

## 22.5 PETITIONS OF PROTEST 1 BR N VAN DER DUSSEN AGAINST A DECISION OF SYNOD 2003 (Artt 19, 43, 256)

- A. The Petition of Protest is stated.
- B. **Decision:** The Petition of Protest is referred to the Petition of Protest Commission 6.
- C. Synod take note of the request of the petitioner for a video conferce. The Moderamen of the Synod denies this request.
- D. Dr AL Rheeder reports on behalf of the Petition of Protest Commission 6.

### E. PETITION OF PROTEST

#### **Decision that is being protested**

As found on the web at <http://www.gksa.co.za/sinode2003/liturgies/rapport.htm>

The REPORT OF THE DEPUTY LITURGICAL MATTERS serves, and is referred to a Commission of advice.

The Commission of advice divides and a Minority and Majority report follows.

With regard to the Minority report the following is decided:

*"E. Decision: The Minority report is rejected by the Synod."*

This is the decision that is being protested.

The Minority report was not taken into the Acta, and was requested from the Administrative Buro. [For easy use it is attached] There are no grounds for the decision that was taken into the Acta, and as far as can be determined the same goes for the approved Minutes.

#### **Ground for Protest 1**

The Synod can not reject without motivation.

##### **Motivation**

Christ is the head of his Church. If a Synod rejects a matter without proof from the Word or Church Order, the Synod sets aside the authority of Christ (CO, art 31; HC, Su 19; BELGIC CONFESSIO, artt 27 to 32). The decision is also contrary to Acts 4:19 – Human authority goes – and not Scripture authority.

#### **Ground for Protest 2**

The Synod treated the Majority and Minority reports unequally. This is contrary to CO, art 84.

##### **Motivation**

From the Minutes the unequal treatment of the two Reports are visible. Special note should be taken of how the Majority report was taken into discussion point for point, and it was noted that way as well. The Minority report was not handled equally. By treating the two Reports unequally, the Synod allowed that the office bearers that handed in the Majority report, ruled over the members who handed in the Minority Report.

#### **Petition of Protest 3**

The matter was not dealt with in a church manner.

##### **Motivation**

2.1 Church Order, art 30 determines: "Church meetings should only deal with church matters and that in a church manner". This article flows from the confession about what the church is, who the Head of the Church is and how the Head of his church rules her. A Church meeting can only rule from the Word. Therefore a church meeting can not just reject a matter.

2.2 In this case the report included grounds that should have been evaluated according to the Word and the Church Order that were rejected without noted grounds, and which had to be refuted from the Word and Church Order before it could be rejected.

The following points in the Minority report are stated as a few examples of a work method that can not be viewed as a "church route":

2.2.1 In the Minority report it is stated without motivation from Appendix 1: "3.1.1.3 Your

Commission judges that the work method of the Deputies, as they reported it (A16.1), with regard to their mandate concerning the NV (New versification), was not in agreement with standing Synod decisions in this regard (see 3.1.1.2 above)."

This is an allegation that the Deputies acted contrary to CO, art 49. The allegation is rejected by Synod without grounds.

- 2.2.2 The Minority report states: "3.1.1.4 The Commission members Liturgical had almost not access or insight into the comments and criticism that were sent by the Churches (Church Councils) to the Deputies. Only at a too late stage to judge it sensibly, it was mentioned that the comments are available for insight. "

It is a blemish that there was an element of the shine of justice and consequently against the Word as explicated in HC, Su 42.

The Synod neglected to go into this charge and to investigate whether the charge is founded or not.

- 2.2.3 The Minority report states: "3.1.1.6 The same Deputies that worked along with the New Psalm versification judged their own work. "

It is a blemish that persons are allowed to judge their own work and it is consequently contrary to principles in CO, art 33. Once again Synod neglected to evaluate the material.

- 2.2.4 The Minority report states: "3.1 Your Commission finds that points of departure were stated in the Report (A16.1), specifically in "Appendix A" (p271-281) that are not in agreement with Scripture, Confession and Church Order" followed by the explanation of the grounds for the statement.

The Synod neglects to refute this complaint.

- 2.2.5 The Synod neglected to refute Appendix 2 of the mentioned Minority report during its discussion. This Appendix deals with content aspects.

Some of these aspects were possibly already dealt with in other Petitions of Protest. If Synod followed the Church route, it would not have been necessary to hand in later Petitions of Protest, and the unrest in the GKSA could possibly have been much less.

- 2.2.6 The Synod neglected to discuss Appendix 3 of the mentioned Minority report. No indication could be found that the Synod discussed this Appendix during its discussion of the Minority Report.

Although further examples could be named, the above-mentioned is seen as enough to show that the decision that is being protested was taken in an unfitting way.

## **Conclusion**

The "New Versification" entered the GKSA in an unfitting manner. The allegations in the Minority report stand unrefuted.

## **Request**

That the decision of Synod 2003 is found contrary to the Word and Church Order, and that the Minority report be taken into consideration in its entirety. This entails that the decision making regarding the Majority report will of course also have to be reconsidered.

## **F. REPORT OF COMMISSION**

### **1. Mandate**

Petition 1 – br N van der Dussen against the resolution of Synod 2003.

**Decision: Noted.**

## **2. Issues that the Synod should take note of**

- 2.1 The petition is directed against a resolution of the Synod 2003 (Acta 2003:640), regarding the way in which the minority report was treated.
- 2.2 The minority report recommended the appointing of other deputies in order to act upon the resolution of the Synod of 1994 by evaluating each Psalm-versification in light of the original text (Minority report, p. 2, point 4.1).
- 2.3 The commission has given attention to the following document: Minority report, the majority report as approved by Synod 2003 and original minutes from the archive.
- 2.4 The following persons have given evidence before the commission: Prof HF van Rooy, rev DJ Bakker, prof PH Fick (appointed adviser).

**Decision: Points 2.1 to 2.4 noted.**

## **3. Deliberation**

### *3.1 Background deliberation*

- 3.1.1 The deputies of Liturgy at the Synod 2003 provided a report On Synod 2003 a report of the deputies Liturgical issues was tabled.
- 3.1.2 A commission is appointed to evaluate the report. The Synod referred the report to the commission for advice.
- 3.1.3 After evaluation a majority and minority report were presented to the Synod.
- 3.1.4 Both the minority and majority reports were presented and dealt with (Acta 2003:640, art 22.1), after which there was voted on the reports.
- 3.1.5 The minority report was rejected.

**Decision: Points 3.1.1 to 3.1.5 noted.**

### *3.2 Ground of objection 1*

#### 3.2.1 Deliberation

- 3.2.1.1 The objector argued that the minority report was rejected unfounded and thereby rejected the authority of Christ. He inferred this from the minute.
- 3.2.1.2 This deduction is not correct. The rejection of the minority report found his grounding in fact that the majority report was accepted.

#### 3.2.2 Finding

- 3.2.2.1 The objector could not proof that the minority report that was rejected unfounded, because the majority rapport has the same material, which was accepted by the Synod. The minority report was founded in the acceptance of majority report.

**Decision: Points 3.2.1.1 to 3.2.2.1 noted.**

#### 3.2.3 Recommendation

- 3.2.3.1 The objection 1 could not be sustained.

**Decision: Approved.**

### 3.3 *Ground of objection 2*

#### 3.3.1 Deliberation

3.3.1.1 The objector alleged that the majority and minority reports were treated in an uneven way and that the members of the majority report govern over the members of the minority report.

3.3.1.2 The minutes show (Acta 2003:640, E) very clear that both the minority en majority report was presented before the Synod. There was voted for these reports. After the majority report was accepted, each point of the majority report was treated, decided upon and recorded. This process is according the standard process of the Synod.

3.3.1.3 The objector alleged the conduct of the Synod was in conflict with Church Order article 84. The fact that both reports were treated by the Synod shows that there was no governing of person over each other. The fact that the minority report was rejected shows that there was no governing of persons over each other.

#### 3.3.2 Finding

3.3.2.1 The objector could not prove that the reports were handled in an uneven way and a transgression against Church Order article 84.

**Decision: Noted.**

#### 3.3.3 Recommendation

3.3.3.1 The objection 2 could not be sustained.

**Decision: Approved.**

### 3.4 *Ground of objection 3*

#### 3.4.1 Deliberation

3.4.1.1 The objector alleged that the minority report was not handled in ecclesiastic(al) way and therefore transgressed against Church order article 30.

3.4.1.2 Both report were presented, debated and voted for

3.4.1.3 The objector is wrong because both reports were about the same issue, and could not be handled as separate cases. Both reports were about the same issue, although the findings were different.

3.4.1.4 The Synod acted in a ecclesiastic(al) way when they voted and accepted the majority report which was adjudicated in light of Scripture, confession and Church Order. There was no transgression against Church Order article 30.

#### 3.4.2 Finding

3.4.2.1 The objector could not prove that the rejection of the minority report was a transgression against article 30 Church Order.

**Decision: Noted.**

#### 3.4.3 Recommendation

3.4.3.1 The objection 3 could not be sustained.

**Decision: Approved.**

## 4. **Recommendation**

The petition of protest in total could not be accepted.

**Decision: Approved.**