opposite. And the fourth tangle is resolved as well, but creates another tangle. What if an appeal against the substance of a decision not to forward an overture along the ecclesiastical route is upheld? Should the overture be dealt with? If yes, the churches haven't seen it… So should the appeal be shared?

Sharing an appeal

Appeals are always submitted to the convening church for distribution to the members of a major assembly. Appeals are never seen by the churches, for their input is not required; indeed, often such appeals are confidential. Overtures are different, they must be sent to all the churches so that the churches can interact with them.

(Synod Guidelines I.F)

This raises the question, should an appeal regarding an overture be shared with all the churches?

GS 2019 received an appeal against a decision of RSE Nov. 2018 to deny an amendment to an overture. This appeal was not only submitted to the convening church, it was also sent to all the churches. This was done, so that the argument "not all the churches have had opportunity to interact with the overture" could not be used to grant the appeal and nevertheless not deal with the overture.

GS 2019 explicitly considered the admissibility of the appeal. It felt compelled to, for some submissions from the churches challenged its admissibility. Two churches argued it had been submitted too late to be considered properly. Another church argued that this submission "does not constitute an appeal but is actually an overture" and should have come via the ecclesiastical route. GS 2019 considered that the appealing church was "simply continuing the discussion in the ecclesiastical way", observed that it was an appeal against a decision of RSE Nov. 2018 and had been submitted within the given deadline and so determined the appeal to be admissible.

(GS 2019 art. 130 adm. 2.3)

GS 2022 received an appeal (from the same church) against a decision of RSE 2020 not to forward an overture. "Embedded" in this appeal was an "overture (request)". This appeal was not shared with all the churches. GS 2022 declared "the appeal, and the overture within it" admissible. It sustained the appeal but denied the "overture (request)". GS 2022 denied the overture "since all the churches have not had the opportunity to interact with the overture through submissions to GS 2022." It further stated, "Since this overture has already been considered by a Regional Synod, a church can take over this exact same overture and submit it directly to GS 2025, at least six months prior to the synod, also distributing it to all the churches, analogous to Synod Guidelines I.F."

(GS 2022 art. 78)

Should an appeal regarding an overture be shared with all the churches? GS 2019 did not comment on this. GS 2022 implies that, if the appeal has an overture embedded with in it, and this overture has been considered by a regional synod, the answer is still "no", but any church is free to resubmit the overture in question provided it is submitted to the convening church six months prior to the synod and to the

churches no less than five months prior to the synod.

Reacting to a shared appeal

Can a church that receives a copy of an appeal submitted to a broader assembly interact with that appeal by submitting something to that broader assembly?

GS 2019 received an appeal against a decision of RSE Nov. 2018 to reject an overture. This appeal was not only submitted to the convening church but was also sent to all the churches. Technically speaking churches should have ignored this submission, as it was an appeal, not an overture. Their turn to consider it would come when the general synod had rendered a judgment. Nevertheless, five churches submitted letters to GS 2019 regarding the appeal.

GS 2019 included the five letters in its observations, implying GS 2019 considered them admissible. What is curious is that GS 2019 explicitly considered the admissibility of the appeal but did not explicitly consider the admissibility of the five letters.

If it had, it should have concluded that letters interacting with appeals are not admissible, unless they provide information pertinent to the appeal (which could be the case if the appeal somehow involved them).

It is noteworthy that GS 2019 did not interact explicitly with these letters in its considerations. This, too, suggests that GS 2019 should actually have declared the letters inadmissible.

It would have been proper for GS 2019, in considering the admissibility of the five letters, to have stated that the appellant had erred in submitting its appeal to the churches, as this in fact circumvents the ecclesiastical route (the church would more or less be doing what GS 2010 had suggested a church should do).

(GS 2019 art. 130)

GS 2022 received an appeal (from the same church) against a decision of RSE 2020 not to adopt an overture. “Embedded” in this appeal was an overture (request). This appeal was not shared with all the churches. In part because the appeal had not been seen by all the churches, GS 2022 decided not to deal with the overture.

(GS 2022 art. 78)

Can a church that receives a copy of an appeal submitted to a broader assembly against a decision regarding an overture interact with that appeal by submitting something to that broader assembly? No.

I do wonder what would have happened if the appeal with the embedded overture had been submitted 6 months prior to synod to the convening church and at least 5 months prior to synod to the churches (i.e. completely in line with the decision of GS 2010). Should the churches, given the possibility that the appeal might be sustained, interact with the overture? Or should the broader assembly, given the reality that churches did not know whether the appeal would be sustained or denied, indicate that the overture should be considered by the next broader assembly of the same kind?

In summary

Should an appeal against the substance of a decision regarding the forwarding of an overture be shared with all the churches? No, even though it was done in 2019. If it inadvertently happens, should submissions interacting with the substance of the appeal be deemed admissible? No, even though GS 2019 did.

It’s so confusing, so (bureaucratically) messy. And there are more tangles yet.

8. TANGLES (4)

We’re in the middle of considering tangles that exist in applying the ecclesiastical route. Some have been resolved. On one issue (appealing the substance of a decision to forward an overture) there is contradictory jurisprudence. It sure is looking messy.

There are two more tangles we will review. By then I trust you’ll be convinced, we need to clean the

mess up.

When to consider

What if a major assembly sustains an appeal against a decision of a minor broader assembly not to forward an overture along the ecclesiastical route? Should that major assembly then consider the overture? This was the request of appellants in 2019 and 2022. Both times requests were denied.

(GS 2019 art. 130; GS 2022 art. 78)

If a major assembly does consider the overture, then the minor assembly has been circumvented and the point of having an ecclesiastical route is moot. Moreover, not all the churches in the federation will have had a chance to interact with the overture. For example, if an RSW refuses to forward an overture, and a church successfully appeals this decision at a GS, if that GS then deals with the overture, the churches of RSE will have never seen it. This suggests a major assembly should not deal with the matter.

If the major assembly cannot deal with the overture, then the ecclesiastical route has slowed down the process. Given that the ecclesiastical route mostly applies to matters common to all the churches of the federation and thus belonging to the jurisdiction of general synod, the delay is at least three years.

The question should also be asked, if the major assembly cannot deal with the overture, who would place the overture on the agenda of a next general synod and how does it get there? Does this overture have to travel the ecclesiastical route all over again? Or does it simply go back to the type of minor broader assembly that refused to adopt it?

GS 2022 very firmly answered this question. It was asked to consider amending a motion from reading "Since this overture has already been considered by a Regional Synod, a church can take over this exact same overture and submit it directly to GS 2025 at least six months prior to the synod" to reading "To be considered, the overture should be sent to the next RSE, which can then decide whether to submit the overture to the next general synod as per Synod Guidelines." This motion to amend was defeated.

(GS 2022 art. 78)

Now, there is an answer. However, this is not clear. We're getting to the point where a flow chart would be helpful.

Here's the path we're seeing. Church A overtures Classis B ## to forward an overture. Classis B decides to forward the overture to RSW ####. RSW #### refuses to forward the overture to GS ####. Church A appeals the decision of RSW #### to GS ####. GS #### sustains the appeal of Church A. Church A (or B or C or…) submits the overture to the next GS.

Simple? Maybe. But what if there is also an appeal from Church Z to the next GS against the decision of GS #### to sustain the appeal of Church A against the decision of RSW ####? We haven't had enough synods for that yet, but it is bound to happen.

New or old?

Permit me one more question, an issue that has also complicated things. It's the question: when is a matter a "new matter".

One could argue that any matter addressed in the church order is a matter common to the churches that has been dealt with by the churches, is thus not "new", and thus the ecclesiastical route does not apply. Rather, CO art. 33 comes into play: "Matters once decided upon may not be proposed again unless they are substantiated by new grounds."

The issue here is: that is not happening right now.

For example, GS 2019 had on its agenda a proposal to change the moment at which a theological student can seek permission to speak an edifying word. The first decision on this by a CanRC general synod was taken, initiated by an overture sent to the general synod directly by a church, though it does seem there was an attempt to involve classis and regional synod (GS 1971 art. 76). The overture considered by GS 2019, however, traveled the ecclesiastical route.

(GS 1971 art. 76; GS 2019 art. 85)

Nevertheless, GS 2019 also received a request from a local church to take another look at a decision taken by GS 1983. It decided that this matter had to travel the ecclesiastical route as 1983 was so long ago, the matter should be considered "new".

(GS 2019 art. 64)

GS 2022 has kind of answered the question. It received an appeal from a church regarding a decision of GS 2004. It also received an overture from a regional synod regarding that decision; that overture had originated with the church that submitted the appeal. Clearly the church was not sure which procedure to follow, so it did both.

(GS 2022 art. 62; GS 2022 art. 105)

GS 2022 decided regarding the appeal: "previous decisions can be revisited as proposals substantiated by new grounds (CO Art. 33)." GS 2022 acknowledged that the appeal contained "new grounds". But GS 2022 did not, therefore, consider the "appeal" a "proposal". Rather, GS 2022 dealt with the matter via the overture that was submitted.

(GS 2022 art. 105)

Did GS 2022 figure that *all* proposals need to travel the ecclesiastical route? It would seem so. However, CO art. 30 very specifically speaks of "a new matter". If the ecclesiastical route applies to both "new matters" and "old matters with new grounds", why not say so? Is it because CO art. 33 implies that "old matters with new grounds" do not need to travel the ecclesiastical route?

Stock take

Is all this merely "confusing" or is one justified in calling this "a bureaucratic mess"? I figure that, given how complicated this is, it's definitely a "mess" and we're coming close to "chaos."

So what caused this? And, more importantly, what can be done to clean things up and ensure that things are done "decently and in order" (1Cor. 14:40)?

That still lies before us.

9. FIRST REGULATED

In previous articles we have seen how general synods of the Canadian Reformed Churches in 2007, 2010, and 2013 struggled with the procedure called "the ecclesiastical route". GS 2013 settled on a procedure and so we surveyed the general synods of 2016, 2019, and 2022 to observe how well this procedure has served the churches. One has to admit, it's a confusing procedure, rather messy, and bureaucratically complex. How did this come to be?

CO art. 30

Besides indicating that ecclesiastical assemblies should only deal with ecclesiastical matters in an ecclesiastical way, the original CO art. 30 stated that "a major assembly shall deal with those matters only which could not be finished in the minor assembly or which belong to its churches in common."

Our focus is on the "common matters". Common to the churches of the general synod (i.e., the whole federation) are matters such as those pertaining to the confessions, the church order, the church's song book, and inter-church relations.

In a practical sense the question is: if a church seeks to have a song approved for use in worship or for the CanRC to enter into a sister church relationship with a particular church, how does that proposal find its way to the table of a general synod?

By What Process?

When the CanRC reviewed their church order in the late 1970s, the need was felt to stipulate how matters "which belong to its churches in common" find their way to the agenda of a major assembly.

With a view to this need the following sentence was added to CO art. 30 by GS 1983. "If it concerns a new matter which has not previously been presented to that major assembly, it can be put on the agenda only when the minor assembly has dealt with it."

(GS 1983 art. 91)

The rationale behind adding this sentence has been described as follows.

"2. The last sentence has been taken over from our Netherlands sister Churches. We deem it a valuable addition which would prevent that a General synod suddenly is faced with a proposal from a Church about a matter which has never before been presented to a major assembly, and has to decide about it since it concerns a matter in which all the Churches are involved.

"We do not even have to think of a General Synod in the first place; the same applies to a Regional Synod or even a Classis: it prevents that matters are presented and dealt with which haver not even been discussed by the Consistories.

"The proposed addition does not prevent that a Church addresses itself to a General Synod about a matter already before the broadest assembly; it would prevent that a Church proposes a matter which is completely new, even though it can be said that it concerns the Churches in general and is a matter belonging to all the Churches in common."

(Draft – Report, Church Order, January, 1979).

In the report submitted to the churches in 1982, the following was said about this last sentence:

Following our Netherlands sister Churches, we consider it a very wise and edifying provision. It may be new in wording, whoever studies the Acts of the General Synods of the Canadian Reformed Churches will discover that more than once a matter was deleted from the provisional agenda because the minor assemblies had no opportunity to discuss or study the matter.

(Provisional Report, Church Order, December 1981)

The report then refers to the very same GS 1977 decision that GS 2010 referred to, stating regarding a certain proposal: "It was just dumped *(sic)* onto Synod's table, and Synod should have refused to deal with it on [the ground that no consistory or broader assembly ever had an opportunity to discuss this matter]." Note the "should have", the fact of the matter is that GS 1977 did not. By the way, GS 2010 used that GS 1977 decision as a "precedent".

Concerns and Response

Two churches had issues with the proposed change. Burlington-Ebenezer was concerned that prescribing a lengthy route would restrict addressing synod on matters of urgent common concern. Hamilton figured this would prove to be a confusing rule and make a "bureaucratic mess"; the acts have that phrase in quotation marks, so I assume those are Hamilton's own words.

The wording of the considerations suggest that GS 1983 considered the two concerns similar. It addressed the matter of urgency and noted that adding something on urgent matters of concern "would defeat the purpose of the preceding stipulation, namely, to prevent new issues from being placed before major assemblies hastily and unlawfully before having been dealt with in the minor assemblies."

(GS 1983 art. 91)

Wrong and Insufficient

In my opinion, this response is both in error and insufficient.

It is in error, for GS 1983 claimed something could be placed before the major assemblies "unlawfully". However, the "law" that would make it "unlawful" had yet to be adopted. Prior to 1983 it was lawful for a local church to submit something common to the churches directly to a general synod. Moreover, if a matter is placed before synod unlawfully, then all synod needs to do is judge that the submission is inadmissible.

The response is insufficient as it does not address the concern that the regulation would create a "bureaucratic mess". This concern was ignored, but, ever since CO art. 30 has been strictly followed, the concern is proving well-founded.

Why the change?

To understand things better, we need to go back about to the 1970s and cross "the Pond" to the "old country". For, as with many changes made to the Church Order in 1983, the revision was due to a revision made by our former sister churches in The Netherlands. We'll review this next time.

10. THE DUTCH REVISION OF 1978

The change adopted by the CanRC into CO 1983 is based on a change made in The Netherlands. The Reformed Churches in The Netherlands (liberated) (hereafter, GKv) had begun revising their church order in the early 1970s and adopted a new church order in 1978.

The thought process leading to changes has been very carefully documented and is available online via kerkrecht.nl. Thus one can trace, not only the changes made, but also what was all considered to make the changes. To my regret, there is no such archival record for changes made to CO 1983.

(www.kerkrecht.nl, documentatie artikel 30)

The ecclesiastical route implied by instructions

The first report of GKv deputies on a new church order dates to 1974. It makes no mention of the issue of the ecclesiastical route. Thus GS-GKv 1975 does not speak of it. It first arises in the report published in 1977. Something needed attention, the committee noted. "It is not about a substantive change. Rather, deputies want to plead for the retention of a significant element in the functioning church order, which in our practice has fallen somewhat by the wayside."

That "significant element" was the ecclesiastical route.

The Dutch committee reported that the church order makes clear how appeals 'travel' and how matters that could not be finished by a minor assembly make it to the major assembly. However, the church order does not make clear how matters common to the churches make it to the major assembly. "Can a church member submit something to a classis?" it was asked. "Can a church council make submissions to a regional or general synod?"

The answer to these questions, so the committee argued, is found in CO-1933 (GKN) art. 33 on credentials and instructions. To understand this, the committee noted, one needs to go back all the way to the birth of the CO, even back behind the Synod of Dort.

Already at synod Emden, 1571, the first proper synod of Reformed Churches in The Netherlands, it was determined that delegates should come to a synod with two letters, a credential and a letter of instructions. The credential stated who the legitimate delegates were. The instructions stated what points the minor assembly was asking the major assembly to discuss. Those points to be discussed were to be points "of doctrine, of church government, and of specific matters." The GKv committee of the 1970s explained, this was to prevent delegates from arbitrarily putting things on the agenda of a major assembly.

The committee argued that implicit in this process is the reality that only the delegating body can set the agenda of the major assembly. "This thus means, the church councils determine the agenda of the classis, the classes the agenda of the regional synod, and the regional synods [the agenda] of the general synod." The committee added: "Deputies judge that this is a principle point for what matters can be dealt with by major assemblies."

Support and safeguard

The Dutch committee realized that one need not retain the provision that only instructions can set the agenda. The postal system serves quite adequately, it figured, to create awareness of what was on the agenda. However, the principle that only the minor assembly can set the agenda for a major assembly should be articulated. For, "it could happen that a general synod is obligated to take a decision that pertains to all the churches, while the proposal has been placed on its agenda by a church or classis and has not (yet) found support in the broader federation. The church scape could even be disturbed, without

there being a need for it." The committee referenced how at GS-GKN 1936 a request from a classis became the "way in" for some delegates to make a proposal which eventually led to doctrinal decisions and disciplinary actions, resulting in the Liberation of 1944.

The committee figured that matters should only reach general synod following testing by and written communication from the minor assemblies. This would apply not only to new matters, but – in view of CO-GKv 1933 art. 46 – also to changes in old synod decisions (more or less CO-CanRC art. 33).

It was proposed to articulate this principle in CO-GKv art. 30 by adding the phrase "as long as the matter has been placed on the agenda by the minor assembly."

At GS-GKv 1978 the advisory committee indicated that the agenda of major assemblies is to be determined by the churches of that assembly. They further noted that the provision was a good safeguard against hierarchical tendencies.

From phrase to sentence

Something at GS-GKv 1978 led to a new proposal from the deputies, the acts do not make clear what this might have been. Instead of being a phrase in a sentence, a new sentence was formulated for the end of the article. It read: "Where it concerns a new matter for which attention is being sought within the churches, this can only be placed on the agenda of the major assemblies by the way of preparation by the minor assembly."

I've included this cumbersome translation of the Dutch to inform the reader where the expression "ecclesiastical route" comes from. It's a short form for "by the way of preparation by the minor assembly". During the 1980s and 1990s the more common phrase in the CanRC was actually the Dutchism "the church orderly way". The term used now is "ecclesiastical route."

As a final note, it would seem the GKv came to understand that the final line of CO art. 30 creates more problems than it solves. For when in 2014 CO-GKv was again thoroughly revised, this final line was removed. If it had still been there, it should be in CO-GKv 2014 art. E62 or F71. Instead it was noted that a request for revision of an old synod decision can be submitted to general synod by a church council or classis (CO-GKv 2014 art. F81.2). For clarity's sake I note that this Church Order minimized the role of the regional synod.

(GKv Church Order)

Concluding

The GKv were convinced that the ecclesiastical route for overtures had been part and parcel of Dort polity since its inception. They felt the measure facilitated support for a proposal and prevented hierarchy. Thus they explicitly regulated the ecclesiastical route in the church in CO art. 30. It would seem that in the course of time the GKv recognized how impractical this is, and in 2014 adopted a church order that allowed "a minor assembly" (as opposed to "the minor assembly") to submit matters to a major assembly.

Given the references to the GKv in the CanRC discussions on CO art. 30, the reasoning underlying the revised version of CO art. 30 in the CanRC would be identical to those in the GKv.

What to think of this? Should the CanRC do as the Dutch did in 2014, and change the process? That's for next time.

11. SOME REFLECTION (1)

Before I embark on suggesting how the CanRC could free themselves from the bureaucratic mess that has come to be, some reflection on our recent past.

On 2007-2010-2013

First, a thought on what happened in 2007, 2010, and 2013. In my opinion, the broadest interpretation of CO art. 30, referred to as "the older view" and "position A", is legitimate under the pre-1983 church order but not once CO art. 30 had been expanded with the extra line.

Recognizing that GS 2007 had great difficulty determining the question of admissibility (two attempts

to declare a church's letter inadmissible failed), it seems to me that GS 2007 misstated why the letter should be considered admissible. The decision reads: "This item is admissible because it comes from one of the churches and deals with a matter that has been perceived as one belonging to the churches in common." However, as GS 2013 made clear, being "a matter … belonging to the churches in common" itself does not yet make a submission from a church admissible. It seems to me that GS 2007 would have done well to indicate in the admissibility decision what it points out in the very first observation, namely: that the church was requesting GS 2007 to complete an unfinished matter from a previous synod (even if that synod was decades earlier).

(GS 2007 art. 136, GS 2013 art. 99 cons. 3.1)

However, while I concur with GS 2013 when it comes to the application of current church order prescriptions, I do believe GS 2010 was correct in what it was seeking to do. What we have here is a clash between the positioned text of the church order and the purpose of the church order.

The intention of instructions

In 1978 it was claimed that the line added to CO art. 30 articulated a principle of Reformed church polity. That claim was based on an understanding of how instructions implicitly functioned.

I wonder if this is proper. It may well be that the churches figured only regional synods could place matters on the agenda of a general synod. However, it would seem to me that a principle this important would have been explicitly articulated in the church order.

It seems to me that the churches 400 years ago chose this approach for the sake of expediency. The best way to prevent individual delegates from setting the agenda at an assembly would be to bind them to instructions. Such instructions could naturally only come from those who delegated them: the minor assembly. There were no fast means of communication, like a reliable postal system that could handle volumes of materials, never mind electronic means of communication, to ensure the agenda was properly put together.

To argue that instructions imply that the delegating body must set the agenda of the body being delegated to is, in my opinion, saying too much. An act of expediency does not necessarily imply an act of principle.

Position, Principles, and Purpose

An historical argument will have some weight to it, but in the end, it is the substance of a matter that should determine the best procedure to handle the matter. In another article I have explained how the hermeneutics of law involves the position, principles and purposes. I have argued that in the application of law, people tend to gravitate to one of these, but that it should be all three. I have also argued that the positioned text should be shaped by both principles and purposes.

(Applying Law)

Hence we will review principles and purposes that need to be considered in considering the way proposal find their way to a major assembly.

Principles: assembly of churches

The principles for Dort Polity are those commanded in Scripture, the most basic of which are articulated in confessional statements, and those agreed to "with common accord" (cf. CO article 76).

A basic principle of Dort polity is that broader assemblies are assemblies of churches. They are not assemblies of church members: Dort polity is presbyterial, not congregational and independentistic. They are not assemblies of minor assemblies: Dort polity is synodal not episcopal and conciliar.

My concern is that the ecclesiastical route in practice turns broader assemblies into assemblies of minor assemblies. A general synod is no longer an assembly of churches, but of regional synods, and a regional synod is no longer an assembly of churches, but of classes. This creates bureaucracy. For an overture that is ultimately to be decided by a general synod has to be considered by three broader

assemblies, and not just one.

The reality of bureaucracy is illustrated by the following.

In the run-up to GS 2019, an overture was submitted by two churches to two different classes, which in turn forwarded it on to two different regional synods, who then both forwarded it on to general synod. When it was adopted by GS 2019, five broader assemblies had considered the overture.

(GS 2019 art. 85)

Also in the run-up to GS 2019, three similar overtures were submitted by three different churches to three different classes, which in turn forwarded it on to two different regional synods. One regional synod refused to forward on one overture, while the other regional synod forwarded on both overtures to general synod. By the time the overtures were denied, six broader assemblies had considered the matter.

(GS 2019 art. 142)

Principles: hierarchy

Another principle of Dort polity is that broader assemblies deal, among others, with those matters which belong to its churches in common. This is articulated in CO article 30 in the sentence that precedes the sentence articulating the ecclesiastical route.

It is ironic that the ecclesiastical route can prevent churches from being involved in a matter that is common to them. This happens when an overture dealing with a topic that is common to all the churches of a major broader assembly is not forwarded along the ecclesiastical route by a minor broader assembly. For example, if a classis or regional synod decides to halt an overture on having the church order prescribe mid-week worship services, the churches within other classes or the other regional synod would never have an opportunity to interact with this. Thus, the ecclesiastical route can result in minor broader assemblies lording it over churches that are not “its churches”.

In summary

There is a clash between the positioned text and the purpose of the church order where the ecclesiastical route is concerned. The historical argument regarding instructions may be factually correct, but an increased emphasis on the autonomy of the local church makes the ecclesiastical route problematic. The route incorrectly suggests major assemblies are meetings of the minor assemblies, not of churches. The route also encourages hierarchy.

In a next article we will continue the survey of principles.

12. SOME REFLECTIONS (2)

We in the middle of some reflections on the principles and purpose of the ecclesiastical route. Thus far we have seen that the ecclesiastical route does not align well with the fact that in Doleantie Dort polity, major assemblies are assemblies of churches, not of minor assemblies. We have also noted that the ecclesiastical route allows minor assemblies to lord it over churches that are not “its churches”.

Principles: Support

Ecclesiastical assemblies are to be swayed by arguments, not by numbers. Nevertheless, there is wisdom in garnering support for a proposal before considering a proposal. With respect to the ecclesiastical route, the assumption has been that it is a means to create broader support for a proposal.

(GS 2010 art. 62 cons. 3.6)

The fact that GS 2022 rejected similar overtures submitted by both regional synods makes clear that this is not how the ecclesiastical route actually works.

(GS 2022 art. 105)

Why does it not work? Part of the problem seems to be that churches join the discussion too late. When an overture is submitted to a classis for forwarding on to regional synod and eventually general synod, the churches of that classis should all participate in the discussion. It is rather odd that a church in the classis where the overture is considered does not interact with the overture until it comes to regional

synod or general synod. I know from experience this has happened, I even once asked at a synod whether the failure of a church to interact with the overture in classis impacted the admissibility of its submission to the synod.

The failure of churches to engage in a timely fashion with an overture may explain how overtures make it through classes and regional synods, only to falter at general synod.

Now, one might say, let the churches get their act together. However, that's the response of a bureaucrat who understands how the system should work.

Purpose: involve the churches

Given that broader assemblies are assemblies of churches, not of church members and not of minor assemblies, and given that all the churches of a major assembly should have had an opportunity to interact with a proposal to the major assembly regarding something common to those churches, the purpose of the ecclesiastical route is to involve all the churches.

The issue at bottom is that a broader assembly should not deal with anything that its churches have not had an opportunity to interact with. This was the point which GS 2010 recognized and tried to catch in its Synod Guideline. GS 2013 recognized it too, when it created a new guideline determining that overtures adopted by regional synods have to be submitted, not only to general synod, but also to all the churches well in advance of general synod convening. This was reiterated by GS 2022 when it determined that, once an appeal has been sustained against an overture not being forwarded to a general synod, a church is free to submit that overture directly to the broadest assembly that should deal with it, provided all the churches receive a copy in a timely manner.

(GS 2010 art. 62; GS 2013 art. 99; GS 2022 art. 78)

Purpose: efficiency

It has been said at times that the ecclesiastical route also exists to keep frivolous proposals away from general synod. If an overture fails to proceed from a classis, only five to twelve churches will have considered it, and one broader assembly of 10 to 24 delegates. Regional synod (16 delegates and roughly 23-30 churches) and general synod (24 delegates and roughly 48-65 churches) have been spared the trouble of reviewing it. If a church could submit an overture directly to a general synod, it would be dealt with by 70 churches and one general synod (24 delegates).

One should realize, as church councils have a turn-over of 1/3 of their members each year, and the ecclesiastical route can take 2.5 years to complete, a church may change its position as an overture travels the route. It happened recently that a church which overtured a general synod to overturn a previous decision was the same (and only) church which had originally requested that (previous) decision to be taken.

(GS 2004 art. 115 6.1.4; GS 2022 art. 62 mat. 1.1)

This reasoning of efficiency also fails to take into account that a church may appeal the decision of a minor broader assembly not to forward an overture along the ecclesiastical route. Further, as an overture is forwarded to the next broader assembly, a church has to reconsider it (especially if the overture has been tweaked). The church that originally drafted the overture will actually have to deal with it three times: when drafting it, when it is before regional synod, and when it is before general synod.

Further, this reasoning does not reckon with the reality that overtures which stall in the ecclesiastical route tend to do so at a regional synod, not at a classis. This reality means that in practice the efficiency is not as large as it may seem.

Finally, in practice most overtures submitted to a regional synod are forwarded to a general synod. This means one should weigh the efficiency gained when overtures do not make it to general synod against the efficiency lost by having an overture go the ecclesiastical route rather than directly to general synod. The higher the "pass rate" along the ecclesiastical route, the less efficient it becomes.

My hypothesis is: if all the churches did due diligence with respect to all overtures at all major

assemblies they are part of, there is hardly any efficiency gain. That hypothesis can be tested by crunching some numbers.

We'll do that next time.

13. EFFICIENT?

We concluded the previous article noting that it is claimed the ecclesiastical route creates efficiency. I hypothesized: if all the churches did due diligence with respect to all overtures at all major assemblies they are part of, there is hardly any efficiency gain. In this article we'll crunch the numbers on this.

Not efficient if adopted

We will look at two figures: the number of times churches had to consider an overture, with each time being a "church unit" and the number of times delegates had to consider an overture, with each time being a "delegate unit". To illustrate what those numbers mean, let's use a concrete example.

To explain the figures: The CanRC are quite uniform in that both regional synods comprise 4 classes. However, classes vary in size from 5 churches (Classis Manitoba) to 10 churches (Classis Alberta). The average number of churches in a classis is a touch over 8, so, to keep things simple, we'll assume 8 for the exercise.

Step 1: overture at council: 1 church unit
Step 2: overture at classis: 8 church units + 16 delegate units
Step 3: overture at regional synod: 30 church units + 16 delegate units
Step 4: overture at general synod: 64 church units + 24 delegate units
Totals: **103 church units and 56 delegate units**

Had this overture not traveled the ecclesiastical route but gone straight to synod, the picture would be:

Step 1: overture at council: 1 church unit
Step 2: overture at general synod: 75 church units + 24 delegate units
Totals: **76 church units and 24 delegate units**

Clearly not going the ecclesiastical route is more efficient if an overture is forwarded.

So, how many not-forwarded overtures does it take to tip the balance of efficiency in favour of the ecclesiastical route?

Overtures halt at regional synod

We'll first assume the most common scenario, where a regional synod halts an overture on the ecclesiastical route.

Where church units are concerned, the two processes are equally efficient when for every 3 overtures that are forwarded to general synod there are 5 overtures that are rejected by regional synod. Roughly put, the ecclesiastical route is more efficient in church units if for every overture that makes it to general synod there are two that do not.

Where delegate units are concerned, the two processes are never equally efficient. If there is one overture that is forwarded to general synod, the ecclesiastical route involves 56 delegate units and the direct route involves 24 delegate units. If there is just one overture that is rejected, the ecclesiastical route involves 32 delegates and the direct route involves 24 delegates.

In other words, if the overture makes it to regional synod, for the ecclesiastical route to be more efficient for individual churches, the "pass rate" at regional synod for overtures must be below 33%. The route is never more efficient where time taken at a major assembly is concerned.

Overtures halt at classis

What if the overture is halted on the ecclesiastical route by a classis?

Where church units are concerned, the two processes are close to being equally efficient when for every 3 overtures that are forwarded to general synod there are 2 overtures that are rejected by classis.

If there is 1 overture that reaches general synod and 1 overture that is rejected by classis, the ecclesiastical route is more efficient.

Where delegate units are concerned, the two processes are equally efficient when, for every overture that reaches general synod there are 4 overtures that are halted at classes. If there is 1 overture that reaches general synod and there are 5 overtures that are halted at classes, going the ecclesiastical route is more efficient.

In other words, if the overture makes it to classis, for the ecclesiastical route to be more efficient for individual churches, the "pass rate" at a classis for overtures must be below 60%. For it be more efficient in terms of time taken at a major assembly, the "pass rate" needs to be less than 20%.

Only half

While it is a complex process to create a single number, the foregoing makes clear that for the ecclesiastical route to have any measure of efficiency, **more than half of the overtures placed on the route need to be halted on that route before they reach general synod**.

GS 2019 and GS 2022

In the run up to GS 2019, 5 overtures were forwarded and 1 was halted by regional synods. That's a "pass rate" of 83%, way higher than 33%. Assuming our stylized numbers for classis size, not following the ecclesiastical route would have saved the church federation 176 church units and 168 delegate units.

In the run up to GS 2022, 5 overtures were forwarded and 5 were halted by regional synods. That's a "pass rate" of 50%, which is higher than 33%. Assuming our stylized numbers for classis size, not following the ecclesiastical route would have saved the church federation 80 church units and 200 delegate units.

Note: I have not yet researched what happened at the various classes, as the term used at classis for an overture tends to be "proposal" or the verb "propose". It implies the time-consuming effort of reading every press release of every classis since GS 2016. If I find time to do that, this paragraph will be replaced with the results of that research. However, given my experience in Classes Pacific East and Pacific West, I am fairly confident that the "pass rate" at classes is well over 75%, while it should be below 60% for the ecclesiastical route to be efficient.

Stock take

We have seen that the ecclesiastical route is not necessarily fully in line with principles of Doleantie Dort Polity. It suggests that major assemblies are assemblies of minor assemblies, not of churches. It allows a minor broader assembly to lord it over churches that are not "its churches". Though in principle the ecclesiastical route should ensure broader support for a proposal, in practice it has not.

As to practice, the ecclesiastical route ensures the involvement of the churches but it is not efficient in doing so. It creates a time consuming bureaucracy that is proving confusing.

Scripture tell us that God is not a God of confusion but of peace, and thus in the church, all things should be done decently in order (1Cor. 14:33,40). Is there not a better way to do this? We'll reflect on that next time.

14. A BETTER WAY

We've come to the conclusion that the ecclesiastical route as regulated in CO art. 30 and regulated by GS 2013 is not necessarily the proper way in which to have proposals reach the table of a broader assembly. It is certainly not the most efficient way.

Having reviewed principles and practice, we now turn to the "positioned text". Our concern is: what process would meet the necessary requirements of church involvement, support, and efficiency and how might that be articulated in the church order and assembly regulations?

GS 2010's wisdom

We begin by reminding ourselves of what GS 2010 considered. Remember, "older understanding"

refers to the direct route to general synod, "newer understanding" refers to the way of the minor assemblies, aka ecclesiastical route, to general synod.

3.6 The benefit of the older understanding of Article 30 is that every congregation has direct access to the broadest assembly on matters which are deemed to belong to the churches in common. This is desirable and healthy in our system of checks and balances whereby the autonomy of the local church is not lost (while it voluntarily binds itself to the decisions of the broader assemblies) and the threat of hierarchy at the broader assemblies is reduced. The benefit of the newer understanding of Article 30 is that it does not give undue influence to any one church who could potentially place a proposal on the agenda of a general synod without any of the other churches having seen it or studied it, much less interacted with it. The desire to have submissions first be tested, evaluated and filtered by the minor assemblies is beneficial in that it will ensure that only proposals which have won the support of a large number of churches reaches the broadest assembly. Such a check and balance helps protect the integrity of the bond of churches in the federation. ***A blending of these two approaches in a clear direction from synod would serve to benefit the churches and clarify the procedure for churches to address a general synod in the future.***

(GS 2010 art. 62 cons. 3.6)

I've emphasized in the quote where I believe the solution lies.

Position: the solution

If the main concern is indeed that the churches need to have the opportunity to interact with materials presented to the major assembly at which they, in the delegates, are present, then the solution is to prescribe a procedure that involves all the churches within the region covered by a major assembly. At the same time, this procedure should allow the churches to address any major assembly they belong to, be it classis, regional synod, or general synod. And they should be able to do that on any matter common to the churches that are part of that assembly.

Currently the last line of CO art. 30 reads: "A new matter which has not previously been presented to that major assembly may be put on the agenda only when a minor assembly has dealt with it."

The intent is to allow any church that falls within the jurisdiction of the major assembly to place a matter common to the churches of that major assembly on the agenda of that major assembly.

The following rephrasing would ensure that:

A new matter which has not previously been presented to that major assembly and is common to its churches may be put on the agenda by one of its churches.

Minor assemblies

The suggested phrasing would mean that a minor broader assembly cannot place something on the agenda of a major broader assembly. A classis cannot place things on the agenda of a regional or general synod, and a regional synod cannot place things on the agenda of a general synod.

This may look concerning but in practice there is no cause for concern. For, as assemblies of churches, the minor broader assemblies can never initiate a proposal. A classis could never decide to place something on the agenda of a broader assembly if a church did not ask it to. If a classis is asked by a church to do something it feels a broader assembly should do, it can decide to advise the church to submit it to the broader assembly directly.

Synod Guidelines

It would be advisable to regulate the procedure regarding such "new matters" so that all the churches of that major assembly are involved. Where an overture to general synod is concerned, it would mean removing from the Synod Guidelines the guideline adopted by GS 2013 and including a guideline identical to that adopted by GS 2010. This guideline should make clear that a church, just like a synod committee, should submit any matter as per CO art. 30 & 33, to the churches 6 months prior to a general synod.

Churches then have basically four and half months to submit their thoughts on it to general synod. Thus general synod will have all the information the churches consider relevant before it, and make an informed decision.

The guideline adopted by GS 2010 is as follows:

For all matters of the churches in common, individual churches may address proposals or other significant submissions directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six months prior to general synod.

Regional synods and classes will also have to include a similar guideline in their regulations.

Dealing with an overture from a church

It would be most expeditious if a general synod, upon receiving an overture, immediately decided on it. However, it could be that the matter being proposed by a church has merit, but is too bulky for a general synod to deal with expeditiously and stewardly. For example, what if a general synod received 3 overtures all on the same topic, but in details pulling in different directions? Add to that several dozen submissions by local churches. In such a situation a broader assembly (like a general synod) is free to commit the matter to a study committee that reports when the next general synod happens.

In terms of church units, this approach is less efficient than using the ecclesiastical route as all the churches will consider the matter twice. In terms of delegate units, this approach is more efficient than using the ecclesiastical route.

However, in the end it does not matter. For even if the ecclesiastical route was used, a general synod could still decide to submit the 3 overtures and several dozen submissions to a study committee. The thing is, there's no example of that.

In conclusion

The proposed approach makes for clarity in procedure, for peace in the churches, and upholds the various principles of Doleantie Dort polity, namely, that an ecclesiastical assembly is always an assembly of churches and all the churches should be involved in what is common to all the churches.

END OF OVERTURE

From Acts of Regional Synod West, the article containing the assembly's decision on the overture

ARTICLE 25 [6E]: CPE OVERTURE RE: CO ARTICLE 30

1. Materials:

1.1 Overture from CPE (Appendix A)

1.2 Letters from the following Canadian and American Reformed Churches: Lynden (6e.a), Willoughby Heights (6e.b), Nooksack Valley (6e.c), Winnipeg Redeemer (6e.d), Edmonton Immanuel (6e.e), Elm Creek (6e.f), St. Albert (6e.g), Carman East (6e.h), Taber (5y)

2. Observations:

2.1 Proposal

That Synod decide:

1. To change the last line of CO art. 30 from: *"A new matter which has not previously been presented to that major assembly may be put on the agenda only when the minor assembly has dealt with it."*
   To: "*A new matter which has not previously been presented to that major assembly and is common to its churches may be put on the agenda by one of its churches."*
2. To remove Guideline 1.F from the Guidelines for Synod.
3. To add to the Guidelines for Synod the following Guideline: For matters common to the churches of the general synod, whether "new" (CO 30) or "once decided upon" (CO 33), individual churches may address proposals directly to general synod with the requirement that all such submissions are sent also to each church in the federation no later than six (6) months prior to general synod.

3. Grounds:

3.1 As a process for proposals regarding new matters, the ecclesiastical route is not serving the churches well. This process was made part of the Church Order in 1983 (GS 1983 art. 91). During the period 1983–2010 there was "a lack of consistency in practice when declaring material admissible/inadmissible" which GS 2010 considered "unwise and does not give clarity in proper procedure to other congregations and members for making overtures to General Synod." (GS 2010 art. 62) GS 2010 adopted a synod guideline to encourage more consistency in practice. GS 2013 determined this guideline to be at odds with the Church Order and removed it. GS 2013 introduced a new guideline in an attempt to encourage more consistency in practice (GS 2013 art. 99). However, the process has at times proved cumbersome, frustrating, inefficient, ineffective, and resource consuming as evidenced by overtures that (strove to be) presented to GS 2016, GS 2019, and GS 2022. Among others the following issues can be noted:

3.1.1 The ecclesiastical route exists to encourage support for a proposal. Yet GS 2022 (art. 105) rejected a proposal that came to it from both Regional Synods. The ecclesiastical route does not necessarily create convincing support for a proposal.

3.1.2 At GS 2022 (art. 78) it became clear that, when a minor broader assembly rejects an overture, the appeals process can be used to place the matter as yet before the broader assembly. GS 2022 also determined that, when an appeal has been upheld, the approval of an immediately minor broader assembly is no longer required. Clearly, given the existence of the appeals process, the ecclesiastical route cannot serve as a filter for proposals.

3.1.3 While the ecclesiastical route prevents a church from lording it over other churches, the ecclesiastical route in fact allows a minor broader assembly to which a church does not belong to lord it over that church, since such a minor broader assembly can prevent a matter common to the churches of general synod from being considered by general synod.

3.2 A broader assembly should not decide a matter on the basis of the support it enjoys among the churches, but on the basis of arguments (GS 2013 art. 65). One such argument can be, but does not have to be, the level of support a new matter has in the churches. Ensuring that all churches have an opportunity to express their opinion about a new matter is important. Both the solutions of GS 2010 and GS 2013 ensured this, implying that it is not necessary to go the ecclesiastical route with a proposal regarding a new matter.

3.3 Since the solution of GS 2010 was deemed solely improper because it was at odds with the church order, consideration should be given to changing the church order. Such consideration is all the more warranted given that, when the matter was introduced into the church order in 1983, it was already noted that it could cause "confusion" and "a bureaucratic mess" (GS 1983 art. 91).

3.4 The adopted revision and new guideline for submissions re new matters to general synod take into due consideration the following relevant principles of Reformed church polity:

3.4.1 Broader assemblies are assemblies of churches, not of church members, nor of major assemblies;

3.4.2 The agenda of a broader assembly is set by the churches (CO article 30);

3.4.3 Just as churches may not lord it over others, so church assemblies may not lord it over others beyond the jurisdiction they have (CO article 37, 74);

3.4.4 Churches must be aware of and may involve themselves in matters presented to the broader assemblies to which they belong;

3.4.5 church order practice should not be unnecessarily resource-consuming or inefficient.

3.5 The adopted revision of the Church Order recognizes the validity of the principle that only a minor assembly can place matters on the agenda of a major assembly. The revision removes the requirement that the minor assembly in question can only be the one immediately minor to the major assembly in question.

3.6 The adopted Guideline ensures that all churches receive adequate notice of a new matter being proposed to general synod (CO article 30), as well as proposals regarding matters "once decided upon" (CO article 33) and have ample time to submit to general synod their thoughts on a proposal. The process is identical to that used for reports from General Synod Committees.

3.7 GS 2010 determined in the guideline it adopted "individual churches may address proposals or other significant submissions directly to general synod." The only submissions churches can make to general synod are proposals, interactions with proposals and reports, and appeals. There are no "other significant submissions". Hence that phrase can be left out of the guideline.

4. Correspondence from the churches:

4.1 The correspondence received indicates a mixed response. Ten letters were received from the churches. The response is mixed, somewhat equally divided between support and non-support. Common objections are:

- possibility of hierarchy due to disproportionate influence of one church;
- the strength of proposals is increased as they are filtered and endorsed by minor assemblies, ensuring proper checks and balances;

- General Synod would be overburdened by too much material;
- the ecclesiastical route allows for more time and ownership of the overtures;
- it allows for General Synod delegates to know what is living in the churches;
- efficiency should not be our main concern.

5. Considerations:

5.1 Concerns of hierarchy are mitigated by the six-month timeframe for each church to interact with and evaluate an overture

5.2 Proposals do not gain strength as they move through the ecclesiastical route since each ecclesiastical body makes its own independent decisions as a deliberative body. Historical precedents show that overtures do not gain strength as they reach General Synod since General Synod has overturned overtures from both Regional Synods.

5.3 It is not clear why adopting the proposed change would result in a General Synod being "overburdened". This would only be true if the minor assemblies are regularly denying overtures.

5.4 The six months notice to each church will give them ample time to evaluate and interact with an overture.

5.5 What General Synod receives would give a good picture of what lives in the churches

5.6 While efficiency is not our ultimate criterion, it is good to use our time in a stewardly manner. This method eliminates steps in the process while giving more churches opportunity for input prior to a decision being made.

6. Recommendation:

To adopt the overture and forward to General Synod.

Adopted