

**COMMITTEE TO INVESTIGATE SLANDER AGAINST IMMANUEL RPC  
REPORT TO THE GREAT LAKES-GULF PRESBYTERY  
MAY 25, 2022**

**I. Remit**

The presbytery instructed this committee ““to investigate concerns of possible slander or libel against Immanuel RPC and its elders, including through the participation of RPCNA members, in recent media reports and make recommendations to presbytery.”

**II. Facts**

As is evident from the remit, the Great Lakes/Gulf Presbytery is concerned that Immanuel RPC, its members, or its session have been wronged by one or more parties through violations of the 9<sup>th</sup> Commandment. The relevant sins from Westminster Larger Catechism 145 would include, “prejudicing...the good name of our neighbors,” “speaking the truth unseasonably, or maliciously to a wrong end, or perverting it to a wrong meaning”, “slandering, backbiting, detracting, tale-bearing”, “misconstruing intentions, words, and actions”, and “breach of lawful promises.”

While not included in the remit, this committee assumed these concerns result from public response to the accusations that the Immanuel session failed to respond rightly to sexual abuse perpetrated by one of the members of the congregation. In particular, the Indianapolis Star has reported extensively on the matter, which has brought widespread negative attention to Immanuel RPC. The Star’s sources included public records from the GLG Presbytery and Synod, interviews with many people involved in various ways, as well as internal communications from the IRPC session, some of which were clearly intended to remain private. Some of the Star’s sources were named and others were not.

Finally, the Synod Judicial Commission has affirmed that to one extent or another the IPRC sinned in its handling of this case.

Thus far, the presbytery has responded to these concerns by appointing this committee.

The question this presbytery must answer is, “What should the presbytery do about the negative reports against IRPC?”

**III. Analysis**

As we examined this situation, the committee began by focusing on what options the Constitution of the RPCNA gives for resolving the accusations of breaking the 9<sup>th</sup> Commandment.

*a. Process*

As a higher court, one of the first questions presbytery must resolve is the question of jurisdiction? Is the GLG Presbytery the proper court to handle this matter? The Directory for Church Government (DCG), chap. 4, par. 1 states, “The session is the court having original jurisdiction over the members of a congregation.” This statement leads us to the conclusion that normally investigations of the sins of members of the RPCNA should be conducted by the session to which the members belong.

The Book of Discipline (BOD) indicates this conclusion explicitly, stating,

“The presbytery has original jurisdiction in relation to suspension, deposition, or excommunication of teaching elders; the session in relation to all other. A higher court may direct a lower court to begin process; or the higher court may begin process or appoint a commission to do so, if the lower court has neglected or refused to begin process, or is otherwise incapable of proper action.” (*Book of Discipline*, Section II, chap. 1, par. 5)

The committee recognizes that the nature of slander may demand special considerations, but BOD addresses this situation:

“A court may begin process on the ground of a public report (*fama clamosa*) by appointing a special prosecutor. The public report is different from an idle rumor in that it is widespread, persistent, commonly known, and has the appearance of credibility. The charge will be stated in more general terms, but will conform in all respects to the rule for a specific accusation...To avoid any process on the ground of gossip, a committee may be first appointed to investigate the rumors. A person who considers himself slandered may request an investigation. The court may exercise its discretion in granting or refusing the request.” (*Book of Discipline*, Section II, chap. 1, para. 4)

There are several important directions in this paragraph.

First, we note that the court may begin process on the basis of a public report such as was given to the presbytery. But BOG and BOD jurisdictional guidance must control which court initiates investigations or judicial process. As shown above, both the BOG and BOD place the discipline of members under the jurisdiction of the session.

Second, to proceed on the basis of a public report, the BOD demands a properly stated charge. This charge must, “name the specific offense, the time, place and circumstances of its commission. It shall also provide a list of the witnesses and of all papers to be offered in evidence” (*Book of Discipline*, Sect. II, chap 2., par. 1).

Finally, the BOD deals specifically with the issue of slander, where the one considering himself slandered may request an investigation. But the BOD would still require a charge meeting the minimum standards listed above.

Based on this analysis, the correct process is that the parties-that-consider-themselves-slandered deliver charges to the appropriate session(s) for investigation. Only at such time as the session(s) having jurisdiction prove unable or unwilling to attend to the matter should it be given to the presbytery through the mechanisms of appeal, complaint, or referral as appropriate.

*b. Wisdom*

A second consideration is the wisdom of pursuing these accusations of breaches of the 9<sup>th</sup> commandment. The substance of the Star's reporting was the accusation that IRPC failed to fulfill her obligations to her members. The actions of this presbytery and the Synod Judicial Commission confirm this accusation is true. Because the accusations are true, it impossible to meet the minimum requirement for slander or libel, both which require false accusations.

Should there be further accusations of slander which deal with false reports, we should still consider the wisdom of pursuing the matter. The fact that the occasion for these media reports was precipitated by failure at the session and presbytery level must influence how we address these issues.

This committee would suggest the example of David in his dealing with Shimei when Absalom rebelled David. Shimei cursed David as he fled Jerusalem saying, "Get out, get out, you man of blood, you worthless man! The LORD has avenged on you all the blood of the house of Saul, in whose place you have reigned, and the LORD has given the kingdom into the hand of your son Absalom. See, your evil is on you, for you are a man of blood." (2 Samuel 16:7–8 ESV). David responded, "Behold, my own son seeks my life; how much more now may this Benjaminite! Leave him alone, and let him curse, for the LORD has told him to. It may be that the LORD will look on the wrong done to me, and that the LORD will repay me with good for his cursing today." (2 Samuel 16:11–12 ESV).

As David knew, it was his sin with Bathsheba which brought about this occasion for cursing. Even though the particulars of the curse were false, the fact that David had brought a curse on his house through his actions were true. As a result, David treated the curse as a reproof from the Lord.

The hard truth in this situation is that our court is responsible for the occasions that led to these media reports. It is quite possible that some matters were overstated, and some things reported as true were indeed false. It is also possible that some of those who spoke with the media did so seeking to unjustly hurt the good name of IRPC. But the sins of IRPC and this court in failing to exercise discipline of our own members was the occasion for these reports. Therefore, this committee would recommend that the parties who consider themselves slandered first consider David's example before pursuing the matter further.

#### **IV. Conclusion**

As a result of these consideration, this committee deemed it unwise to pursue any further investigation at this time.

**V. Recommendations**

1. That presbytery instructs parties who believe they have been slandered deliver specified charges with a request for investigation to the session or sessions with jurisdiction.
2. That presbytery instructs all parties that if they find themselves unable to resolve matters of sin at individual level or session level, to bring them to presbytery through the establishes processes of appeal, complaint, or referral as appropriate.
3. The presbytery advises those who believe they are slandered to consider the possibility that God intends them to receive these damages to their good name as his loving correction.
4. That this committee be dismissed.

Respectfully submitted,

Mr. Ross Fearing, Chairman  
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