

## **PROCEDURE 15: CHURCH DISCIPLINE**

### **PREAMBLE**

As people in covenant with the Lord, the Church is called to be holy, to live according to the Spirit of Christ, and to share in Christ=s saving mission in the world.

The Church can only reach towards this high calling if, trusting in the covenanted grace of God, it fulfils its side of the Covenant by earnest endeavour to walk in the ways of the Lord. This is to say that it must live a disciplined life within the covenant. In this connection two features of the Church=s calling are especially important:

The Church is called to be a community of people who care about one another=s growth in the grace of Christ. This requires all members to be honest with themselves and charitable towards others; to recognise their own weaknesses and to help and encourage one another in Christian obedience. It requires each congregation to be under the discipline of the Lord: or, to put it in another way, to be a school of Christian faith and living for its members - a school in which all have something to learn from one another.

The Church is also called to be witness to the new life in Christ, a pointer to God=s kingdom of peace, justice and love. This requires each congregation, under the discipline of Christ, to pay attention continually to the ways in which its life and spirit are to be different from that of society in general - not in judgement of society, but to embody more faithfully the saving grace of God.

In the first place, therefore, discipline refers to the disciplined life in obedience of the covenant people of God.

Because the Church is a "school for sinners@, its members do not consistently keep the terms of the covenant: they doubt, they falter, they fall into error, and they sin. Much of the healing and reconciliation, which is, needed take place privately or informally within the congregation. But from time to time it becomes necessary for the congregation to take formal disciplinary steps in relation to individuals who have acted contrary to the spirit and will of Christ and in so doing have harmed the life and witness of the Church.

In all such cases the welfare of the individual and the welfare of the Church must both be taken seriously. And it is vital that such steps be taken in the spirit of Christ or they will defeat their purpose of repairing the covenant, and furthering the holiness and witness of the Church.

The fundamental aim of all discipline is growth in the grace of Christ.

#### **15.1 DISCIPLINARY PRACTICE**

The most common form of censure in local churches is suspension from participation in the Sacrament of the Lord=s Supper. This has the effect of excluding a person from Christian fellowship and from the means of grace at a time when he or she needs them most, thus making discipline a punitive rather than a renewing process.

The Gospel Sacraments are remedies for sin (Romans 6:4 and Matt. 26:29) and to deprive believing sinners of them is to erect a human barrier around the means of God=s grace.

The practice of suspension from the Sacraments raises particular theological problems in relation to the administration of baptism to the children of disciplined but believing parents. Discipline does not cancel faith; neither does it make the prevenient grace of God, to which baptism witnesses ineffectual.

The New Testament pattern of discipline should be the model for our local churches (Matt. 18: 15-17). The form which the words take in Matt. 18: 15-17 suggests that they are based on the teaching of Jesus, modified by the experience and practice of the Church. The passage makes it clear that if a member sins, the urgent problem is that the wrongdoer should change - Abe won over@. Only in the last resort, when the pleading of individuals and the Church as a whole has failed, is he to be regarded as hopeless and deposed from fellowship.

Authority in a Congregational Church is ministerial not magisterial; pastoral, not punitive. All authority in the Church, however, must be based on the testimony of Scripture and the Spirit, not on the autocratic attitude of those who exercise their authority to stifle constructive criticism and to demonstrate who is in charge. The delicate balance between freedom and authority is often difficult to maintain in a Congregational setting if we are to ensure that individual rights are not completely ignored, on the one hand, or asserted to the injury of the Church=s witness, unity and peace, on the other.

## 15.2 DISCIPLINE IN GENERAL

15.2.1 Discipline is exercised by the Church meeting, the Regional Council, the Synod and the Assembly acting within their respective areas of responsibility. Every member of this Church is subject to discipline. No member of the Church may resort to secular legal proceedings concerning matters dealt with by the competent Church authorities.

15.2.2 The purpose of discipline is remedial, not punitive.

15.2.2 The four stages of discipline are:

- a) admonition
- b) rebuke
- c) suspension,
- d) deposition and
- e) removal

15.2.3 Admonition sets before the person concerned his/her offence, and exhorts him/her to repent and be watchful.

15.2.4 Rebuke is a solemn reproof in the name of the Lord Jesus, and is administered to a person guilty of a more serious offence.

15.2.5 Suspension prevents the person concerned from exercising the rights and privileges of membership or office of the Church, for a specified period or for an indefinite period.

15.2.6 Suspension from office does not necessarily imply suspension from Church membership and the court of the Church imposing the suspension must specifically state its scope.

15.2.7 In the case of a minister in a pastoral charge, suspension from office for a specified period does not dissolve the pastoral tie, but if he/she be suspended for an indefinite period the pastoral tie is thereby dissolved.

15.2.8 Deposition may be from any office held, or from membership and the latter includes the former.

15.2.9 Removal shall mean dismissal from membership.

### 15.3 GROUNDS FOR DISCIPLINE

15.3.1 Discipline is exercised in respect of:

15.3.1.1 teaching, which is contrary to the Holy Scriptures or the doctrine of this Church;

15.3.1.2 grave moral conduct which is contrary to the Scriptures;

15.3.1.3 conduct which is alleged to be in contravention of the procedures and practice of this Church.

15.3.2 An offence committed more than five years previously cannot be made a ground of discipline.

### 15.4 COMMON RULES OF PROCEDURE IN ALL DISCIPLINARY CASES

15.4.1 In the cases of an alleged offence, the court concerned may appoint a committee to investigate and report on the circumstances.

15.4.2 If there appear to be prima facie grounds for disciplinary action, the court or a commission appointed by it, first meets with the person concerned privately and in a brotherly way. Should he/she then admit guilt and confess repentance, the court, or its commission, may take such action as it sees fit without resorting to a full investigation.

15.4.3 Where the court is not satisfied that the case has been met by the procedure laid down in the preceding paragraph, the offence shall be fully investigated.

15.4.4 A court enters upon a full investigation either of its own initiative or if some person or persons undertake to sustain a charge. A complainant, if a member of this Church, must be warned by the court that the bringing of a charge lightly or maliciously is itself an offence, and liable to be the subject of disciplinary action.

15.4.5 A court may remit a case of discipline to a commission. The person concerned may, within twenty-four hours of the receipt of notification of the personnel of the commission, object to the appointment of a certain person, or certain persons, to it. If such objection be made, the court considers it and if it be well founded appoints another or others, in place of the person or persons objected to. Written notification of the personnel of the commission is delivered to the person concerned without delay.

15.4.6 A court may not present the charges and arbitrate in the same case.

- 15.4.7 It is the duty of the Secretary of the court to ensure that the person concerned receives a copy of the charges or complaint.
- 15.4.8 Neither hearsay evidence nor evidence of opinion, other than expert opinion, is admissible but the court may determine whether or not it will accept expert opinion.
- 15.4.9 The evidence of witnesses is recorded and must be preserved for a period of not less than twelve months.
- 15.4.10 No member of the court may take part in the deliberations of the court or vote in the case, unless he/she has heard the full proceedings.
- 15.4.11 If after a full investigation conducted by any court new evidence favourable to the person concerned is brought to the notice of the court, it may re-open the case.
- 15.4.12 If the evidence in a case is not sufficient to convince the court of the guilt of the person concerned beyond a reasonable doubt, the court pronounces him/her to be not guilty.
- 15.4.13 An appeal to the higher court by the person concerned, requires the Secretary of the lower court to transmit the full record of the case, together with any relevant documents and exhibits duly attested by himself/herself and the presiding officer of that court, to the secretary of the court of appeal, which may review the whole case. Parties in the case are entitled to a copy of the record and relevant documents on request.
- 15.4.14 When the person concerned is before the court, the written charge or complaint is read aloud by the secretary in his/her hearing, and he/she is asked whether he/she admits or denies the truth of the charge.
- 15.4.15 The person concerned may take exception to a charge or complaint before pleading, either on the ground that it discloses no offence or that it is so vague and embarrassing that he/she is unable to defend him/herself.
- 15.4.16 If the person concerned pleads not guilty in a case, which might involve suspension or deposition, he/she is suspended from the exercise of rights and privileges of office in the church until the full investigation has been concluded. The temporary suspension is not the imposition of a disciplinary action and must not be regarded as such.
- 15.4.17 If a minister in a pastoral charge be suspended from office until his/her case is adjudicated, the Regional Council notifies the local church concerned, appoints an acting minister, and makes suitable arrangements for the supply of his/her pulpit while the suspension is enforced.
- 15.4.18 Disciplinary action may be lifted by the court, which imposed it, or by a superior court having responsibility for the case concerned.
- 15.4.19 Suspension for indefinite period must be reviewed at least annually.
- 15.4.20 It is the duty of courts, within whose bounds persons who have been suspended reside, to keep in touch with such persons with a view to their restoration.

15.4.21 Removal of the disciplinary action known as deposition restores the person concerned to membership, but does not restore him/her to any office held before deposition. After the disciplinary action known as deposition has been removed, the person restored to membership is eligible for election to office in the same way as any other member of this Church and the ordinary procedures for filling that office must be followed.

## 15.5 THE LOCAL CHURCH

15.5.1 The Diaconate/Church Council has pastoral and disciplinary responsibility over the local church and also over any congregations (out-stations), preaching places or other organization of the Church, which has been entrusted to its care, but not over ministers.

15.5.2 It is the obligation of the Diaconate/Church Council to recommend appropriate disciplinary action, where necessary, to the Church Meeting.

15.5.3 In cases involving admonition or rebuke, the Diaconate/Church Council may act upon its own authority. In cases, which might involve suspension, the Diaconate/Church Council recommends to the Church Meeting.

15.5.4 In cases of deposition in terms of 3.1.1 and 3.1.3, the intention of the local Church to depose must be reported to the Regional Council before deposition is effected.

## 15.6 ***THE REGIONAL COUNCIL***

The Regional Council has general pastoral and disciplinary oversight over all communicant members within its bounds, wherever the alleged offence may have taken place. This general oversight includes all ministers and other agents of this Church.

## 15.7 ***THE SYNOD***

The Synod has general pastoral and disciplinary oversight over the Regional Council within its bounds.

## 15.8 THE ASSEMBLY

15.8.1 The Assembly has general pastoral and disciplinary oversight over the Church in its entirety.

15.8.2 The Assembly normally exercises its disciplinary oversight in cases brought before it by Regional Councils and Synods by reference, complaint and appeal, but it retains the right of full investigation in all cases of discipline.