

The Judicial Dilemma: *How the Church Works—And How It Gets Worked* | BY GARY PATTERSON

At the outset of a study of church structure it is good to recall some facts as to what the church is and where it comes from. It is God who calls the church into being. It is made up of those who respond to His call, who then become the church. We neither create nor form the church. Rather, we become the church. Thus, the structures we may form around the functions in which the church engages, are not the church. Rather, they are structures and institutions which assist the church in doing what God has called it to do, and as such are human institutions.

The early Adventist believers were firmly resistant to the notion of institution and structure, seeing it as the slippery slope to “Babylon”, as they called it. They stoutly rejected the notion of creedal statements, maintaining that the Bible was their only creed. But the demands of dealing with such matters as property ownership and the proper handling of funds tended to move them to recognize the need for institutional structure and the calling of a “general conference” of all members of the church. This term and the structure it took—borrowed largely from the Methodists—became the basis of early institutional design.

Unfortunately, the multiple use of the term “church” to cover such things as buildings and services and institutions, frequently leads to confusion as to what the church really is. In this context, we recognize that only the local congregation has members, and only members have funds which support the church. No other segment of the institutions of the church have



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either members or significant sources of funding. Thus, it follows that anything done by such segments is for the purpose of enabling the local congregation to function as the actual membership of the body. That is the reason for such structure to exist. The local church does not exist to sustain the other segments of institutional structure. Rather, the other segments exist to sustain and enable the local church.

A second, unfortunate, word usage is the term "levels of church organization," as if they exist in a line relationship of higher and lower power and authority. In actuality, the Seventh-day Adventist Church is structured as four separate constituent groups which do not have line authority over one another, but rather operate in a mutually agreed upon cooperative arrangement. Thus, the real power of the institution is in the local congregation, as it is the only group which has members and is the source of funding.

As familiar as we are with authoritative, top-down, pyramid-style leadership and governance, this is not the way the church is structured. Rather, it is designed to function cooperatively as four separate constituent groups that agree to function together. These four constituent groups have authority over specific functions of the church that belong only to them and may not be taken or countered by the other constituent groups.

The local church is the only constituent level which can take action regarding who may be a member; personnel for church officer election; appointment and ordination of elders, deacons and deaconesses; local church budgets and finance; and other such local church functions. The church in a Business Meeting serves as the constituent group of the church and it is this body that governs all membership and leadership matters of the congregation. The Church Board is appointed by the Church Business Meeting and is designated to handle matters delegated to them by the church body. The local church does not operate with a constitution, but rather is directed by the *Church Manual*.

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group that can take action regarding the sisterhood of churches, its employees, institutions, and finance. It also votes to recommend individuals for ministerial ordination to the union conference. The constituency of this segment of the institution is made up of representation from the local churches and meets as called for by its Constitution and Bylaws, and it elects its leadership and establishes a Conference Executive Committee to oversee its work between sessions.

The union conference also operates under the direction of its Constitutions and Bylaws and a constituency which is derived from the sisterhood of the local conferences in its territory. It has authority over the employees and institutions in its jurisdiction as well as the determination as to who may be ordained to ministry. As an exception to this ordination assignment belonging to the union, the divisions and the General Conference do not have to seek authorization from unions regarding whom they wish to ordain, but are allowed to authorize the ordination of their employees through action of their executive committees.

Divisions are not constituent groups, but rather are segments of the General Conference, assigned to direct the work in given geographic territories. The General Conference Session, which currently meets every five years, is the constituency of the world group. There are four primary documents which guide the overall cooperative relationships of the various constituent groups. These are the Twenty-Eight Fundamental Beliefs, the Constitution and Bylaws, the *Church Manual* and the General Conference *Working Policy*. The Twenty-Eight Fundamental Beliefs, the Constitution and Bylaws, and the *Church Manual* are determined and modified only by a vote of the General Conference in session. The General Conference *Working Policy* is determined and modified by vote of the General Conference Executive Committee.

These documents, which are under the jurisdiction of the General Conference, give direction to such matters as criteria for membership, leadership, finance, ordination, and institutional

operation. However, the application of these criteria is not within its jurisdiction. For example, even though the criteria for membership is provided in these documents, the General Conference may not take action regarding individual membership. This authority resides in the local church only.

Institutional Operation

Generally speaking, the institutions of the church seek to operate in a democratic form of governance. But there are some glitches in this concept. As generally understood, in democratic governance there are three interrelated but independent branches of authority. These are the executive, the legislative, and the judicial functions. While the institutions of the church do have both executive and legislative branches, there is no judiciary. Furthermore, its legislative branch is weak and is not independent, given that it meets only once every five years for about ten days, and its executive committee meets only twice a year for about five days. But more significant than the infrequency and length of its meetings is the matter that at its legislative sessions, both its agenda and chair functions are controlled by the executive branch.

Given that control of the legislative body is under the executive branch, and given the absence of an independent judiciary, the function of the institution falls almost entirely into the hands of the executive branch for its ruling on issues. Thus, answers to questions of the interpretation of policy and procedure are given by administration, and the control of meetings and agenda are likewise under the direction of the executive leadership. Such is not really a democracy, even though operations are done under the guise of democratic process. Rather, it is a recipe for the “kingly power” which Ellen White firmly opposed in the early 1900s and which was a major factor in the restructuring of the institution of the church in 1901, creating the union conferences.

For the most part, the individuals in the executive branch have the best of intentions

and seek to know the needs of the world church. But it is not always so, whether intentionally or unintentionally. It is this issue which is protested by Ellen White in the days leading up to the 1901 General Conference Session. She says, at the opening meeting of that session, “God has not put any kingly power in our ranks to control this or that branch of the work. The work has been greatly restricted by the efforts to control it in every line. . . . There must be a renovation, a reorganization.”¹

As a remedy for this problem, the structure was changed, introducing unions which were to serve the church in regional areas. “It was in the order of God that the Union conference was organized in Australasia. . . . Those who are right on the ground are to decide what shall be done.”² In the context of the 2016 Annual Council meeting, it would appear that there is a concerted effort to reverse this arrangement, with the General Conference asserting its executive authority in an attempt to discipline unions that it sees as operating out of policy.

Opinions and Rulings

Prior to the convening of the 2016 session, GC Secretariat released two lengthy opinion papers making serious charges against those who understand policy in a different manner and act accordingly. What must be remembered and emphasized here is that these expressions of opinion are just that—opinions. The papers of Secretariat are not doctrine, nor policy, nor voted judicial rulings. Likewise, expressions of opinion by presidential representatives are also just opinions. While it is good and proper to hear the opinions of such executive members, they remain just that, opinions which may or may not be accurate. Being elected to executive office at the General Conference does not convey accuracy to all one’s thoughts and expressions of opinion.

But it is not just these released opinions that bring the church to its present situation. The current matters have been brewing for months, as indicated by the appointment of retired Vice

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President Michael Ryan as an Assistant to the President, charged with preparing a document to be presented and voted at the 2016 Annual Council, dealing with unions deemed to be out of harmony with policy.

While the process of bringing the proposed paper to the Annual Council was presented as an appeal to unity, and not as addressing the ordination of women, this was recognized as a thinly-veiled excuse. It is difficult to comprehend why such actions would be conceived in order to discipline a union for doing what is in its authority by policy to do. The ordination issue has repeatedly been recognized as being neither a biblical nor theological matter. It is not a fundamental belief of the church, and is not against policy, which assigns selection of individuals for ordination to the unions. Furthermore, the minutes of the 1990 GC Session record that we “do not have a consensus as to whether or not the scriptures and the writings of Ellen G White explicitly advocate or deny the ordination of women to pastoral ministry.”³

It is significant to note that the ordination policy was not changed after the General Conference Session votes in 1990, 1995, and 2015. As Ted Wilson stated after the 2015 vote, nothing has changed. This makes it all the more incredible that punishment of the unions would be undertaken over an issue that is at best shrouded in confusion, while ignoring the fact that the discrimination of women being attempted in various actions is not only a violation of policy BA 60 05, but also a violation of Fundamental Belief No.14. In fact, BA 60 10 clearly establishes that such a matter is discriminatory, and so becomes a policy to violate the Fundamental Beliefs and the statements made earlier in the policy.

The paper that was finally presented to the 2016 Annual Council session was not the first proposal on this issue to be processed. Prior to the beginning of the full session, the presidential council, which consists of the presidents of the divisions and the vice presidents of the GC, considered and voted as their consensus, a paper which was given to the group, but it was picked

up before the close of the meeting to prevent it being circulated outside the room. Consideration of the paper was then passed on to the expanded executive group, which includes presidential, secretariat, and treasury officers. Following this presentation, it was determined that the paper needed to be made into more of an appeal, in a pastoral approach to the unity matter, prior to its presentation to the full Annual Council.

By the time the Annual Council convened, word was out that a significant document addressing unions accused of operating out of policy, would be coming up for a vote. But the document was undergoing revision and not made available until this agenda item was brought to the floor, giving inadequate time for reading and understanding its implications. At that point, the three-page document titled “Unity in Mission: Procedures in Church Reconciliation” was distributed. This occurred on the last full day of the session. It was scheduled to be presented at 2:30 in the afternoon, but the preceding items on the agenda ran over so that the document was not introduced until nearly 3:00, thus allowing about two-and-a-half hours for the matter to be presented and discussed prior to the scheduled adjournment time set for 5:30. The session was a textbook example of how to manipulate a meeting in order to stifle a thoughtful and democratic process.

A short break was called after the previous agenda items were completed and Tom Lemon, serving as chair of the session, called the meeting to order. The introduction of the “Unity in Mission” document consumed considerable time as the document was read aloud and supported by lengthy speeches by both Ted Wilson and Michael Ryan. The delegates, who had just seen the document at the beginning of this session, were struggling to understand its implications, and no time was given for a studied response, even though it was clear that there was considerable reservation regarding its acceptance.

What appeared as odd to many was that procedures for addressing such matters already existed in policy. Why was this document being

advanced as a way to address what was clearly related to the ordination issue, despite the multiple assertions of both Wilson and Ryan that this was not related to ordination? Being presented as a method of resolving conflict matters in general, and not specifically for the ordination issue, was demonstrated to be nonsense by the document itself, given that it called for resolution by the 2017 Annual Council. If indeed this was a general resolution procedure for all time, all places, and all issues, it makes no sense to have such a terminal resolution date in it.

In addition to this discrepancy, the document not only ignored, but also was in conflict with, policies already in existence, namely B 75 and B 95. The first of these, B 75, addresses the process of changing the status of a union conference to that of a union mission. In this action, the union conference is removed from the control of its constituency and placed under the direction of the General Conference, who then assumes ownership of its assets and institutions as well as appointing its leadership. The second, B 95, addresses the process for the discontinuation or dissolution of a union. In this case, the union ceases to exist.

In an article responding to the "Unity" document, Mitch Tyner, a retired former attorney for the General Conference asks, "Why reinvent the wheel" when policy already exists to deal with such matters? And the answer seems to be that the existing policies do not give GC administration an avenue to accomplish what it wishes to see done. The strange conundrum of this whole matter is that the document which appeals for unity in abiding by policy, is actually in violation of the policies already in place to deal with such matters.

Both policies B 75 and B 95 call for a lengthy process which is to begin with the division leadership and Executive Committee, a scenario not likely to deliver the outcome desired and threatened by GC administration. Recognizing these discrepancies, as well as the potential for bypassing the procedures outlined in existing policy, there was considerable objection to pro-

ceeding to a vote without considerable additional time and study of the implications of the document. But the chair was determined to move the matter ahead, saying at one point that the vote needed to be taken by the close of the meeting that day, as he already had a plane ticket to fly out the next day.

After about an hour of talk by GC administrative leadership, the chair opened the floor for discussion without any opportunity for a studied presentation of opinions questioning the provisions of the document. Having received the document only at the beginning of its presentation to the floor, there was not adequate time allowed for such a counter study either to be developed or presented. Delegates were left scrambling to listen to the presentation from the advocates of the document, while trying to read and understand its implications.

With about ninety minutes left before the scheduled adjournment time, the chair ruled that those wishing to discuss the matter should line up at the provided microphones where they would be given two minutes each to express their views. This is a frequently used ploy to control the length of time allowed for such discussions, even as it was used at the GC Session in San Antonio. While such a ruling does limit the rambling on of irrelevant speeches, it seriously inhibits the ability of anyone to develop and present well thought out objections to the matter under consideration and it continually disrupts the flow of ideas being presented.

Questions asked and significant points made were largely ignored by the chair, who became in effect merely a time keeper of the two-minute limit. Dr. Jiří Moskala, Dean of the Seminary at Andrews University, expressed the need for more time to address the theological and ecclesiological implications of the document, but his request was passed over without response, as were other observations of conference, union, and division leadership requesting clarification and additional information.

As the scheduled adjournment time arrived and passed, the chair ruled that the twenty or

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so speakers who were already standing in line to make their two minute comments, would be allowed to speak, but no others would be added to the line. Thus, the meeting extended on until about 6:00, at which time the vote was called and the document approved. Such a sham and manipulation of democratic process is an embarrassment to the church, which leads to foolish and contradictory actions and decisions being taken without adequate input and study.

Reactions

In reaction to the vote accepting the Unity document, leading university theology departments and faculty, including Andrews University, Loma Linda University, Walla Walla University, Oakwood University, Washington Adventist University, and La Sierra University, weighed in, expressing concern over the implications and discrepancies in the document. GC executive officers, rather than rushing through this action, would do well to give time for and listen to council from the leading theologians of the universities. As Dr. Keith Burton of Oakwood University puts it in his article “A House Built on Sand,” “Indeed, many confuse orthodoxy with orthopraxy. However, in a church that is led by the Spirit of God, there is no room for dictatorial edicts that stifle conscience.”

Ted Wilson, in an online response, expresses his opinion in answer to a cogent question from someone named Bill who asks, “When Unions were established, God saw to it that they had final authority to determine who gets ordained. How is it that when they exercise that authority they are rebellious? Has the GC decided that they know better? How does this (what absolutely appears to be) exercise of kingly authority promote unity? – Bill, from the U.S.A.”

In his attempt at an explanation, Wilson states that GC Policy specifically outlines the “Qualifications for the Ordination to the Ministry,” found in Working Policy L 35. And indeed, it does. There are fifteen such criteria listed. But what Wilson omits from this explanation is that not one of them refers in any way

to gender as a qualification. If gender were to be such a requirement, it would seem reasonable that it would be first on the list, because all the rest would be irrelevant to women if they were excluded.

What he builds his case on is the use of male pronouns and the word “men” in other portions of the policy, as well as a reference to “wife” as being part of ministry. But these are not part of the listed qualifications. Quoting policy, he also refers to the term, “man of God” in 1 Kings 12:22 as being an ancient biblical term used to describe ministers. However, this reference is rather strained in this setting, as Shemaiah, who is being referred to, is not ordained and is actually a prophet in Judah during the reign of Rehoboam, not minister in any New Testament or modern sense of the word. Wilson also brings in the notion of Israelite priests, which truly were all male. But they were also all Israelites. And even more specifically, they were all of the tribe of Levi. So how does that in any way relate to who may be selected as ministers for ordination today?

If we really seek to go down this road of male gender references in Scripture, we will have to deal with the Tenth Commandment which is addressed exclusively to men. “You shall not covet your neighbor’s house. You shall not covet your neighbor’s wife...” This poses the question, “Does the Tenth Commandment then not apply to women?” But, we say, that was a patriarchal society, and the use of such terms included both genders. And so also it is used in the same way today. In one of her most famous comments, Ellen White says, “The greatest want of the world is the want of men. Men who will not be bought or sold.”⁴ Would we be so narrow as to say that the principles expressed in in this comment exclude women?

Language has, from ancient days to the present, used generic terms such as man and mankind—as well as male pronouns—to refer to the entire human race, as in Job 12:10, “In his hand is the life of every creature, and the breath of all mankind.” Such usage of the term “mankind” is here intended to refer both to men

and women. Unfortunately, such usage of terms often slops over into cultural perspectives where male dominance and patriarchal notions take on supposed religious authority.

Recognizing that the matter is a cultural issue, the minutes of the 1990 GC Session record, "In several divisions there is little or no acceptance of women in the role of pastors, ordained or otherwise. In other divisions, some unions would accept women as pastors, but the indications are that the majority of unions do not find this acceptable." With this discrepancy in understanding of the issue it is cogent to ask, "Why is it acceptable to impose the opinion of one cultural group on the other?" Those seeking to move ahead with ordination as gender neutral are not attempting to impose their views on others. But those in opposition seem determined to force their opinion on the entire church. It is a fallacy to maintain that forcing the opinion of one group on the other will alleviate dissent.

Judicial Authority

Seeking to support their position, GC Officers have released contradictory opinions on the matter. In a document released by the General Conference Officers on August 9, 2012, responding to the action of the Columbia Union on ordination, it is stated, "policy itself is based on Seventh-day Adventist principles found in Scripture and the writings of Ellen G. White." This statement is in interesting contrast to one made in a June 29, 2012 letter of the General Conference Officers and Division Presidents, addressed to the Officers and Executive Committee Members of the Columbia Union Conference of Seventh-day Adventists. This letter states, "Decisions (1975, 1985, 1990, and 1995) to withhold ministerial ordination to women have been made on the basis of negative impact to unity rather than on the basis of compelling evidence from the Bible or the Spirit of Prophecy."

It can't be both ways, and attempts to use opposite arguments to support opinions and rulings on policy in different settings is disingenuous at best. The question asked by Bill, as

quoted above, serves to bring into sharp focus the dilemma which arises from the conflict of understandings reflected in the variant reading of policy by unions and GC executives. Who is to judge between these differing interpretations. Rather than resolving the conflict of opinions between the unions and GC executives, the Unity document has instead brought into focus the judicial dilemma.

When centralized authority exercises control over all the legislative, executive, and judicial functions of governance, this is by definition "kingly power." In the day of kings—and/or dictators—not only did the king act as the executive, but also as judge and law giver. And while such rule may have been accomplished in a benevolent manner, the potential for despotism was ever present.

The judicial dilemma the church is now facing is the conflict of interpretation of both the General Conference *Working Policy* and the Fundamental Beliefs. Unions, to whom administration of the selection of individuals for ordination is assigned, see themselves doing so in harmony with the fifteen criteria in the ordination policy, as well as in harmony with both policy and Fundamental Beliefs forbidding discrimination on the basis of race, national origin, or gender. GC administration, on the other hand, see the unions as being out of harmony with policy voted by General Conference Sessions.

The dilemma is, who is to decide in this conflict of opinions? While there may be a tendency to see opinions and rulings on policy by GC Secretariat or Presidential as being the final arbiter, this is not so. These individuals, or even groups and committees of officers, may express their opinions. But they remain just that, opinions. Perhaps then, votes of the General Conference Committee or the General Conference Session may be seen as the final judicial determination. But this option is fraught by the fact that both the agenda and process of such meetings is controlled by the executive group as well.

Solving this judicial problem is not an easy

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practical.

Even before the [October] decision, as a pastor, I have been challenged by the conflict between church policy and the Bible.

In Acts 8, I read this incredible story of an angel directing Philip to head down the road that leads to Gaza. He ends up baptizing the Ethiopian eunuch, miraculously gets whisked away, and finds himself in another town. Great story. Blessed by God to do this. Supernatural intervention to make it happen. Problem: he's a deacon, not a pastor. He baptizes. Apparently not a problem then. But as I read the *Adventist Church Manual* (page 79), deacons cannot baptize. So, a deacon in my church wants to baptize his friend. As a pastor, what do I say? Is it my right even to say?

As a people, faithful to this church, there may be times we have to defy the church because we are faithful.

The Bible must be the first authority. I am happy to put the work of prophets second, as the Bible gives room for that. Third, I will submit to the authority of the church, as long as there is no conflict with the first two.

It's getting practical. I'm a loyal son of the church. But that means, "Here I stand. I can do no other."

LONNIE WIBBERDING,
PASTOR, OREGON CONFERENCE

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matter. However, it would seem wise not to move ahead in making an issue of things that are recognized as not being biblical, not being theological, not being clearly delineated in Ellen White comments, and not itself being a stated Fundamental Belief, while being in conflict with another Fundamental Belief as well as with GC Policy.

Summary

1. Opinions regarding issues under discussion are just that—opinions, no matter who expresses them. They are neither policies nor judicial rulings.
2. The lack of independent judicial authority and the control of legislative function by executives leads to the potential of executive overreach.
3. The development of procedures designed to bypass policy, and which violate existing policy, is not a valid route to resolution of unity issues.
4. Imposing the cultural differences of one segment of the world church on another does not resolve disunity. Rather, it exacerbates it.
5. Imposing drastic measures of censure on segments of the church over issues that are admittedly not biblical, not theological, and not Fundamental Beliefs, makes no sense. ■

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general field secretary of the General Conference. In retirement, he has served as a vice president in the Home Care division of Adventist Health System and as interim senior pastor of twelve congregations.

References

1. *GC Bulletin* (April 3, 1901), 25, 26.
2. *GC Bulletin* (April 5, 1901), 69, 70.
3. GC Session Minutes, 1990.
4. Ellen G. White, *Education*, 57.