

"WHAT IF..."

WHAT IF MEMBERS AND LEADERS OF A CONGREGATION DISCOVERED THAT AN ORDAINED CHURCH OFFICER (PASTOR, ELDER OR DEACON) WAS CHARGED WITH DOMESTIC VIOLENCE WITHIN HIS OR HER FAMILY?

What are the issues that need to be worked through and addressed by the community of faith?

Background

Domestic Violence is defined as any controlling, coercive and/or sometimes violent behavior directed by one family member to a spouse, child, parent or sibling with the purpose of gaining and maintaining power and control over the life of the victim. Abuse can occur in a variety of ways. It can be physical use of brute force, emotional cruelty and verbal assault, economic control over the victim's use of money, sexual abuse through force or the threat of force, or coercion for the sole sexual gratification of the perpetrator. Or abuse can be neglect – failing to offer any care, or offering inadequate care for the basic physical, psychological and emotional needs of a child or a disabled adult.

The Procedure

The charge of domestic violence is a most serious legal, moral, social and psychological charge against an individual. Anytime the charge of domestic violence is made it has a profound impact on the victim and the accused perpetrator and every effort must be made to determine the facts of the case. In the case of an elder or deacon who is accused, the Session shall appoint an investigative committee composed of not less than two ordained elders, and the pastor (unless he or she is the accused) to determine if the charges are substantiated. If the pastor of the congregation is accused, the case is referred to the Presbytery Committee on Ministry (COM) for judicial proceedings conducted by a Presbytery Permanent Judicial Commission (PPJC). If after investigation, the evidence is well substantiated, then the Session in consultation with the Presbytery Committee on Ministry, or in the case of an accused pastor, the Presbytery PJC shall engage in disciplinary action of the accused church officer. This may result in the exclusion of the accused from ordained office, and the need for supervised rehabilitation. (See PCUSA Book of Order -Section on Discipline, Chapters D10.0000-14.0000) Note: an ecclesial trial does not preclude the need for a civil trial nor can a civil trial decide how the church is to respond.

Individual/Theological Issues

Domestic Violence is a clear manifestation of human sin at work in the most intimate of human relationships. It is the gross distortion of the covenant of love within a family – replacing love, trust, affection and care with fear, coercion, violence, manipulation and control. The basic dignity of the victim as being a child of God is violated, as is the covenant of marriage. In addition the spiritual wellbeing of the perpetrator has been severely impacted and violated.

Congregational/Theological Issues

When an ordained leader is the perpetrator, the vows of ordination are violated along with the level of trust of the community of faith in his or her role as a church leader. (Refer to chapter G-14.0000 in the Book of Order) Engaging in acts of domestic violence not only adversely affects the victim and family, it adversely impacts the community of faith that the perpetrator has vowed to lead with Christ-like love and integrity. Some who love and respect the accused church officer will feel very divided about the accused role of leadership; others may openly side against the leader. Strong leadership from the other officers of the church is needed to interpret the offense in light of the Gospel, emphasizing restoration and justice for the victim, and holding the perpetrator accountable for the acts of violence. Carefully selected and trained leaders in the congregation or Presbytery must be selected to minister to the perpetrator as a fellow Christian in need of redemption. The congregation must respond to the case of abuse as a violation of the love and justice of Jesus Christ, and a violation against the church as the Body of Christ. If the church fails to act, it becomes a silent, but knowing partner, in the sinfulness of abuse. (Refer to Ephesians 5: 21-31, particularly noting the mutuality and the self-giving love of Christ for the church as the pattern for a Christian understanding of God's will for marriage partners.)

Pastoral Issues

For the church to turn a blind eye to the presence of domestic violence within the community of faith is to communicate tolerance of abuse to both the victim and the larger community. Making the assumption that domestic violence doesn't happen within Presbyterian churches tends to perpetuate a code of silence among its leaders and members. Nationally, one in four families will face domestic violence at some point in their lives together. This figure includes individuals from every social, economic, religious, and educational background. Preaching, corporate prayer, Christian Education classes and events, and fellowship gatherings all provide an appropriate forum for the church to speak out on domestic violence issues. Knowing the official position of the church on these issues often gives permission to victims of domestic violence or other family members to share their stories with their religious leaders. Not knowing the position of the local church and its leaders often communicates to a victim that it may not be safe to share the story with religious leaders.

Couples' counseling as a means of working with cases of domestic violence is not ever a healthy beginning point. This is partly because the spouse/victim will not be afforded a chance to speak openly without fear of reprisal, and partly because the perpetrator will find a way to dispute and distort the victim's statements and perspective. The perpetrator will control the focus of the counseling or shift the blame to the victim. Despite one's best intentions it would also be inappropriate for the pastor or session to tell the victim what she should or should not do in response to abuse. It is very appropriate for the pastor to advise the person but the final choice of action remains with the victim to take control over their life and not the pastor.

Legal Issues

When the victim of domestic violence is a minor, states require that anyone who has knowledge of the abuse must report it to the proper authorities. Failure to report such a case can result in the leaders of the congregation and the church being sued on charges of negligence. If the victim of domestic violence is an adult, state laws vary. If the victim can demonstrate that advice or

intervention was sought from the church and received no help, and if the case later results in serious physical, sexual or psychological injury, the pastor or the governing board might be held liable for neglect.

Additional resources

Beth Basham and Sara Lisherness editors, Striking Terror No More- The Church Responds to Domestic Violence. Bridge Resources Presbyterian Church USA, Louisville, KY. 1997.

Beth Swagman, Responding To Domestic Violence. A Resource for Church Leaders. Faith Alive Christian Resources Grand Rapids, Michigan. 2002.