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Improving Church Governance

*Lessons from Governance Failures
in Different Church Polities*

by

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Abstract

This thesis focuses on the question as to whether using a particular church polity raises the likelihood of governance failure. Using the case study research method, I examine six case studies of church governance failures reported in the past two decades in the English media of mainly Western jurisdictions. The six case studies involve churches in the United States, Australia, Honduras, and Singapore.

Three of the case studies involve sexual matters while another three involve financial matters. For each type of misconduct or alleged misconduct, one case study is chosen involving a church with congregational polity, presbyteral polity, and episcopal polity, respectively. The result is a set of six case studies where for each polity there is one governance failure involving sexual matters and another governance failure involving financial matters. The six case studies demonstrate how churches with different types of polity – congregational, presbyteral, and episcopal – experience governance failure.

For each case study, two research questions are asked. First, why did the church's governance framework not prevent the governance failure? Second, how did the church's governance framework respond to the governance failure? A cross-case analysis is then undertaken in order to identify patterns and draw generalisations. Based on the cross-case analysis, the study identifies two structural characteristics which feature in churches which experience financial and sexual scandals. The first characteristic is the presence of one prominent and influential leader which causes the church to lean towards a one-person leadership model ("monarchialism"). The second is a sense of distance or opacity in decision-making at one or more levels of church polity ("hierarchicalism"). The study delivers a preliminary finding of a positive correlation between monarchialism and hierarchicalism in a church polity and the incidence of governance failures.

The study concludes by offering six practical recommendations concerning church governance. The recommendations are designed to help reduce the risk of sexual and financial scandals. They are also polity agnostic. This means they can be implemented to varying degrees by churches using congregational, presbyteral, and episcopal polities. The goal is to suggest ways for churches of all stripes to improve their governance in order to reflect better the goodness and grace which should mark the church of Jesus Christ.



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List of Abbreviations

| | |
|---------|---|
| AICD | Australian Institute of Company Directors |
| C9 | Council of Cardinals, Roman Catholic Church |
| CEO | Chief Executive Officer |
| CFO | Chief Financial Officer |
| CHC | City Harvest Church (Singapore) |
| CMI | Cornerstone Ministries Investments (USA) |
| GRACE | Godly Response to Abuse in the Christian Environment (USA) |
| IFBD | Investor's Fund for Building and Development (USA) |
| MDiv | Master of Divinity |
| MNA | Mission to North America (USA) |
| NAE | National Association of Evangelicals (USA) |
| NLC | New Life Church (Colorado, USA) |
| NSW | New South Wales (Australia) |
| PCA | Presbyterian Church in America |
| PC(USA) | Presbyterian Church (USA) |
| PIF | Presbyterian Investors Fund (USA) |
| RCC | Roman Catholic Church |
| RCIRCSA | Royal Commission on Institutional Responses to Child Sexual Abuse (Australia) |
| SCM | Stone-Campbell Movement (USA) |
| SEC | Securities and Exchange Commission (USA) |
| SGD\$ | Singapore dollar |
| SJOGB | St John of God Brothers, Roman Catholic Church |
| USD\$ | United States dollar |

Chapter 1

Church Governance Failures and Church Polities

Introduction

This study focuses on the lessons which can be learnt from governance failures in different church polities. In recent decades, scandal after scandal has rocked churches and denominations in the West with sad regularity. With that backdrop, it is reasonable to ask: to what extent does using a particular church polity raise the likelihood of governance failure?

Answering this question is not as easy as it looks. One reason is that scholarly interest concerning church polity has waxed and waned. Recent decades have seen a resurgent interest in church government.¹ One key topic is the

¹ As noted by Andreas Köstenberger, "The New Testament Pattern of Church Government", *Midwestern Journal of Theology* 4(2) (2006) 24-42, at 24.

preliminary question as to whether the New Testament prescribes a specific form of church government: episcopal polity; presbyteral polity; or congregational polity.² Prior to this resurgence in interest, church polity appears to have been neglected, at least in English-speaking countries.³

However, despite renewed interest in church polity, there is little or no sustained inquiry as to whether and how polity may be linked to church governance failures. This lacuna is surprising. After all, anecdotally, many church leaders will acknowledge that polity is a key factor in determining how leaders are appointed, how authority is exercised, and how accountability is maintained. This study attempts to help fill this lacuna.

A Biblically Mandated Church Polity?

At the outset it is helpful to respond to the preliminary question: is there a biblically mandated church polity? The answers vary. One common view is that

² The recent literature on this topic includes: David W. Hall & Joseph H. Hall, eds., *Paradigms in Polity: Classic Readings in Reformed and Presbyterian Church Government* (Eerdmans, 1994); Mark Dever, *Nine Marks of a Healthy Church* (Crossway, 2000); Mark E. Dever, ed., *Polity: Biblical Arguments on How to Conduct Church Life* (Center for Church Reform, 2001); Mark Dever, *A Display of God's Glory: Basics of Church Structure - Deacons, Elders, Congregationalism & Membership* (Center for Church Reform, 2001); Alexander Strauch, *Biblical Eldership: An Urgent Call to Restore Biblical Church Leadership*. rev. ed. (Lewis and Roth, 2003); Benjamin L. Merkle, *The Elder and Overseer: One Office in the Early Church* (Kregel, 2003); Steven Cowan, gen. ed., *Who Runs the Church? 4 Views on Church Government* (Zondervan, 2004); Chad Owen Brand & R. Stanton Norman, eds., *Perspectives on Church Government: 5 Views* (Broadman & Holman, 2004); John S. Hammett, *Biblical Foundations for Baptist Churches: A Contemporary Ecclesiology* (Kregel, 2005); Phil A. Newton, *Elders in Congregational Life: Rediscovering the Biblical Model for Church Leadership* (Kregel, 2005); Mark Dever, *By Whose Authority? Elders in Baptist Life* (9Marks, 2006); and Mark Dever & Jonathan Leeman, eds., *Baptist Foundations: Church Government for an Anti-Institutional Age* (Broadman & Holman, 2015).

³ Edward LeRoy Long, Jr, *Patterns of Polity: Varieties of Church Governance* (Pilgrim Press, 2001) 1-3; and Leo J. Koffeman, *In Order to Serve: An Ecumenical Introduction to Church Polity* (Lit Verlag, 2014) 11-12.

polity is part of the *adiaphora* (disputable matters) about which Christians can be indifferent.⁴ Proponents of this view generally consider church polity as a relatively unimportant theological topic. Using a common threefold classification of Christian teachings – dogma (central tenet of orthodox Christianity), doctrine (teachings which shape the nature and ministry of the church); and beliefs (areas where believers can disagree without breaching fellowship)⁵ – church polity is typically categorised as doctrine or belief rather than dogma.⁶ Similarly, Karl Barth views church law, including church polity, as human law not divine law (*ius humanum*, not *ius divinum*).⁷ Hence, the common refrain that church polity is a pragmatic or an *ad hoc* matter, not a key biblical teaching.⁸

Others, however, note that church polity, historically, has been an important theological issue. Steven Cowan, a Baptist scholar, points out that in seventeenth century England it was ecclesiological debates concerning, in part, matters of church polity, membership, and governance which resulted in the formation of Presbyterians, Congregationalists, and Baptists as they separated from the Church of England.⁹ In nineteenth century Scotland, disagreements

⁴ The apostle Paul deals with *adiaphora* in Romans 14. Controversy as to what constitutes *adiaphora* has a long history among Christians. On *adiaphora* and the “hierarchy of truths” in the context of ecclesiology, see: G. R. Evans, *The Church and the Churches: Toward an ecumenical ecclesiology* (Cambridge University Press, 1994) 190-202.

⁵ This threefold classification is from Stanley J. Grenz & Roger E. Olson, *Who Needs Theology: An Invitation to the Study of God* (InterVarsity Press, 1996) 73-77.

⁶ Brand & Norman, “Introduction: Is Polity That Important?”, in Brand & Norman, eds., *Perspectives on Church Government*, 1 at 2.

⁷ Karl Barth, *Church Dogmatics*, vol 4 part 2, trans. G.W. Bromiley & T.F. Torrance (Hendrickson Publishers, 2010) 713.

⁸ Robert L. Reymond, *A New Systematic Theology of the Christian Faith* (Thomas Nelson, 1998) 896.

⁹ Steven Cowan, “Introduction” in Cowan, gen. ed., *Who Runs the Church?*, 7 at 8.

concerning church polity and church-state relationships played a key role in the Disruption of 1843 and the formation of new Presbyterian denominations.¹⁰

In this vein, Baptist ecclesiologist and minister, Mark Dever, has authored several volumes showing how church polity not only affects church ministry but has significant implications for church life generally.¹¹ Some earlier conservative Presbyterians go further – they see church governance as a matter of biblical principle.¹² More recently, Presbyterian minister David Hall expounds the view that church government is “revealed polity” and necessary for church order so as to counter the consequences of human depravity.¹³

Others see polity as a biblical principle but adopt a softer tone. For example, Wayne Grudem acknowledges that “we do not see a diversity of forms of government in the New Testament” and that a plurality of elders is the

¹⁰ In 1843 substantial numbers withdrew from the established Church of Scotland to form the Free Church of Scotland. In 1900 the majority of the Free Church of Scotland merged with the United Presbyterian Church of Scotland to form the United Free Church of Scotland. In 1929, most of the United Free Church re-joined the Church of Scotland. A minority among Free Church of Scotland churches which did not become part of the United Free Church today retain their designation as the Free Church of Scotland. As noted by one of the Free Church leaders: “The principles involved in that [1843] ecclesiastical convulsion have an immediate bearing both on the constitution and prerogatives of the Church of Christ, and on the great question of its relation to civil power.”: Robert Buchanan, *The Ten Years’ Conflict: Being the History of the Disruption of the Church of Scotland* (Blackie and Son, 1849) vol 1, v.

¹¹ See the works by Mark Dever in footnote 2. Dever is president of 9Marks ministries (formerly known as Center for Church Reform) in Washington DC. 9Marks promotes nine marks of a biblical church (one of which is church leadership) and claims the Bible supports plural-elder congregational polity. Dever has been senior pastor of Capital Hill Baptist Church in Washington DC since 1994 (www.capitolhillbaptist.org).

¹² They include nineteenth century writers such as: Thomas Witherow, *The Apostolic Church: Which Is It? An Inquiry at the Oracles of God as to whether any Existing Form of Church Government is of Divine Right*, 4th ed (C. Aitchison, 1869); James Bannerman, *The Church of Christ: A Treatise on the Nature, Powers, Ordinances, Discipline, and Government of the Christian Church*, 2 vols, first published in 1868 (Banner of Truth, 2015); and Samuel Miller, *Presbyterianism: The Truly and Primitive Apostolical Constitution of the Church of Christ* (Presbyterian Board of Publication, 1835).

¹³ David W. Hall, “The Pastoral and Theological Significance of Church Government”, in Hall & Hall, eds., *Paradigms in Polity*, 12-34, at 12-13.

consistent and preferred pattern, but nevertheless concludes that “there ought to be room for evangelical Christians to differ amicably over this question”.¹⁴

Michael Bird, an Australian evangelical theologian, places a slightly different emphasis, stating: “the single most important factor in the governance of the church is not the structure or model it is based on, but the Christian character of the folks who lead it.”¹⁵ Similarly, Edmund Clowney, the Orthodox Presbyterian Church minister and longtime president of Westminster Theological Seminary, noted that while “some forms of church government reflect [biblical] principles better than others”, it is better to have imperfect church governance structures than church government in the hands of individuals who are prideful, loveless, or with a vindictive spirit.¹⁶

While the views of Bird and Clowney may be correct, there are new voices suggesting that structural factors can also be a significant cause of misgovernance in churches.¹⁷ Consequently, the impact of church polity should not be underestimated.¹⁸ Polity determines the nature and authority of various church offices. Polity affects the responsibilities and accountabilities of clergy and laity. Polity shapes the rules regarding membership and discipline. Moreover, somewhat paradoxically, among mainline churches, differences “may

¹⁴ Wayne Grudem, *Systematic Theology: An Introduction to Biblical Doctrine* (Zondervan, 1994) 904, 913.

¹⁵ Michael F. Bird, *Evangelical Theology: A Biblical and Systematic Introduction* (Zondervan, 2013) 753.

¹⁶ Edmund P. Clowney, *The Church* (Intervarsity Press, 1995) 202.

¹⁷ Mangaliso Matshobane & Maake J. Masango, “Understanding power struggles in the Pentecostal church government”, *HTS Teologiese Studies / Theological Studies* 74(1) (2018), 1-6. The authors employ the sociological notion of “structural conflict” and “actor conflict” to discuss how issues concerning church polity can also be a source of conflict and scandal.

¹⁸ The rest of this paragraph is based on Brand & Norman, “Introduction: Is Polity That Important?” in Brand & Norman, eds., *Perspectives on Church Government*, 5-10.

be seen more clearly by comparing governance than by comparing doctrines”¹⁹ – perhaps suggesting that what appears to be less important matters may in fact be a real hurdle to the visible unity of the church.

In any event, even if church polity is not a core Christian dogma – as, for example, the divinity of Christ – to reduce it to a matter of personal choice or congregational pragmatism appears excessive. If the New Testament reveals a form of church organisation, why not adopt it? Does not a revealed form count for something? In the words of the nineteenth century American Presbyterian preacher, James Thornwell: “Because church government is not the great thing, it does not follow that it is nothing.”²⁰ Or, as Cowan puts it, even if church governance is not a central dogma crucial to the *esse* (being) of the church, it is nevertheless crucial to its *bene esse* (well-being) and, as such, church governance is “vital to its spiritual health”.²¹ On that point, perhaps even Calvin would agree: his *Institutes* has a significant portion – around 250 pages – devoted to ecclesiology, with long sections discussing church polity and governance.²²

Also, dismissing a revealed form of polity amounts to taking a strong theological stance. Koffeman is surely correct in asserting that those who claim church polity is “nothing more than a set of practical rules” – rules without much

¹⁹ Long, *Patterns of Polity*, 2.

²⁰ James Thornwell, *The Collected Works of James Henley Thornwell* (Banner of Truth, 1986) vol 4, 294.

²¹ Steven B. Cowan, “Introduction”, in Steven B. Cowan, gen. ed., *Who Runs the Church?* 11.

²² As noted by David W. Hall, “The Pastoral and Theological Significance of Church Government”, in Hall & Hall, eds., *Paradigms in Polity*, 12-34, at 12-13. Comparing the number of pages in the *Institutes* devoted to other topics is revealing: the knowledge of God (50 pages); Scripture (50 pages); the Trinity (40 pages); and Christology (80 pages). Calvin’s concern about ecclesiology is apparent in his focus on the “society of Christ” (i.e. the church) which takes up much of Book Four of his *Institutes*; see particularly Book Four, Chapters I-XII (which extends from pages 1009-1253) in John Calvin, *Institutes of the Christian Religion*, John T. McNeill, ed., Ford L. Battles, trans., 2 vols (Westminster John Knox Press, 1960).

theological content – are themselves asserting a theological (specifically, an ecclesiological) position.²³ In other words, claiming that – theologically – church polity does not matter is itself a deeply theological claim.

For these reasons, it seems sensible for Christians to reflect seriously upon the biblical, historical, and practical aspects of church polity. Specifically, in the current context of massive reputational damage to churches caused by a stream of sexual and financial scandals, it is timely to examine the relationship between church polities and church governance. This study is a contribution to that effort. I examine governance failures occurring in different church polities in the belief that studying past failures can generate lessons for contemporary church governance. Using a case-study approach, I suggest that there is a positive correlation – although not necessarily a causative relationship – between church polities and the incidence of governance failure. In other words, polity matters. The study then offers recommendations designed to help churches using different polities to improve their standard of governance.

Definitions

Before going further, three key terms must be defined for the sake of clarity: “church polity”, “church leadership”, and “church governance”. Unfortunately, the use of these terms in recent literature has not been consistent. For example, Brand and Norman define “church polity” as “the way in which a local church or group of churches organize and administrate themselves”.²⁴ The Anglican ecclesiologist, Paul Avis, uses “church polity” to mean “an order or structure

²³ Koffeman, *In Order to Serve*, 13.

²⁴ Brand & Norman, “Introduction: Is Polity That Important?”, 1 at 2.

that facilitates [the church's] work" which "has to do with the distribution and exercise of authority, the exercise of oversight, the making of policy and resolving disputes".²⁵ These definitions suggest that church polity means not only the organisational structure of a church but how that structure operates as administered by church leaders.

Other scholars define church polity in a more limited way. Millard Erickson, a Baptist, defines polity as "the organization or governmental structure of a local church or fellowship of churches".²⁶ Donald McKim, a Presbyterian, defines "polity" as "a form of church government adopted by an ecclesiastical body".²⁷ Adam Hood, a Church of Scotland minister and theologian, seems to eschew the term "church polity" and "church leadership" altogether.²⁸ Hood uses the term "church governance" to refer to the exercise of ecclesial power: "who is to govern; the limitations on authority; the social and theological legitimation of authority; and the relationship between ecclesial and political power".²⁹ Hood goes further and describes contemporary church governance as encompassing at least three areas of church life: maintenance of normative beliefs and practices; utilisation of property and other assets; and selection of leaders and accountability for their behaviour.³⁰

²⁵ Paul Avis, "Editorial: From Ecclesiology to Ecclesiastical Polity", *Ecclesiology* 11(3) (2015) 285-288 at 285.

²⁶ Millard J. Erickson, "Polity" in *Concise Dictionary of Christian Theology*, rev. ed. (Crossway, 2001) 155.

²⁷ Donald K. McKim, "Polity" in *Westminster Dictionary of Theological Terms*, 2nd ed. (Westminster John Knox Press, 2014) 240.

²⁸ Adam Hood, "Governance" in Gerard Mannion & Lewis S. Mudge, eds., *The Routledge Companion to the Christian Church* (Routledge, 2008) 536-549.

²⁹ Hood, *ibid*, 537. Hood (at 541) uses the term "systems of church governance" to refer to the structural framework of churches.

³⁰ Hood, *ibid*, 537.

In contrast, the 2017 final report of the Australian Royal Commission into Institutional Responses to Child Sexual Abuse (“RCIRCSA”) applied a more generic definition of “governance” from the corporate world to various non-profit institutions, including churches. Borrowing from the Australian Institute of Company Directors (“AICD”), RCIRCSA defined governance as encompassing “the systems, structures and policies that control the way an institution operates, and the mechanism by which the institution, and its people, can be held to account”.³¹

Taking elements from the preceding discussion, for the purposes of this study, the following definitions will be used:

- (a) “church polity” refers to the organisational and structural framework of a church or a group of churches and, correspondingly, polities can usually be categorised under the three traditional heads: congregational polity; presbyteral polity; and episcopal polity;
- (b) “church leadership” refers to how one or more individuals (collectively, “church leaders”) exercise authority, oversight, discretion, and undertake policy-making within a specific church polity, and how they communicate with each other and with church members; and

³¹ RCIRCSA documents, including the final report, are available from the website www.childabuseroyalcommission.gov.au. The AICD definition was applied specifically to the Roman Catholic Church when RCIRCSA focused on the church’s organisational structure and governance: *Final Report – Volume 16: Religious Institutions, Book 2* (Australian Attorney-General’s Department, 2017) 643. For more on the AICD definition, see: Australian Institute of Company Directors, *What is corporate governance?* (online). The AICD has also published governance standards for charities: Australian Institute of Company Directors, *Not-for-profit Governance Principles*, 2nd. ed. (Australian Institute of Company Directors, 2019).

- (c) “church governance” refers to how churches are directed, overseen, and held accountable. As such, church governance encompasses the interplay of church polity (structural factors) and church leadership (human factors); it describes the phenomenon of how churches are organised and covers various areas such the maintenance and propagation of its doctrine and mission, utilisation of assets, and behaviours of church leaders.

Governance Failure

With the above definitions in place, it is helpful to describe governance failure in the context of churches. Typically, a church governance failure involves three elements: first, a wrongdoing – often of a sexual or financial nature – by a church leader; second, an inadequate polity which fails to prevent the wrongdoing or limit its negative consequences; and, third, the resulting outrage. The outcome is a failure of governance (i.e. misgovernance) which entails the church suffering potential loss of reputation, financial loss, and other damage.

Three observations should be made concerning church governance failure. First, not all sexual or financial misconduct involving a church member constitutes governance failure. A lay member who pilfers money from his workplace or engages in extramarital affairs in the neighbourhood does not, typically, give rise to a church governance failure. The wrongdoing occurred at the workplace or neighbourhood; it is removed from the church context. The actions amount to a personal moral failure, not a church governance failure.

What makes a sexual or financial misconduct a church governance failure is when the conduct undermines, in some way, the organisation or oversight of a church. For example, a senior pastor who engages in an extramarital affair

undermines the credibility of a key church leader. The oversight of the church is thus brought into question. This constitutes a church governance failure.

Second, not all cases of governance failure require proven wrongdoing on the part of church leaders. Governance failure can arise out of a scandal where there is moral outrage over the conduct of a church leader even if there is no legal finding of wrongdoing.³² In some situations, an allegation of misconduct supported by credible evidence can give rise to a scandal even though – due to power imbalance or lack of political will – there is no legal case mounted which leads to a conclusive determination of wrongdoing. For our purposes, an alleged misconduct, supported by evidence, which generates negative public outcry about a church’s governance is sufficient to constitute a governance failure.

Third, whilst sexual and financial misconduct by church leaders amount to governance failures, doctrinal disagreement is another matter. This is because a doctrinal disagreement typically involves a dispute as to the interpretation of the very rule of conduct which governs churches and their leaders – Scripture itself. In the absence of an *a priori* agreement as to what conduct Scripture mandates, it is not possible to determine whether the action complained of amounts to misconduct.

For example, consider the doctrinal disagreement concerning same-sex marriage which occurred in the Anglican Church in Canada in 2002. In June that year, the Diocese of New Westminster (which encompasses Vancouver) voted in

³² Dictionary definitions of “scandal” may not require legal wrongdoing. One dictionary defines scandal as “[a] behaviour or an event that people think is morally or legally wrong and causes public feelings of shock or anger”: *Oxford Learner’s Dictionaries* (online). The *Merriam-Webster Dictionary* (online) defines scandal as: “loss of or damage to reputation caused by actual or apparent violation of morality or propriety”.

its annual synod to approve a rite “to bless covenanted same-sex unions”.³³ The reaction was swift. Conservative-minded Anglicans from nine parishes within New Westminster – including the well-known J.I. Packer – walked out of the synod.³⁴ They pointed out that the 1998 Lambeth Conference had declared homosexual activity as incompatible with Scripture.³⁵ George Carey, then Archbishop of Canterbury, wrote to the conservatives appealing for ongoing dialogue and fellowship instead of walking out. Yet, on 28 May 2003, the parish of St Margaret’s Cedar Cottage, part of New Westminster, blessed the first same-sex union in the history of the 700,000 strong Canadian church – to the applause of Anglican supporters of same-sex unions.³⁶

Do these ruptures within Canadian Anglicanism amount to a governance failure? The answer is debateable. Anglicans like J.I. Packer would view the blessing of same-sex unions as a departure from Scripture. In response, they pursued biblical separation in order to uphold what they viewed as Christian orthodoxy. Conversely, progressive Anglicans justified their endorsement of same-sex unions based on a different exegesis of Scripture and a consideration of evolving community norms. The appeal to two standards – biblical standards and community norms – coupled with hermeneutical differences in

³³ Peter T. Chattaway, “Anglicans: Maverick Vancouver diocese approves same-sex blessings”, *Christianity Today*, 5 August 2002. New Westminster thus became the first diocese in the worldwide Anglican Communion to endorse same-sex unions.

³⁴ J.I. Packer, “Why I Walked”, *Christianity Today*, 1 January 2003. Several of these parishes in Canada later formed a separate Anglican denomination and sought the oversight of a more conservative bishop from another location.

³⁵ The Lambeth Conference, convened by the Archbishop of Canterbury, gathers Anglican bishops from across the world usually every decade. Its resolutions have no legal effect on autonomous national Anglican churches but are influential in shaping the global Anglican Communion. The 2008 Lambeth Conference was marked by divisions on the question of same-sex marriage. The divisions contributed to no conference being held in 2018. The next Lambeth Conference is expected to be held in July-August 2020.

³⁶ Peter T. Chattaway, “Anglican Communion Frays”, *Christianity Today*, 1 July 2003.

understanding Scripture make it difficult to conclude whether a specific conduct amounts to governance failure.³⁷ This is why, unlike sexual or financial misconduct, not all doctrinal disagreements which damage the reputation of a church constitute governance failure.

This then begs the question: what does governance failure among churches actually look like? To help answer that question, I reviewed the last two decades (1999-2019) of a leading Christian journal, *Christianity Today*, for the specific purpose of learning about the types of governance failures experienced by churches.³⁸ This was supplemented by readings of other journals such as *The Christian Post*.³⁹ For governance failures concerning the Roman Catholic Church (“RCC”), I consulted the *National Catholic Reporter*⁴⁰ and the *National Catholic Register*.⁴¹ While these journals are US-based, they report on church developments globally.⁴²

³⁷ In contrast, other areas of governance typically use only one set of standards. Consider corporate governance: each legal jurisdiction tends to draft its own corporate governance code which includes principles from legislation, case law, regulatory practice, and community expectations. In this way, it becomes easier to define “governance failure” as any contravention of that one code.

³⁸ Founded in 1956 by the late Billy Graham and based in Carol Stream near Chicago, Illinois, *Christianity Today* has been described by *The Washington Post* to be “evangelicalism’s flagship magazine”. While *Christianity Today* focuses on evangelicals, its reporting coverage is broader than evangelicalism.

³⁹ Based in Washington D.C., *The Christian Post* claims to be “the nation’s [United States’] most comprehensive news website”. Launched in 2004 as a pan-denominational evangelical Christian news medium, past and present contributors include luminaries such as: Robert P. George from Princeton University; Albert Mohler, president of Southern Baptist Theological Seminary; and the late Charles Colson, founder of Prison Fellowship Ministries.

⁴⁰ Founded in 1964, the *National Catholic Reporter* is a US-based biweekly journal. Despite its more progressive stance, the journal has won various awards from the Catholic Press Association.

⁴¹ Founded in 1927, the *National Catholic Register* is a conservative-leaning bi-weekly journal. In 2017 the Catholic Press Association awarded the journal its Newspaper of the Year award.

⁴² Most of these journals are accessible online, some by paid subscription. Full details of online journals are found in the Bibliography, while footnotes provide author, title, and date.

My review of these journals reveals that an overwhelming number of church governance failures involve sexual or financial misconduct.⁴³ Other types of behavioural misconduct – such as bullying and abusive acts – appear to be less common.⁴⁴ Hence, for the purposes of this study, the notion of governance failure is limited to an alleged or proven sexual or financial misconduct by one or more church leaders which, coupled with an inadequate church polity, results in negative public outcry which diminishes the church's reputation. Such cases form the basis of this study.

Research Methodology and Findings

I employ case study methodology for two reasons.⁴⁵ First, case studies are helpful when examining phenomena which cannot be made subject to controlled experiments. This makes case studies a popular empirical research method in the humanities.⁴⁶ Second, case studies are especially useful for

⁴³ While tabulating the number of *reported* governance failures affecting churches may have some value, the number of *actual* governance failures is presumably greater by a significant margin and is virtually impossible to determine.

⁴⁴ One example is Mark Driscoll from Mars Hill Bible Church in Seattle, Washington. In 1996, Driscoll co-founded Mars Hill. The church grew to 14,000 members by 2014. In mid-2014, criticism and complaints emerged from church staff and members alleging abusive behaviour by Driscoll. Details of the behaviour were not disclosed. Under pressure, Driscoll resigned in October 2014: Kate Shellnutt & Morgan Lee, "Mark Driscoll Resigns from Mars Hill", *Christianity Today*, 15 October 2014. By early 2015, Mars Hill was dissolved.

⁴⁵ The case study method can be defined as "an empirical inquiry that investigates a contemporary phenomenon (the 'case') in depth and within its real-world context, especially when the boundaries between phenomenon and context may not be clearly evident": Robert.K. Yin, *Case Study Research: Design and Methods*, 5th. ed. (Sage, 2013) 16.

⁴⁶ Another empirical research method used in the humanities is the survey. A survey uses large numbers of data (quantitative) whereas a case study focuses on one situation but at greater depth and with an emphasis on context (qualitative). Aside from case studies and surveys, there is the theoretical research method based on conceptual analysis.

preliminary and exploratory research.⁴⁷ This is because in the early stages of theory-building it can be difficult to identify dependent and independent variables; hence, in that research stage it is easier to establish correlation rather than causation by using case studies.

While case studies may, at times, be criticised for lacking rigour and relying on limited data to make generalisations, the case study method is particularly suited to answering the “how” and “why” questions relating to social phenomena.⁴⁸ This is because a case study typically allows more detailed analysis of the context of a given situation. Since this thesis is undertaking an exploratory inquiry into a social phenomenon which is under-researched – namely, the relationship between church polity and church governance failures – the case study method is appropriate for the task.

Accordingly, this thesis examines six case studies of governance failures reported in the past two decades. Three case studies involve sexual misconduct while another three involve actual or alleged financial misconduct. For each type of misconduct, one case study is chosen involving a church with a congregational polity, presbyteral polity, and episcopal polity, respectively. The result is a set of six case studies where for each polity there is one governance failure involving sexual matters and another governance failure involving financial matters. Together, the six case studies comprise a limited but revealing sample which demonstrates how churches with different types of polity experience governance failure.

⁴⁷ K. M. Eisenhardt, “Building Theories from Case Study Research”, *Academy of Management Review*, 14(4) (1989) 532, at 548-549.

⁴⁸ Jennifer Rowley, “Using Case Studies in Research”, *Management Research News*, 25(1) (2002) 16, at 17.

Table 1: Six Case Studies

| | Sexual Misconduct | Financial Misconduct |
|---|--|--|
| Congregational polity (Chapter 3) | Ted Haggard and New Life Church (Colorado, USA) | Kong Hee and City Harvest Church (Singapore) |
| Presbyteral polity (Chapter 4) | Tullian Tchividjian and Coral Ridge Presbyterian Church (Florida, USA) | Presbyterian Church in America, Cecil Brooks, and CMI (Georgia, USA) |
| Episcopal polity (Chapter 5) | Child sexual abuse scandal, Roman Catholic Church (Australia) | Diocesan financial scandal, Roman Catholic Archdiocese of Tegucigalpa (Honduras) |

As far as possible, the six case studies have been chosen to facilitate better comparison within each polity category. For example, the sexual scandal involving New Life Church is compared with the financial scandal of City Harvest Church – both are megachurches using congregational polity.⁴⁹ Similarly, for presbyteral polity, both case studies involve the Presbyterian Church in America (“PCA”) and, for episcopal polity, both case studies involve the RCC.

Choosing two RCC case studies is not intended to ignore other episcopal variants, such as Anglican episcopalianism. Neither does choosing two case studies involving the PCA seek to overlook other Presbyterian denominations. Rather, the choices have been made in order to facilitate ease of comparison within each polity while mindful of the overall limitations of this study.

⁴⁹ This study uses the Hartford Institute for Religion Research definition of “megachurch”: “[any] Protestant Christian congregation with a sustained average weekly attendance of 2,000 persons or more in its worship services, counting all adults and children at all its worship locations”: Hartford Institute, “Megachurch Definition” (online).

For each case study, two research questions are asked. First, why did the church's governance framework not prevent the governance failure? Second, how did the church's governance framework respond to the governance failure? A cross-case analysis is then undertaken in order to identify patterns and draw generalisations.⁵⁰ Based on the cross-case analysis, this study identifies two characteristics which feature in churches which experience financial and sexual scandals. The first characteristic is the presence of one prominent and influential leader which causes the church to lean towards a one-person leadership model ("monarchialism"). The second is a sense of distance or opacity in decision-making at one or more levels of church polity ("hierarchicalism"). The study delivers a preliminary finding of a positive correlation between monarchialism and hierarchicalism on the one hand, and the incidence of governance failures on the other.

Limitations of the Study

There are four important limitations of the present study. The first limitation is that this study is confined to churches and their polities. It makes no claims concerning parachurch ministries and other church-related organisations such as Christian schools, mission organisations, and church-related financial entities.⁵¹ Moreover, the study focuses on church governance from a structural perspective. It does not concentrate on personal aspects of church leaders, such

⁵⁰ Yin describes this methodology as a "cross-case analysis following the presentation of separate, single cases...in order to draw generalizable conclusions that could apply to many other [instances]": Yin, *Case Study Research*, 18.

⁵¹ This is not to say that the boundary between churches on the one hand and church-related organisations is always clear. It is not – as the Cornerstone Ministries International case study in Chapter 4 demonstrates.

as skills development and character formation. Of course, the character of individual leaders is arguably more important than church structure; yet, this study focuses on the latter, not the former.

A second limitation arises from the source and number of case studies selected for this study. Five of the six case studies are from English-speaking jurisdictions with well-developed legal systems. Three are from the United States. One is from Honduras in Central America, one from Australia, and one from the Southeast Asian city-state of Singapore. While the different contexts of the six case studies offer diversity in terms of geography and culture, to the extent that they may be representative of other regions they are largely reflective of churches in the West. Care must be taken to ensure that the conclusions drawn are not extrapolated indiscriminately to churches in other jurisdictions – including regions where Eastern Orthodox churches dominate or regions like the Global South where Christendom is rapidly spreading.⁵² Moreover, given the relatively small number of cases examined, the conclusions drawn should be considered preliminary – at least until additional research is undertaken which can provide additional support for the findings.

The third limitation is the possibility of unconscious bias arising from my personal background. Although my early education was in schools run by the RCC, during the bulk of my adult life I have been associated with churches which use congregational polity. Since 2003 I have been an active member (with the last seven years serving as a lay elder) of Belmore Road Church of Christ in suburban Melbourne, Australia. This congregation has its theological and missional roots in the Stone-Campbell Movement or American Restoration

⁵² This is especially important given that the centre of gravity for Christendom has arguably shifted from the West to the Global South: Philip Jenkins, *The Next Christendom: The Coming of Global Christianity* (Oxford University Press, 2011).

Movement.⁵³ In terms of polity, Churches of Christ are congregationally governed, with each congregation typically led by a plurality of local elders. The focus on congregationalism leads to an absence of formal overstructures⁵⁴ beyond the local church. While I have attempted to minimise any biases, I accept that my familiarity with congregational polity may inadvertently colour my analysis.

The fourth limitation is that the findings of this study are chiefly in the form of correlations, not causation. A finding that a church whose governance is characterised by monarchialism and hierarchicalism tends to have a positive correlation with governance failure does not mean that these two characteristics necessarily *cause* governance failure. Rather, a correlation simply suggests the existence of a statistical relationship. A positive correlation means that, all other things being equal, a church polity characterised by monarchialism and hierarchicalism has a greater likelihood of experiencing governance failure than a polity without these characteristics.

⁵³ For more information about the Stone-Campbell Movement (“SCM”), see: Richard T. Hughes, *Reviving the Ancient Faith: The Story of Churches of Christ in America* (Eerdmans, 1996); Leroy Garrett, *The Stone-Campbell Movement: The Story of the American Restoration Movement* (College Press, 2002); Douglas A. Foster *et. al.*, *The Encyclopedia of the Stone-Campbell Movement: Christian Church (Disciples of Christ), Christian Churches/Churches of Christ, Churches of Christ* (Eerdmans, 2004). With traces of Presbyterian, Anabaptist, and Free Church traditions from both the United States and Great Britain, the restorationist oriented and unity focused SCM was birthed during the nineteenth century Second Great Awakening in frontier America. Today, the SCM has several million adherents globally spread over three main branches with the more conservative Churches of Christ often noted for a strong emphasis on adult believer’s baptism as an expression of saving faith, weekly Lord’s Supper, congregational *acappella* singing in public worship, and self-governing congregations led by a plurality of elders. For an overview of the theological perspectives and distinctive practices of Churches of Christ generally, see: Everett Ferguson, *The Church of Christ: A Biblical Ecclesiology for Today* (Eerdmans, 1997).

⁵⁴ Long, *Patterns of Polity*, does not define “overstructures” but appears to use it to refer to any overseeing office or denominational hierarchy beyond a local congregation. I use it the same way in this thesis.

Outline of Thesis

What remains is to provide a roadmap for the subsequent chapters of this thesis. Chapter 2 begins with a brief overview of church governance in the early church. I trace how, by the second century, governance of a congregation has morphed from collegiate eldership towards moniscopacy. The chapter then outlines the development of three types of church polity – congregational, presbyteral, and episcopal – which exist today.

Chapters 3-5 contain the six case studies which comprise the research core of this thesis. Each chapter is devoted to one type of church polity and demonstrates how a church using that polity experiences governance failure arising from sexual misconduct and financial misconduct, respectively. At the end of each chapter, the two research questions – why the church governance framework in use failed to prevent the governance failure and how it responded to such failure – are raised and observations made.

Chapter 6 draws the observations together in order to undertake a cross-case analysis of all six cases. The analysis identifies two characteristics – monarchialism and hierarchicalism – which appear to feature in churches which experience governance failure. The analysis yields a preliminary finding that there is a positive correlation between monarchialism and hierarchicalism on the one hand, and the incidence of governance failures on the other.

I then offer six recommendations concerning church governance designed to help reduce the risk of sexual and financial scandals. The recommendations are intended to be polity agnostic so that they can be implemented to varying degrees by churches using congregational, presbyteral, and episcopal polities. The goal is to provide ways for churches of all stripes to improve their

governance in order to reflect better the goodness and grace which should mark the church of Jesus Christ.



Chapter 2

From the Early Church to Contemporary Church Polities

Introduction

In this chapter I briefly survey how church organisation evolved from New Testament times into contemporary church polities.¹ How does the New Testament canon describe the church? What does its leadership look like? How did the early twofold ministry of elders and deacons evolve into the threefold ministry of bishops, elders, and deacons? How did mon episcopacy, prelacy, and the papacy arise? What led to the multiplicity of church polities today? The aim is to provide an appropriate biblical, theological, and

¹ For a summary, see: Brand & Norman, “Introduction: Is Polity That Important?”, in Brand & Norman, eds., *Perspectives on Church Government*, 1 at 10-23.

historical backdrop for the case studies examined in Chapters 3-5 and the subsequent cross-case analysis in Chapter 6.

Church in the New Testament

The organisational concept of the Christian church is notoriously difficult to explain. In part, the difficulty arises because the New Testament does not lay out a detailed definition or explanation as to what the church is or does. References to the church in the Gospels include the famous text in Matthew 16:18 where Jesus asserts that he will build his church (*ekklesia*). *Ekklesia*, which means assembly or gathering, is used three times by Matthew (16:18 once and 18:17 twice). It does not appear in the other three Gospels. In another section about the kingdom of heaven, Jesus utters a prolepsis about church discipline (Matt. 18:15-20).²

In Acts, we gain a better glimpse of the community of Jesus' followers.³ Believers devote themselves to the apostles' teaching, fellowship, the breaking of bread, prayer, and mutual sharing of possessions (Acts 2:42-46). Water baptism and receiving the Holy Spirit are part of the process of becoming a member of this community (e.g. Acts 2:38, 9:17-19; 10:44-48). In Antioch, the believers are first called "Christians", a designation given by outsiders (Acts 11:26).

² While *ekklesia* is often used to refer to the church in the New Testament, it is not used exclusively so. On several occasions, it refers to an assembly of unbelievers (e.g. Acts 19:32, 39, 41).

³ See generally: Darrell L. Bock, *A Theology of Luke and Acts: God's Promised Program, Realized for All Nations* (Zondervan, 2012).

Leadership within this Christian community emerges in several contexts. They include instances when church discipline is enforced (Ananias and Sapphira in Acts 5:11); when evangelists like Philip are sent to preach the Gospel further afield (Acts 8:14-25) and Barnabas is sent to Antioch (Acts 11:22); when Gentiles are accepted into God's kingdom without circumcision, as agreed at the Jerusalem Council (Acts 15); and when church elders are commissioned to keep watch over their flocks (Acts 20:28-31). From these snapshots, leadership appears to rest largely among the apostles and elders.⁴

In the Pauline corpus,⁵ we read of the church metaphorically referred to as the body of Christ (1 Cor. 12:27), the temple of God (1 Cor. 3:16), the true Israel or the Israel of God (Gal. 6:16), the church of God (Phil 3:6), the bride of Christ (Eph. 5:21-33), and the household of God (2 Tim. 3:15). The use of "church" can be universal (e.g. Col. 1:18, 24) or local (Col. 4:15, 16), and includes a group of churches within a specific region (Rom. 16:16).

Initially, believers met in house churches (1 Cor. 16:19; Rom. 16:3, 5; Col. 4:15).⁶ In terms of leadership, in both Pauline and non-Pauline epistles we

⁴ This is consistent with the Great Commission of Jesus to the Eleven when he delegated his authority to them: Matt. 28:18-20.

⁵ The debate on Pauline authorship is beyond the scope of this study. The seven generally undisputed Pauline letters are Rom., 1 & 2 Cor., Gal., Phil., 1 Thess., and Philem. To this N.T. Wright adds Colossians "without excuse or apology", considers Eph. and 2 Thess. as highly likely to be Pauline, asserts that 2 Tim. may well be Pauline, and uses 1 Tim. and Tit. "for illustration rather than support": N.T. Wright, *Paul and the Faithfulness of God* (SPCK, 2013), vol 1, 61. Meanwhile, we are reminded that, authorship questions aside, "The church recognized these *texts* [the Pauline corpus] as authoritative and reflective of the apostolic witness and vision for the church.": David A. DeSilva, *An Introduction to the New Testament: Contexts, Methods & Ministry Formation* (InterVarsity, 2004), 748.

⁶ Robert J. Banks, *Paul's Idea of Community: The Early House Churches in Their Cultural Setting* rev. ed. (Baker Academic, 1994); and Robert & Julia Banks, *The Church Comes Home* (Hendrickson, 1998). More recently, perhaps partly in reaction to megachurches, there is renewed interest in house churches and the organic/simple/micro church movement: Frank Viola, *Reimagining Church: Pursuing the Dream of Organic* (David C. Cook, 2008); and Thom S. Rainer & Eric Geiger, *Simple Church: Returning to God's Process for Making Disciples* (Broadman & Holman, 2011).

read of bishops (*episkopoi*) and deacons (*diakonoi*) (1 Tim. 3:1, 8), and presbyters or elders (*presbuteroi*) (Jam. 5:14, 1 Pet. 5:1) – who appear to serve a local Christian community.

Leadership in the Early Church

What was leadership in the early church like? Given the multiple references to elders (*presbuteroi*), one possible starting point is to examine their role. There are several New Testament passages which describe elders and the church: Acts 11:30; Acts 14:23; Acts 15:2, 4, 6, 22-23; Acts 20:17-28; Phil. 1:1; 1 Pet. 5:1-4; 3 Jn. 1; 1 Tim. 3:1-13; Tit. 1:5-9. Taken together, they highlight three points.

First, the designation “elders” appears to be interchangeable with “overseers” and “bishops”.⁷ In Acts 20:28, Luke records Paul as referring to the Ephesian church leaders as overseers or bishops (*episkopoi*) who are appointed by the Holy Spirit to shepherd (*poimainein*) the church of God. Those same leaders are also referred to as elders or presbyters (*presbuteroi*) in Acts 20:17. Similarly, in Tit. 1:5, Titus was instructed to appoint presbyters in every city (*presbuteroi kata polin*), and such a presbyter is later referred to as a bishop (*episkopos*). Moreover, in 1 Pet. 5:1, Peter refers to himself as a fellow-presbyter (*sumpresbuteros*) and then later exhorts presbyters to avoid

⁷ This view is widely held, including by scholars with differing stances on other aspects of church leadership, e.g. Eric G. Jay, “From Presbyter-Bishops to Bishops and Presbyters”; Benjamin L. Merkle, *The Elder and Overseer*; Everett Ferguson, *The Church of Christ*, 318-328; and James T. Burtchaell, *From Synagogue to Church: Public Services and Offices in the Earliest Christian Communities* (Cambridge University Press, 1992). For an opposing view, see: Alistair C. Stewart, *The Original Bishops: Office and Order in the First Christian Communities* (Baker, 2014).

domineering leadership by looking to the example of the Chief Shepherd (*arxipoimenos*).⁸

Second, elders, presbyters, and bishops appear to undertake an overseeing or shepherding function over a local community of Christians. This overseeing function is gleaned from passages such as Acts 20:17, 28; 1 Pet. 5:1-4; 1 Tim. 3:5 and 5:17-20. The reference to “in every city” (Tit. 1:5) suggests that, at most, the geographic scope of elders’ oversight is one town or city – presumably because the entire community of Christians in such location is understood to be one congregation and can be collectively referred to as the “church”.

What about the Jerusalem council described in Acts 15? Can this gathering of apostles and leaders provide a biblical basis for overstructures beyond the local congregation, encompassing a wider geographic region? Opinions vary. Some commentators see Acts 15 as paradigmatic, providing a continuing example for how the church can use regional and global overstructures to make decisions, including interpreting and redefining Christian doctrine.⁹ However, I suggest that a better view is to understand the Jerusalem Council as a particular phenomenon of rather than a paradigmatic example for the church. Instead of Luke recording Acts 15 primarily to create a paradigm for regional or global decision-making, his primary focus arguably is to emphasise a particular theological message – that the Gospel invites Gentiles into God’s

⁸ John H. Elliott, “Elders as Leaders in 1 Peter and the Early Church”, 553.

⁹ For example, see: James Shelton, “Epistemology and Authority in the Acts of the Apostles: An Analysis and Test Case Study of Acts 15:1-29,” *The Spirit & Church* 2(2) (2000), 231-247; and Paul Smith, *Is It Okay To Call God “Mother”: Considering the Feminine Face of God* (Hendrickson, 1993) 215-226. Hence, the Jerusalem Council was used to justify ecumenical councils – as was the case during the conciliar movement in the fourteenth to sixteenth centuries.

kingdom without requiring them to become Jews, such that they can participate in “salvation without circumcision”.¹⁰

Third, it is noteworthy that the New Testament passages on elders or presbyters typically refer to them in plural – for example, Phil. 1:1; Acts 20:17; 1 Pet 5:4, etc.¹¹ The use of the plural form has been interpreted to mean that early churches were governed by a plurality or group of elders, not by a single elder or bishop – in other words, not a monepiscopacy.¹² This appears consistent with traditional Jewish practice which, for millennia, had recognised the role of a collegiate group of elders in their communities.¹³ Nevertheless, this traditional view of a plurality of elders overseeing a local church is not without its critics.¹⁴ What is generally agreed, however, is that monepiscopacy – understood as one elder or bishop ruling over multiple congregations – emerged as a later innovation.¹⁵

¹⁰ As argued by Timothy Wiarda, “The Jerusalem Council and the Theological Task”, *Journal of the Evangelical Theological Society* 46(2) (June 2003), 233-248 at 245.

¹¹ In this context, 1 Tim. 3:1 and Tit. 1:7 are exceptions because they use the singular form – which is quite understandable given that they are describing the qualities expected of *each* presbyter.

¹² Elliott, “Elders as Leaders in 1 Peter and the Early Church”, 554.

¹³ See: Hanaoch Reviv, *The Elders in Ancient Israel: A Study of a Biblical Institution* (Magnes Press, 1989); Burtchaell, *From Synagogue to Church*, 228-233; and Ferguson, *The Church of Christ*, 321.

¹⁴ For example, see: Stewart, *The Original Bishops*, 52. However, supporters of the traditional consensus may not find Stewart’s reasoning (notwithstanding its erudition) necessarily convincing: see Everett Ferguson, “Review of *The Original Bishops: Office and Order in the First Christian Communities*”, *Restoration Quarterly* 57(4) (2015) 250-251.

¹⁵ Stewart agrees with this, defining monepiscopacy as the rule of a single bishop over multiple locations and suggesting it emerged only at the turn of the third century: Stewart, *The Original Bishops*, 2.

The *Epistle of First Clement* – dated around 96 AD – refers to bishops and deacons (in plural) with no mention of a monepiscopacy.¹⁶ Polycarp's *Epistle to the Philippians* is dated around 115 to 138¹⁷ and opens with a reference to "the presbyters that are with him", suggesting that Polycarp was not a *monepiskopos*.¹⁸ It was only with the later writings of Ignatius of Antioch (c 35 – c 107) that the notion of monepiscopacy emerges. Even so, Jerome in the fourth century noted that monepiscopacy was not an instruction of the Lord and not the original form of church leadership.¹⁹ Hence, it is likely that only by the mid-second century had the shift from a plurality of elders towards a monepiscopacy become the norm.²⁰

Patrick Burke, a Roman Catholic scholar, suggests several factors which gave rise to monepiscopacy by the third century, including: increased Christian converts raising the need for a stronger form of organisation; the church seeking to imitate the structure of the Roman administrative system, while fighting against Gnosticism and heterodoxy; and the strong personalities of individual bishops (like Ignatius) which propelled their prominence.²¹ Meanwhile, Adolf von Harnack suggests that monarchical bishops arose gradually,

¹⁶ See: *The First Epistle of Saint Clement to the Corinthians*, in J.B. Lightfoot, *The Apostolic Fathers* (Baker, 1980) 31. See also: Francis A. Sullivan, *From Apostles to Bishops: The Development of the Episcopacy in the Early Church* (Newman Press, 2001) 100.

¹⁷ Andrew M. Selby, "Bishops, Elders, and Deacons in the Philippian Church: Evidence of Plurality from Paul and Polycarp", *Perspectives in Religious Studies* (2012), 79-94 at 81.

¹⁸ *The Epistle of Polycarp*, in J.B. Lightfoot, *The Apostolic Fathers*, 95.

¹⁹ See Jerome's comment on Tit. 1:5 in St. Jerome, *St. Jerome's Commentaries on Galatians, Titus, and Philemon* (University of Notre Dame Press, 2010) 290.

²⁰ Everett Ferguson, "Bishop" in *Encyclopedia of Early Christianity*, Everett Ferguson, ed. (Garland Publishing, 1990) 151.

²¹ Patrick Burke, "The Monarchical Episcopate at the End of the First Century", *Journal of Ecumenical Studies* (1970) 499-518.

as an “informal monarchy” emerged through occasions like when a presiding elder took on an executive role, with “the fundamental tendency...not at the beginning monarchical in character.”²²

In the third century, “hierarchical episcopacy” gained ground.²³ Cyprian of Carthage advocated apostolic succession and used Matt. 16:18 to support the argument that Peter has the “keys of the kingdom”; this empowered bishops to adjudicate doctrinal disputes beyond local regions and define the boundaries of the church against heretics.²⁴ By then, charismatic leadership of the early church had given way to more hierarchical leadership models.²⁵ In the fifth century, Augustine of Hippo, himself a bishop, also adopted the view that bishops retained the keys to the kingdom, buttressing further the doctrine of apostolic succession.²⁶

Development of Church Polities

By the Middle Ages, monepiscopacy had evolved resulting in a prelacy.²⁷ A prelacy emerged partly due to the closer relationship between the church and the Roman Empire after the conversion of Constantine in the fourth

²² Adolf Harnack, *The Constitution & Law of the Church in the First Two Centuries* (Williams & Norgate, 1910) 96-99.

²³ Brand & Norman, “Introduction: Is Polity That Important?”, 12.

²⁴ Brand & Norman, *ibid*, 13. Hence Cyprian’s famous statement: *nulla salus extra ecclesiam* (there is no salvation outside the church).

²⁵ See generally: Hans von Campenhausen, *Ecclesiastical Authority and Spiritual Power in the Church of the first three centuries* (Hendrickson, 1997).

²⁶ Brand & Norman, “Introduction: Is Polity That Important?”, 14.

²⁷ “Prelate” is from the Latin *praelatus* which means to place before; prelates refer to bishops who are of elevated rank.

century.²⁸ During the medieval period, the high point of prelacy was the growth and dominance of the papacy.²⁹ Two bishops of Rome cemented the groundwork for the emerging papacy: Leo I (440-461) and Gregory I (590-604). Leo is generally considered the first “pope” in the modern sense.³⁰ Meanwhile, the Eastern church also adopted the episcopal model but did not acknowledge or establish a papal system, instead ascribing authority to the patriarchs of the five leading metropolitan sees: Rome, Alexandria, Constantinople, Jerusalem, and Antioch.³¹

The papacy reached its zenith during the time of popes Gregory VII (1073-1085), Urban II (1088-1099), Innocent III (1198-1216), and Boniface VIII (1294-1303).³² Both Gregory VII and Innocent III excommunicated or triumphed over emperors and kings and Boniface VIII in his encyclical, *Unam Sanctum*, claimed spiritual and temporal supremacy over all the world.³³ During the fourteenth to sixteenth centuries, conciliarism sought to rein in papal power

²⁸ See: Everett Ferguson, *Church History – Volume 1: From Christ to the Pre-Reformation – The Rise and Growth of the Church in Its Cultural, Intellectual, and Political Context* (Zondervan, 2013) Chapters 10-11.

²⁹ Brand & Norman, “Introduction: Is Polity That Important?”, 15.

³⁰ Gonzalez, *The Story of Christianity* (Harper Collins, 2010) vol 1, 281-282. Gonzalez notes that “pope” means “father” and was originally used to refer to any important bishop. The notion of a single pope who is vicar of Christ and head of the church emerged later. Gonzalez also notes that although there is some evidence of a plurality of bishops in Rome (a “collegiate episcopacy”), the origins of the episcopacy and papacy in Rome “are not altogether clear”.

³¹ Brad Harper & Paul Louis Metzger, *Exploring Ecclesiology: An Evangelical and Ecumenical Introduction* (Brazos, 2009) 191-192.

³² Brand & Norman, “Introduction: Is Polity That Important?”, 15.

³³ Gonzalez, *The Story of Christianity*, 368.

through the use of ecumenical councils but eventually conciliarism succumbed, ushering in the doctrine of papal infallibility.³⁴

From this perspective, the sixteenth century Reformation appears, in part, as a reaction to the massive power concentrated in the papacy of what came to be known as the Roman Catholic Church (“RCC”). While Luther (and contemporary Lutheranism) retained elements of the RCC episcopal structure, he rejected the papacy, permitted state authority over the church, and moderated the power of bishops.³⁵ Throughout, Lutheranism generally held church polity to be a secondary matter, part of the *adiaphora*.³⁶

Other Reformers like Ulrich Zwingli (1484 – 1531) in Zurich and John Calvin (1509 – 1564) in Geneva took different approaches. Zwingli rejected episcopacy whereas Calvin organised churches under a fourfold ministry of pastors, elders, doctors (teachers), and deacons, with representative pastors in a geographical region sitting as a consistory.³⁷ Calvin’s model laid the groundwork for later presbyteral polity which rejected monarchical bishops in favour of two kinds of elders or presbyters: teaching elders and ruling elders.

During this period, a group of radical believers emerged who were persecuted by both Reformers and the RCC.³⁸ Many were separatists who later became

³⁴ See generally: J.H. Burns & Thomas M. Izbicki, *Conciliarism and Papalism* (Cambridge University Press, 1997). Conciliarism was finally condemned at the Fifth Lateran Council (1512-17), but papal infallibility was not promulgated until the First Vatican Council (1870).

³⁵ Brand & Norman, “Introduction: Is Polity That Important?”, 16.

³⁶ Evans, *The Church and the Churches*, 209-210.

³⁷ Brand & Norman, “Introduction: Is Polity That Important?”, 18.

³⁸ These radical Reformers include individuals such as: Conrad Grebel (1498-1526), a student of Zwingli who split with his teacher over differences in church membership; Felix Mantz (1500-1527) who was executed by his former mentor, Zwingli, by

Anabaptists (re-baptisers) because of their emphasis on adult believer's baptism. Often characterised by a strong desire to restore the early church, Anabaptists generally held that the New Testament affirmed congregational rule led by elders assisted by deacons.³⁹

The post-Reformation period witnessed the birth of numerous Christian denominations and church polities. Traditionally, these polities have been grouped under three main categories: episcopal, presbyteral, and congregational.⁴⁰ Within these three categories variants arose as a result of the historical development of churches from the sixteenth century onwards. Below is an overview of these three categories.

Episcopal Polity

Episcopal denominations, while possibly having different theologies, are characterised by having a bishop (*episkopos*) ruling over the church.⁴¹ A bishop's role can include not only pastoral and teaching functions, but also the appointment of clergy and other officers as well as administrative, financial, and legal functions. Several episcopal denominations – including the RCC, Orthodox Churches, Old Catholic churches, as well as Anglicanism – also emphasise the doctrine of apostolic succession.

drowning; and George Blaurock (1492-1528) who was burnt at the stake by RCC officials: Emir E. Caner, "Ecclesiology in the Free Churches of the Reformation", in Gerald P. Cowen, *Who Rules the Church? Examining Congregational Leadership and Church Government* (Broadman & Holman Publishing, 2003) 118.

³⁹ Caner, *ibid*, 120-121.

⁴⁰ See generally: Long, *Patterns of Polity*; and Koffeman, *In Order to Serve*, Chapter 5.

⁴¹ Peter Toon, "Episcopalianism", in Steven B. Cowan, ed., *Who Runs the Church? 4 Views on Church Government* (Zondervan, 2004) 21.

Episcopal denominations can, however, also differ in their polity. One key difference between the RCC and the Anglicanism is the papacy. Although within Anglicanism the Archbishop of Canterbury exercises a priority among other Anglican metropolitan sees, he is not equivalent to the pope.⁴² Similarly, while Methodists and Lutherans utilise episcopal polity, their bishops function differently compared to RCC and Anglican bishops. Hence, Long distinguishes between “monarchical episcopacy” (RCC), “managerial episcopacy” (Methodist churches with their connexionalism principle), and “pastoral and exemplary episcopacy” (Anglicanism and various branches of the Orthodox church).⁴³

Some scholars see Anglicanism as a “middle way” straddling the highly hierarchical episcopacy of the RCC and the looser episcopacy of some Protestant churches.⁴⁴ Like the RCC, Anglicanism upholds the notion of a catholic church and the doctrine of apostolic succession, and practices baptism and eucharistic communion. Like Protestants, Anglicanism emerged from the Reformation and rejected RCC institutions like the papacy and the magisterium in favour of an individual Christian’s responsibility to grapple with Scripture; Anglicans also opted for a synodical structure (not too dissimilar to presbyteral polity) coupled with a less hierarchical episcopacy.

⁴² Paul Avis, “The Churches of the Anglican Communion”, in Paul Avis, ed., *The Christian Church: An Introduction to the Major Traditions* (SPCK, 2002) 137-138.

⁴³ Long, *Patterns of Polity*, Chapters 1-3.

⁴⁴ This *via media* notion may be attributable to the sixteenth century Anglican theologian, Richard Hooker, who sought a middle ground between Catholicism and Calvinist Puritans: Jennifer M. Phillips, “Crisis as Opportunity: Scandal, Structure, and Change in the Episcopal Church on the Cusp of the Millennium”, in David A. Roozen & James R. Nieman, eds., *Church, Identity, and Change: Theology and Denominational Structures in Uncertain Times* (Eerdmans, 2005) 228-229.

Presbyteral Polity

While Anglicans and Presbyterians are both heirs of the Reformation, they differ in their choice of church polity: Anglicans are episcopal; Presbyterians are presbyteral.⁴⁵ Presbyterian churches are typically led by a group of elders (a “session”) appointed by the congregation.⁴⁶ In turn, each session will nominate one or more of their number to a “presbytery” operating over a geographical region. This presbytery usually has the authority to ordain and appoint credentialled ministers to churches within that region. Presbytery members are then appointed to a “general assembly” which operates over a larger region – usually a state, province, or country; as such, the general assembly becomes the highest ruling body in a Presbyterian denomination.

The general assembly can make policies regarding various matters including doctrine, constitutional matters, denominational finances, mission projects, and teaching curriculum. Between the presbytery and general assembly there may be an intermediate body, a “synod”, comprising elected representatives of presbyteries from a wider geographical area. The appointment of nominees through democratic procedures to overstructures like presbyteries, synods, and general assemblies has led commentators to describe presbyteral polity as a “representative” form of church government.⁴⁷

⁴⁵ While theologically Reformed, Presbyterianism – unlike Anglicanism – would not accept the historic episcopate (apostolic succession of bishops) because that would threaten “the principle of the parity of ministry and...conciliar models of church government involving the eldership”: David Fergusson, “The Reformed Churches”, in Paul Avis (ed), *The Christian Church: An Introduction to the Major Traditions* (SPCK, 2002) 18-48 at 42.

⁴⁶ Sometimes also called a “classis” in Continental Reformation terminology. This section on presbyteral polity is largely drawn from Long, *Patterns of Polity*, Chapter 4.

⁴⁷ Steven B. Cowan, “Introduction”, in Steven B. Cowan, gen. ed., *Who Runs the Church? 4 Views on Church Government* (Zondervan, 2004) 13. Presbyteral polity is described as having a “representative eldership” by Long, *Patterns of Polity*, Chapter 4.

Each presbytery and general assembly is typically chaired by a “moderator” assisted by a “stated clerk” who acts as a secretary, keeping minutes of meetings and undertaking general administration.⁴⁸ In practice, a stated clerk is often the key administrator within a presbytery and highly influential. As a rule, presbyteries tend to meet more frequently (monthly or quarterly) whereas a general assembly meets less frequently (annually or biennially).

Following Calvin, Presbyterians also tend to distinguish two types of elders: teaching elders and ruling elders. The former focus on preaching and teaching; the latter focus on overseeing various church ministries and making policy. In addition to elders, Presbyterian polity recognises the office of deacon, a person typically responsible for helping the poor within and outside the church and other service tasks. In some Presbyterian denominations – such as the Reformed Church in America – both elders and deacons sit together in the same session overseeing a local congregation.⁴⁹

Congregational Polity

The congregational model is characterised by congregational autonomy (sometimes called “independency”) or self-governance.⁵⁰ This means each congregation is self-governing under the overall authority of Christ. Typically, the Reformation catchcry of “the priesthood of all believers” is given as the

⁴⁸ Unless noted otherwise, the information in this and the next paragraph is drawn from: Robert L. Reymond, “The Presbytery-Led Church: Presbyterian Church Government”, in Brand & Norman, eds., *Perspectives on Church Government*, 87-156.

⁴⁹ Long, *Patterns of Polity*, 65.

⁵⁰ Cowan, “Introduction”, in Steven B. Cowan, gen. ed., *Who Runs the Church?* 14.

key theological basis for congregationalism.⁵¹ The argument is that if all Christians are priests then there should be no clergy-laity distinction. Each Christian has direct access to God without any earthly intermediary; thus, every Christian should have a say in the governance of her local church.⁵²

Within the congregational model, there are variants. Grudem identifies five types: single elder (pastor); plural local elders; corporate board; pure democracy; and Holy Spirit government.⁵³ Long identifies three types: connective congregationalism (Lutheran churches) ; associational congregationalism (Free Churches, United Church of Christ, Baptist churches); and congregations without overstructures (churches from the Stone-Campbell Movement including Churches of Christ; and other independent, inter-denominational, and non-denominational churches).⁵⁴ Aside from elders, churches using congregational polity may also have other offices including deacons, teachers, and evangelists.⁵⁵

Cowan views single-elder congregationalism and plural-elder congregationalism as the two main types of congregationalism.⁵⁶ While plural-elder congregationalism and presbyteral polity both advocate a plurality of elders, they differ in that the former views elders as having no

⁵¹ Harper & Metzger, *Exploring Ecclesiology*, 197. Biblically, 1 Pet. 2:5-9 is one of the key texts for the notion of the priesthood of all believers.

⁵² James Leo Garrett, Jr., "An Affirmation of Congregational Polity", *Journal for Baptist Theology and Ministry* 3(1) (2005), 38-55 at 46.

⁵³ Wayne Grudem, *Systematic Theology: An Introduction to Biblical Doctrine* (Zondervan, 1994) Chapter 47. Grudem advocates congregational polity with plural local elders.

⁵⁴ Long, *Patterns of Polity*, Chapters 7, 8, and 9, respectively.

⁵⁵ For example: Ferguson, *The Church of Christ*, 329-344.

⁵⁶ This paragraph is based on Cowan, "Introduction", in Steven B. Cowan, gen. ed., *Who Runs the Church?* 14-15.

authority beyond their local church and there is no distinction between teaching elders and ruling elders because all elders enjoy parity of office. Single-elder congregationalism has been adopted by various Baptist churches, independent churches, Pentecostal and charismatic churches, and megachurches; in fact, it is possibly the most widely adopted form of congregationalism.⁵⁷

In single-elder congregationalism, the single elder is sometimes called “senior pastor”. In contemporary megachurches, the senior pastor may be the lead minister who heads a sizeable ministry team consisting of associate pastors, youth ministers, and other staff.⁵⁸ In this modern context, the term “senior pastor” arguably is not used in the New Testament sense of a *presbuteros* (presbyter, overseer, or elder) functioning within a collegiate group; instead, it appears to describe a single leader who functions like the CEO of a church.

Although single-elder congregationalism may be popular, it is not without its critics. Those who advocate plural-elder congregationalism generally point out that the New Testament evidence favours a plurality of elders functioning collegiately in each local church.⁵⁹ Moreover, advocates of plural-elder

⁵⁷ Cowan, “Introduction”, in Steven B. Cowan, gen. ed., *Who Runs the Church?* 14. Among charismatic churches, congregationalism or federated congregationalism appear popular, e.g. Vineyard Christian Fellowship: Don Williams, “Theological Perspective and Reflection on the Vineyard Christian Fellowship”, in *Church, Identity, and Change: Theology and Denominational Structures in Uncertain Times*, David A. Roozen & James R. Nieman, eds. (Eerdmans, 2005) 182-184. For a defence of the single-elder or single-pastor model, see: James F. Stitzinger, “Does the New Testament Teach the Leadership of One Pastor in a Church?”, *Calvary Baptist Theological Journal* (Fall 1985) 1-12.

⁵⁸ A survey of 336 US megachurches reveal that around 80% are led by one senior pastor during their most dramatic growth period. On average, a senior pastor is assisted by 11 full-time and 4 part-time ordained professional staff, plus a further 33 full-time and 27 part-time administrative, program, and other support staff: Warren Bird & Scott Thumma, “A New Decade of Megachurches: 2011 Profile of Large Attendance Churches in the United States” (online).

⁵⁹ Supporters of plural-elder congregationalism include: G.W. Knight, *Commentary on the Pastoral Epistles* (Eerdmans, 1992) 175-177; Strauch, *Biblical Eldership*, Chapter 2;

congregationalism generally emphasise the importance of elders having actual parity among each other.⁶⁰ Parity means having the same authority as a fellow elder or presbyter. Waldron makes the important point that the concept of parity can accommodate one elder who has greater influence or effectiveness in a particular aspect as long as his fellow elders “are his peers in office and authority”.⁶¹ In this way, an elder can be “first among equals” (*primus inter pares*). Similarly, Strauch accepts the notion of “first among equals”, which allows for “functional, gift-based diversity within the eldership team without creating an official, superior office over fellow elders”.⁶²

In recent decades, many new churches have adopted congregationalism of one kind or another as their preferred polity. This appears to be reflected in the recent rapid increase in the number of denominations: one oft-cited statistic is that between 2000 and mid-2019 there are over 33,000 – 45,000 denominations globally.⁶³ This astonishing statistic is based on the assumption that every newly established “independent” church is treated as a separate denomination. If denomination is so defined, then this surprising statistic may be more accurate than not. For example, a glance at the United States church scene shows a remarkable growth in the number of independent churches in this generation – many structured as self-governing

Ferguson, *The Church of Christ*, 322; Merkle, *40 Questions about Elders and Deacons*, 161-168; and Dever, *A Display of God’s Glory*, Chapters II and III.

⁶⁰ For example: Samuel E. Waldron, “Plural-Elder Congregationalism” in Steven B. Cowan, gen. ed., *Who Runs the Church?*, Chapter 4.

⁶¹ Waldron, “Plural-Elder Congregationalism”, 296.

⁶² Strauch, *Biblical Eldership*, 48.

⁶³ These figures are from the Center for the Study of Global Christianity, Gordon-Conwell Theological Seminary, which produces an annual update on the state of global Christianity: “Status of Global Christianity, 2019, in the Context of 1900-2050”, 1. See also: David B. Barrett, et al, eds., *World Christian Encyclopedia: A Comparative Survey of Churches and Religions in the Modern World* (Oxford University Press, 2001).

Christian communities or Bible churches (some federated, others not) led by single pastors or plural elders.⁶⁴ If so, from the perspective of church polity, it is possible that in recent decades congregationalism has seen the fastest growth compared to episcopalianism and presbyterianism.⁶⁵

Research Questions

After outlining how church polities developed from the first century to today, it is now appropriate to state the research questions which will shape the analysis of our case studies. Two research questions lie at the core. First, why did the governance framework of the church in question not prevent the governance failure? Particular attention will be given to how the church polity functioned and how church leaders operated within it. Second, how did the governance framework of the church in question respond to the governance failure? This question explores whether and how the church polity mitigated the impact of the governance failure in question. These two core questions will be the basis for the cross-case analysis used to draw generalisations from the case studies in the next three chapters.

Summary

This chapter has focused on how church leadership in the first century – undertaken originally through what appears to be a plurality of elders (also

⁶⁴ Brand & Norman, “Introduction: Is Polity That Important?”, 22.

⁶⁵ Conclusive evidence of this difficult to find. One would have to tabulate the thousands of denominations which have been established in recent decades.

called presbyters, overseers, bishops, and shepherds) – has shifted towards a moniscopacy in the second and subsequent centuries. Later, in the Western church moniscopacy morphed into a prelacy. This appears to have occurred gradually. By the medieval period, prelacy with a dominant papacy stood as the most hierarchical of church polities.

The Reformation ushered many changes. Through various evolutions, permutations, and perhaps restorations, three main types of church polities emerged: episcopal, presbyteral, and congregational. Within these three categories are variants. Today, in the West, the polity most often adopted by new churches appears to be some type of congregationalism.

Meanwhile, it is important to note that governance is not only affected by church polity. Human behavioural patterns, unofficial conventions, and unwritten rules among church leaders operating within a polity are also important.⁶⁶ It is through the interplay of church polity and church leadership that church governance (or misgovernance) occurs. The next three chapters – which focus on six case studies involving congregational, presbyteral, and episcopal polities – demonstrate the importance of this interplay of structural factors and human factors in church governance.



⁶⁶ Long, *Patterns of Polity*, 3-4.

Chapter 3

Case Studies: Congregational Polity

Introduction

This chapter examines two case studies of independent churches which use congregational polity. The first case study revolves around a 2006 sex scandal involving a prominent senior pastor of an independent megachurch in Colorado called New Life Church (“NLC”). The second case study revolves around a 2012-2018 financial scandal involving another senior pastor of a prominent independent megachurch in Singapore called City Harvest Church (“CHC”).

What follows is a largely chronological description of each scandal as it arose, focusing on key aspects significant for this study. The chapter ends with a cross-case analysis of the NLC and CHC cases, identifying commonalities, differences, and patterns. I also offer preliminary conclusions concerning why the respective

church governance frameworks did not prevent the scandal and noting how they responded when the scandal emerged.

Case Study 1 – Ted Haggard and NLC

The Ted Haggard sex scandal erupted in late 2006. Prior to the scandal, Haggard was a prominent figure in US evangelical circles.¹ He was senior pastor of NLC in Colorado Springs. Perhaps more significantly, Haggard was at that time president of the National Association of Evangelicals (“NAE”). Established in 1942 and headquartered in Washington DC, today NAE claims to represent “more than 45,000 local churches [in the US] from 40 different denominations”.² As such, it is a leading representative of evangelicalism in the US, with considerable influence elsewhere globally. Haggard’s presidency of NAE gave him the label, “leader of 30 million evangelicals worldwide” and he became a kind of “evangelical pope”.³

A graduate of Oral Roberts University, Haggard was seen as epitomising a new type of evangelical leader: pastoring a charismatic church, not having a graduate degree in theology, dressing casually, and driving a pickup truck.⁴ Polite and loquacious, Haggard’s appointment as NAE president garnered greater media spotlight for NAE.⁵ *Christianity Today* noted that no previous NAE president had

¹ Haggard graced the 4 November 2005 cover of *Christianity Today*. One year later his sex scandal erupted into public view.

² From the website of NAE: “About NAE” (www.nae.net) (online).

³ Tim Stafford, “Good Morning, Evangelicals”, *Christianity Today*, 4 November 2005.

⁴ Stafford, *ibid*.

⁵ Erin Emery, “Church altered Springs; will scandal change city?”, *The Denver Post*, 5 November 2006.

such a prominent profile as Haggard – an evangelical leader who on occasion participated in conference calls with the White House administration of George W. Bush.⁶

NLC began in 1985 in the basement of the Haggard home.⁷ The church grew quickly. By 1990 NLC had built its first facility. In 2005, NLC dedicated an 8,000-seat auditorium. When the scandal broke out in November 2006, NLC and James Dobson’s Focus on the Family were the two most well-known faith-based organisations in Colorado Springs. By late 2005, NLC had a membership of about 14,000 members.

The Scandal

An early sign of the scandal emerged in September 2006 when Mike Jones, a self-described 49-year old homosexual prostitute, went to Denver’s KUSA 9NEWS television station claiming that he had been having sex for three years with Haggard.⁸ The 9NEWS team found that Jones could not support his claim with credible evidence. Accordingly, they did not release the story.

Almost two months later, on the morning of Wednesday, 1 November 2006, Jones was interviewed on the Peter Boyles KHOW-AM radio show where Jones disclosed that he had had a sexual relationship “with a nationally known and

⁶ Stafford, “Good Morning, Evangelicals”.

⁷ The information in this paragraph is drawn from Stafford, *ibid*.

⁸ Cara Degette, “9NEWS Explains Its Mike Jones Story”, *Colorado Independent*, 2 November 2006.

prominent Colorado Springs pastor”.⁹ Although that radio interview did not mention Haggard by name, the 9NEWS team was aware who Jones was referring to because of their September meeting with Jones.

Not surprisingly, the 9NEWS team contacted Haggard that very day. Based on Haggard’s response, the 9NEWS team aired the story on their late evening news. The story included allegations of a three-year homosexual relationship with Jones as well as Haggard consuming methamphetamines in Jones’ presence. Shortly thereafter, in response to questions from the 9NEWS team, Haggard stated: “I’ve never had an affair with anybody. I am steady with my wife. I am faithful with my wife.”¹⁰

On 2 November, the day after the 9NEWS story, NLC associate pastor Rob Brendle rejected Jones’ allegations. Although he had not yet spoken with Haggard, Brendle stated: “This is clearly a political stunt. Ted is the farthest thing from a homosexual as you can get. Trust me.”¹¹ Richard Cizik, NAE vice-president of governmental affairs, declared similarly: “All I can say is this is surely a smear and I just don’t see much need to respond to it.”¹² James Dobson from Focus on the Family also stood by Haggard, asserting that the allegations were designed to damage Haggard’s reputation.¹³

Meanwhile, Jones explained that for some time he had considered outing his alleged homosexual affair with Haggard in order to sway voters in a forthcoming

⁹ Degette, *ibid.*

¹⁰ Collin Hansen, “Haggard Resigns as NAE President”, *Christianity Today*, 2 November 2006.

¹¹ Cara Degette, “Pastor Ted: ‘The Farthest Thing From a Homosexual’”, *Colorado Independent*, 2 November 2006.

¹² Hansen, “Haggard Resigns as NAE President”.

¹³ Hansen, *ibid.*

Colorado constitutional amendment which sought to define marriage as the union of one man and one woman.¹⁴ Given the impending ballot on 7 November, Jones went public with his story the week preceding the ballot. He wanted to expose “the hypocrisy of people who make these laws and those who support them.”¹⁵ Jones explained that he initially did not know who Haggard was and that he learned about Haggard’s prominence when he saw Haggard on the History Channel.¹⁶

Then, as friends rejected the news reports and rallied around him, Haggard announced that Thursday afternoon that he had resigned as NAE president and would step down as NLC senior pastor and seek spiritual counsel.¹⁷ That same day Haggard began meeting with the NLC board of overseers. This four-person board constituted a panel of Haggard’s peers from other churches – three from Colorado and one from Louisiana – and was empowered to discipline him, remove him, or restore him to ministry.¹⁸ Interestingly, although NLC had a board of local elders, I found no media mention of this eldership board taking any public step or making a public announcement during the scandal.

On Friday, as media spotlight on Haggard increased, he admitted that he had called Jones “to buy some meth” – only to throw it away.¹⁹ However, Haggard

¹⁴ Ted Olsen, “Haggard Says Some Accusations Are True”, *Christianity Today*, 3 November 2006.

¹⁵ Olsen, *ibid*, quoting a report by Fernando Quintero in *The Rocky Mountain News*.

¹⁶ Eric Gorski & Mike McPhee, “Haggard admits meth buy”, *The Denver Post*, 5 November 2006.

¹⁷ Gorski & McPhee, *ibid*.

¹⁸ Gorski & McPhee, *ibid*. The overseer board included: Mike Ware of Victory Church, Westminster (greater Denver area), Colorado; Tim Ralph of New Covenant Church, Larkspur (near Denver), Colorado; and Larry Stockstill of Bethany World Prayer Center, Baker, Louisiana.

¹⁹ The information in this paragraph is drawn from Gorski & McPhee, *ibid*.

denied he had sex with Jones, claiming that he had received a referral at a hotel for a massage by Jones.

By Friday, as uncertainty continued to swirl around Haggard's credibility, the NAE executive committee accepted Haggard's resignation as president.²⁰ Haggard continued to meet with his board of overseers. James Dobson also released an updated statement which was worded more circumspectly: "All of us at Focus on the Family are heartsick over the allegation, not yet confirmed, that Ted has had a private life with a homosexual for several years."

On Saturday, 4 November, the NLC overseer board announced that Haggard has been fired by NLC, stating:

We, the Overseer Board of New Life Church, have concluded our deliberations concerning the moral failings of Pastor Ted Haggard. Our investigation and Pastor Haggard's public statements have proven without a doubt that he has committed sexually immoral conduct.

The language of our church bylaws state that as Overseers we must decide in cases where the Senior Pastor has "demonstrated immoral conduct" whether we must "remove the pastor from his position or to discipline him in any way they deem necessary."

In consultation with leading evangelicals and experts familiar with the type of behavior Pastor Haggard has demonstrated, we have decided that the most positive and productive direction for our church is his dismissal and removal. In addition, the Overseers will continue to explore the depth of Pastor Haggard's offense so that a plan of healing and restoration can begin.

Pastor Haggard and his wife have been informed of this decision. They have agreed as well that he should be dismissed and that a new pastor for

²⁰ The information in this paragraph is drawn from Gorski & McPhee, *ibid*.

New Life Church should be selected according to the rules of replacement in the bylaws...²¹

The following day, Sunday 5 November, a letter from Haggard was read to the church in which he admitted that allegations against him were true:

The fact is I am guilty of sexual immorality, and I take responsibility for the entire problem. I am a deceiver and a liar. There is a part of my life that is so repulsive and dark that I've been warring against it all of my adult life. For extended periods of time, I would enjoy victory and rejoice in freedom. Then, from time to time, the dirt that I thought was gone would resurface, and I would find myself thinking thoughts and experiencing desires that were contrary to everything I believe and teach.... The accusations that have been leveled against me are not all true but enough of them are true that I have been appropriately and lovingly removed from ministry.... The things that I did opened the door to additional allegations.²²

The Aftermath

After Haggard had left NLC, several developments occurred. First, it was revealed that some had known about Haggard's homosexual tendencies prior to the scandal. Lou Sheldon from Traditional Values Coalition was quoted as stating that he knew of Haggard's sexual leanings "months before".²³ Moreover, an investigation undertaken by the overseer board after Haggard's resignation revealed a number of "red flags" which could have predicted Haggard's fall.

²¹ Justin Taylor, "Ted Haggard Update", *The Gospel Coalition*, 5 November 2006.

²² Justin Taylor, "Letters from Ted Haggard and Gayle Haggard", *The Gospel Coalition*, 5 November 2006.

²³ Ted Olsen, "'Poll Tax' in Haggard Replacement Vote; Sheldon Says, 'I knew'", *Christianity Today*, 14 November 2006.

They included evidence from “numerous individuals who reported...firsthand knowledge of everything from sordid conversation to overt suggestions to improper activities to improper relationships.”²⁴

Second, after the scandal broke, Haggard underwent three weeks of counselling in Arizona; he emerged thereafter declaring that he was “completely heterosexual”.²⁵ Haggard’s rehabilitation and restoration was assisted by a second panel comprising H. B. London from Focus on the Family and megachurch pastors Tommy Barnett (Dream City Church, Phoenix, Arizona) and Jack Hayford (The Church On The Way, Van Nuys, California).²⁶ In March 2008, Haggard was reported to have exited from his spiritual restoration program.²⁷

Third, post-scandal, NLC paid Haggard around USD\$140,000 for the rest of 2007, equivalent to his annual salary; in turn, NLC required Haggard to leave Colorado Springs and not talk publicly about the scandal.²⁸ The overseer board also encouraged Haggard away from ministry – at least for a time.²⁹ However, by August 2007 there were reports of fraying relationships between Haggard and

²⁴ Eric Gorski, “Flags in Haggard’s fall from grace”, *The Denver Post*, 18 February 2007.

²⁵ Eric Gorski, “Haggard says he is ‘completely heterosexual’”, *The Denver Post*, 5 February 2007. This claim has been questioned by others: “Haggard’s cure claim greeted by scepticism”, *The Christian Century*, 6 March 2007. In a 2011 interview, Haggard admits that he may be bisexual: “Ted Haggard Says He’s Bisexual”, *CBS News*, 28 January 2011.

²⁶ Gorski, “Haggard says he is ‘completely heterosexual’”.

²⁷ “Passages: Exited – Ted Haggard”, *Christianity Today*, 18 March 2008. In his blog, Haggard states that in January 2008 Tommy Barnett gave him the “paperwork from the Overseers and Restorers releasing us from their contract, which gave us the freedom to return to Colorado Springs” and that in December 2008 “Brady Boyd, the new pastor of New Life Church met with Gayle and me and released us from the New Life Church contract”: Ted Haggard blog, “Crisis Facts” (online).

²⁸ Gorski, “Flags in Haggard’s fall from grace”. According to Haggard’s blog, the NLC contract which he and Gayle signed required them to relocate permanently outside Colorado. The severance payment of USD\$140,000 was presumably related to this contract – which apparently was signed in the first half of 2007: Ted Haggard blog, “Crisis Facts” (online).

²⁹ Gorski, “Haggard says he is ‘completely heterosexual’”.

the overseer board over a fundraising letter Haggard had circulated. The letter requested money to “keep his family afloat” while Haggard studied for a master’s degree and worked with a half-way house for the homeless and marginalised in Phoenix, Arizona.³⁰

Fourth, at NLC a pastoral selection committee was established to find Haggard’s replacement even as attendance at NLC declined around 10% in the immediate aftermath.³¹ NLC leaders also asked the overseer board to examine the “spiritual character” of NLC’s remaining 200-member staff.³² One result of this examination was the voluntary resignation of an NLC associate pastor who had worked with NLC for nine years but had been involved in a sexual misconduct incident some years earlier. NLC leaders also made the decision to have at least one overseer from the overseer board present at NLC each Sunday and the board was given power to require the future senior pastor to “regularly attend a counseling retreat”.³³

Fifth, in January 2009, it was revealed that in late 2007 the insurers of NLC had paid a confidential settlement of USD\$179,000 with respect to another sex-related claim against Haggard.³⁴ A male former NLC volunteer had claimed that, in early 2006 when he was 22 years old, Haggard had masturbated in his presence and offered him drugs during a church trip. The volunteer did not report this incident until 2007, when Haggard had left NLC. However, the NLC

³⁰ Sarah Pulliam Bailey, “Haggard’s Overseers Squash Funding Letter”, *Christianity Today*, 30 August 2007.

³¹ Gorski, “Flags in Haggard’s fall from grace”.

³² Eric Gorski, “Leader at Haggard’s church out over sexual misconduct”, *The Denver Post*, 17 December 2006.

³³ Ted Olsen, “Bottom-Up Discipline”, *Christianity Today*, 16 January 2007.

³⁴ Jim Spellman & Eric Marrapodi, “New Haggard accuser: ‘He really thought he was invincible’”, *CNN*, 29 January 2009.

leadership kept this insurance settlement confidential until early 2009 when the volunteer went public with the claim and his settlement. In 2009, Pastor Brady Boyd, who replaced Haggard at NLC, denied the settlement was “hush money”, calling it “compassionate assistance”, and explained that NLC leadership had kept the settlement confidential for two years and had “carried the burden, the weight, of this information to protect you [church members]”.³⁵

Sixth, in January 2009, just days after the NLC volunteer went public about his USD\$179,000 insurance settlement, HBO aired a television documentary titled *The Trials of Ted Haggard*. Produced by filmmaker Alexandra Pelosi (daughter of leading Democrat politician Nancy Pelosi), the documentary captured on camera Haggard selling insurance door-to-door, moving back from Arizona to Colorado Springs, and included dialogue suggesting that Haggard felt NLC had treated him somewhat harshly.³⁶ By mid-2010, news reports announced that Haggard and his wife, Gayle, as co-pastors had started St James Church in their backyard barn and that, due to growth, the church was about to move to rented premises elsewhere in Colorado Springs.³⁷ In late 2010, Tyndale released Gayle’s book, *Why I Stayed: The Choices I Made in My Darkest Hour*, which described why she stayed by her husband; the book subsequently became a *New York Times* bestseller.³⁸ In 2015 Haggard switched his ordination to the Free

³⁵ “New allegations surface against Haggard: Confidential settlement revealed”, *The Christian Century*, 24 February 2009.

³⁶ David Neff, “Haggard ‘Deserves What He Got’”, *Christianity Today*, 28 January 2009. In the documentary, Haggard stated: “The church [NLC] has said, ‘Go to hell.’ The church chose not to forgive me, but instead to exile me.”; David Neff, “Misery Longs for Company”, *Christianity Today*, 29 January 2009.

³⁷ Stephanie Simon, “Humbled Haggard Climbs Back in Pulpit”, *The Wall Street Journal*, 24 July 2010.

³⁸ St James Church, “About Pastor Ted & Gayle Haggard” (online).

Methodist Church; he had previously been an ordained Southern Baptist minister since 1978.³⁹

Case Study 2 – Kong Hee and CHC

While the roots of the financial scandal surrounding CHC can be traced back several years earlier, investigations by Singapore government authorities only began in 2010. Since then the CHC scandal has become the most significant church financial scandal of its kind in Singapore – and possibly in Asia.⁴⁰

CHC was established in 1989 by its founding pastor, KONG Hee⁴¹ – then a 25-year old computer science graduate of National University of Singapore – who began a new church ministry with a group of 20 teenagers.⁴² Kong's biographical webpage in the 2008 website of CHC listed several academic qualifications including a Master of Divinity and doctorate in theology from New Covenant

³⁹ St James Church, *ibid*.

⁴⁰ Among the Asian city state's population of 5.5 million, other megachurches include: New Creation Church (30,000+ members) and Faith Community Baptist Church (12,000): Philip Jenkins, "Megachurches in Singapore", *Christian Century*, 1 July 2015. For a pre-scandal study of CHC, see: Joy K.C. Tong, "McDonaldization and the Mega-Church: A Case Study of City Harvest Church in Singapore", in Pattana Kitiarsa, ed., *Religious Commodifications in Asia: Marketing God* (Routledge, 2007) 186-204. For a post-scandal study of CHC focusing on its ecclesiological paradigm, see: Kim-kwong Chan, "City Harvest Church of Singapore: An Ecclesial Paradigm for Pentecostalism in the Postmodern World", in Fenggang Yang *et al*, eds., *Global Chinese Pentecostal and Charismatic Christianity* (Brill, 2018) 287- 308.

⁴¹ Traditionally, Chinese names in Singapore feature the family name (surname) first; now it is also common to have the family name last – especially among those with English first / Christian names. Serina Wee is an example of the latter while Kong Hee is an example of the former. To minimise confusion concerning Chinese surnames, I have capitalised the surname when the name is first used here (e.g. KONG Hee). Thereafter, the name will be used as is, with no capitalisation (e.g. Kong Hee).

⁴² City Harvest Church, "Humble Beginnings" (online). See also: City Harvest Church, "The City Harvest Story" (online). Kong was raised as an Anglican but received his first ordination from the Assemblies of God in Singapore: Kim-kwong Chan, "City Harvest Church of Singapore", 292.

International Theological Seminary in the United States, and a doctorate in business administration from Hansei University in South Korea.⁴³

After its founding in 1989, CHC grew quickly. Part of its appeal may be attributable to what some describe as CHC's promotion of a "lucrative version of the prosperity gospel".⁴⁴ Another part of its appeal may lie in CHC's blend of evangelical theology and Pentecostal theology.⁴⁵

In 1997, CHC established a building fund and launched its "Arise and Build Campaign" to build a new facility in Jurong West.⁴⁶ Church members were encouraged to make financial pledges for the building fund. By 2001, the purpose-built 2,300-seat facility costing SGD\$48 million (USD\$26 million)⁴⁷ was completed and CHC had moved in.⁴⁸ By December 2010, CHC had a weekly average of 23,256 attendees.⁴⁹ By this time, CHC had been operating for some time as an incorporated entity – governed by a board of directors (generally referred to as "the CHC management board" or "church Board") – with a

⁴³ City Harvest Church, "Kong Hee's Biography" (online).

⁴⁴ Sarah Eekhof Zylstra, "Singapore Convicts Megachurch Leaders of Fraudulently Funding Evangelism", *Christianity Today*, 26 October 2015. For a criticism of CHC's prosperity gospel, see: Danson Cheong, "Controversy over City Harvest Church's 'prosperity gospel'", *The Straits Times*, 11 November 2015.

⁴⁵ For its Pentecostal leanings, see: City Harvest Church, "Our Beliefs" (online).

⁴⁶ See the Singapore District Court judgment: *Public Prosecutor v Lam Leng Hung and Others* [2015] SGDC 326, paragraph 1.

⁴⁷ For ease of comparison, Singapore dollar amounts are converted to United States dollar equivalents based on the exchange rate prevailing at the end of the year in question.

⁴⁸ City Harvest Church, "The City Harvest Story" (online). In 2010, CHC relocated its main assemblies to larger premises at Suntec City in central Singapore.

⁴⁹ City Harvest Church, "The City Harvest Story". A 2015 report named CHC as Singapore's largest megachurch with an estimated membership of 30,000: Tessa Wong, "Inside Singapore's City Harvest megachurch scandal", *BBC News*, Singapore, 21 October 2015.

number of corporate subsidiaries.⁵⁰ However, the criminal investigations which began in 2010 had a negative impact on CHC. Between 2009 and 2014 CHC experienced a fall in membership from 23,565 to 17,522.⁵¹ For 2018, CHC reported a congregation of 16,409.⁵²

Financial Scandal

The core of the CHC financial scandal revolves around allegations that by 2012 up to SGD\$50 million (USD\$41 million) of church funds had been misappropriated and channelled towards promoting the music career of Sun HO, a co-founder of CHC and also Kong's wife.⁵³ The funds were allegedly misappropriated for CHC's Crossover Project. Launched in 2002, the Crossover Project was a mission outreach to spread the Gospel through the secular pop music of Ho.⁵⁴ Such a view is consistent with the "cultural mandate" doctrine espoused by CHC.⁵⁵ According to one CHC account, Kong first noticed while he and Ho were on a preaching visit to Taiwan in 2000 how young people there

⁵⁰ *Public Prosecutor v Lam Leng Hung and Others* [2015] SGDC 326, paragraphs 2-3.

⁵¹ Danson Cheong, "City Harvest Church sees 25% drop in members since 2009", *The Straits Times*, 24 October 2015.

⁵² City Harvest Church, *Annual Report 2018* (online).

⁵³ Sarah Eekhof Zylstra, "Singapore Convicts Megachurch Leaders of Fraudulently Funding Evangelism". See also the Singapore Court of Appeal judgment: *Public Prosecutor v Lam Leng Hung and Others* [2018] SGCA 7, paragraphs 11-13.

⁵⁴ Yong Yung Shin, "City Harvest Church: 10 Years of The Crossover Project", *Citynews*, 9 May 2012.

⁵⁵ CHC's mission statement calls every member to fulfill the "Cultural Mandate": City Harvest Church, "Mission Statement". Cultural mandate is often viewed as a neo-Calvinist doctrine which interprets Gen. 1:28 as calling humanity to fill, subdue, and rule over the earth by creating cultures and building civilisations: Nancy Pearcey, *Total Truth: Liberating Christianity from Its Cultural Captivity*, 47. See also: Andy Crouch, *Culture Making: Recovering Our Creative Calling*.

were drawn to Ho's attractive pop culture look and dynamic leading of praise and worship.⁵⁶

Sensing what they felt to be a call from the Holy Spirit confirmed by multiple incidents, Kong and Ho believed that "pop music could be a powerful bridge to communicate the love of God to the youth".⁵⁷ With CHC launching the Crossover Project in 2002, Ho recorded her first Chinese pop album and also held her first Mandopop (Mandarin pop) concert in Taipei to an audience 80% of whom were estimated to be unchurched. Within 25 months after the launch of the Crossover Project, Ho had reportedly performed "more than 100 concerts to about half a million people" with "almost 140,000 [giving] their hearts to Christ". Ho later released additional Mandopop albums and performed in various countries including the United States, Europe, and China. In this way, CHC saw itself as carrying "the message of the Cultural Mandate across continents through Sun Ho's pop music career".⁵⁸

In 2003, however, a CHC member called Roland Poon alleged that CHC's funds were being misused to fund Ho's music career.⁵⁹ While Poon subsequently withdrew his allegations,⁶⁰ the allegations did cause CHC leaders to assure members that "no church funds were ever used" to fund the Crossover Project, promote Ho's career, or produce her music albums.⁶¹

⁵⁶ Yong Yung Shin, "City Harvest Church: 10 Years of The Crossover Project".

⁵⁷ Unless noted otherwise, the information in this paragraph is from Yong Yung Shin, *ibid*.

⁵⁸ City Harvest Church, "Kong Hee: Reverence and Relevance" (online).

⁵⁹ *Public Prosecutor v Lam Leng Hung and Others* [2015] SGDC 326, paragraph 3.

⁶⁰ One report stated that Poon withdrew his allegations and apologised after CHC "threatened to sue": Tessa Wong, "Inside Singapore's City Harvest megachurch scandal".

⁶¹ *Public Prosecutor v Lam Leng Hung and Others* [2015] SGDC 326, paragraph 3.

In June 2003, a separate corporation, Xtron Productions Pte Ltd (“Xtron”), was incorporated to manage Ho’s music career.⁶² It is possible that, in view of the Poon allegations, Xtron was incorporated to further separate CHC from the management of Ho’s music career. In 2004, CHC leaders decided to extend the Crossover Project beyond Asia into the United States.⁶³

In 2005, a second “Arise and Build” fundraising campaign was launched to raise SGD\$160 million (USD\$97 million) – in 2010, this was adjusted to SGD\$310 million (USD\$238 million).⁶⁴ In 2007, CHC estimated that SGD\$20 million (USD\$14 million) would be required for Xtron to produce two US music albums featuring Ho. The high cost was partly attributable to the engagement of well-known US rapper Wyclef Jean and Grammy Award-winning record producer David Foster to assist in producing the new album.⁶⁵

Meanwhile, criticisms were gradually emerging as to the incongruity of Ho, as a church leader, being styled in her music personas as a vampy rapper-singer nicknamed Geisha; a Chinese exotic dancer in Jamaica in the single, *China Wine*; and someone singing about killing her African-American husband in the single, *Kill Bill* – even as Ho was living a “flashy lifestyle in Los Angeles, living in an expensive Hollywood Hills mansion”.⁶⁶ There were also claims that Ho’s popularity was overstated because in 2004 CHC spent about SGD\$500,000 (USD\$305,000) buying at least 32,000 of her unsold Mandopop CDs to give

⁶² *Ibid*, paragraph 3.

⁶³ *Ibid*, paragraph 4.

⁶⁴ *Ibid*, paragraph 5.

⁶⁵ See the Singapore High Court judgment: *Public Prosecutor v Lam Leng Hung and Others* [2017] 4 *Singapore Law Reports* 474, paragraph 26.

⁶⁶ Tessa Wong, “Inside Singapore’s City Harvest megachurch scandal”.

them away.⁶⁷ While there was some success, the overall attempt to penetrate the US music scene appeared to have subsequently failed and Xtron incurred losses in the millions.⁶⁸

Investigation and Prosecution

Complaints from various sources led to the Singapore authorities launching an investigation into CHC in 2010.⁶⁹ This culminated in the 2012 arrest of six CHC leaders – senior pastor Kong, deputy senior pastor Yee Peng TAN, church accountant Serina WEE, church investment manager Eng Han CHEW, church finance manager Sharon TAN, and church board member John LAM – for alleged criminal breach of trust involving sham financial transactions which took place between 2007-2009.⁷⁰

At all relevant times, CHC was a legal entity incorporated in Singapore, registered with the Singapore Registrar of Societies as a church, and led by a legally constituted board of directors of which Kong was board president.⁷¹ Of

⁶⁷ Channel NewsAsia, “CHC Trial, Church spent S\$500,000 to buy Sun Ho’s unsold CDs”, *Today*, 5 August 2014.

⁶⁸ Tessa Wong, “Inside Singapore’s City Harvest megachurch scandal”; and *Public Prosecutor v Lam Leng Hung and Others* [2017] 4 *Singapore Law Reports* 474, paragraph 3.

⁶⁹ Tessa Wong, “Inside Singapore’s City Harvest megachurch scandal”.

⁷⁰ *Public Prosecutor v Lam Leng Hung and Others* [2017] 4 *Singapore Law Reports* 474, paragraph 3. See also: Jeremy Weber, “Founder of Singapore’s Largest Megachurch Arrested Over Wife’s Pop Music Outreach”, *Christianity Today*, 27 June 2012; and Sam Holmes, “Founder of Singapore’s Biggest Church in Hot Water”, *The Wall Street Journal*, 27 June 2012.

⁷¹ *Public Prosecutor v Lam Leng Hung and Others* [2017] 4 *Singapore Law Reports* 474, paragraph 10.

the six charged, five were board members at various times, with finance manager Sharon Tan the only one who was never a board member.⁷²

Essentially, the six were charged for allegedly conspiring to misappropriate funds entrusted to them for the benefit of CHC (ie. intended for CHC's Building Fund and General Fund) by subverting the funds through sham transactions to associated entities such as Xtron in order to finance the Crossover Project.⁷³ Incidental to this, four of the six were accused of conspiring to falsify CHC's accounts to conceal the fact that CHC's funds were being moved around repeatedly between CHC and its affiliated entities (a practice known as "round-tripping") as part of a sham transaction.⁷⁴ Throughout, the defendants' principal defence was that using CHC funds to finance Ho's singing career was legitimate because the Crossover Project was an evangelistic ministry of CHC. It should also be noted that at no time was Ho charged with any wrongdoing.

Criminal Proceedings

The trial of the six CHC leaders became one of the longest criminal trials in Singapore. It extended for 142 days from 2013 to late 2015 and one observer estimated that the total legal fees of the six accused would reach SGD\$20 million (USD\$15 million).⁷⁵ At first instance before the District Court, the six CHC leaders were found guilty of "criminal breach of trust as agents" under section

⁷² *Ibid*, paragraphs 11-17.

⁷³ *Public Prosecutor v Lam Leng Hung & Others* [2015] SGDC 326, paragraphs 8-9.

⁷⁴ *Ibid*, paragraph 10.

⁷⁵ Bhavan Jaipragas, "Gyrating pop stars, embezzlement and faith: Singapore's City Harvest Church scandal headed for the top court", *South China Morning Post*, 16 April 2017.

409 of the Penal Code (Chapter 224 of the *Singapore Statutes*).⁷⁶ This was despite there being no allegation that the six defendants enjoyed any direct pecuniary gain from their actions; indeed, the court ruled that committing criminal breach of trust as agents did not require receiving personal gain from the action in question.⁷⁷ The court subsequently imposed jail terms ranging from 21 months to 8 years upon the six CHC leaders.⁷⁸

In his written judgment, the District Court judge, Kee Oon SEE, made the following remarks with respect to Kong:

In my assessment, Kong Hee's evidence reveals his tendency to lapse readily into embellishment or exaggeration ... He maintains that he did not control Xtron, but the weight of the evidence contradicts this claim flatly. He had also previously maintained emphatically that no church funds were ever used (in his own words, 'not a single cent') to support Sun Ho's music career and boost her sales prior to the Roland Poon incident, but this is again flatly contradicted by the evidence that emerged at the trial.⁷⁹

The judge also stated:

They [the accused] chose to participate in the conspiracy to misuse CHC's funds, which included siphoning off large amounts from the building fund for Sun Ho's music career and eventually for the round-tripping transactions to enable the bond redemptions. They chose to defraud the auditors with falsified accounts suggesting a series of genuine transactions

⁷⁶ Neo Nai Chin & Kelly Ng, "6 City Harvest Church leaders found guilty on all charges", *Today*, 22 October 2015; Danson Cheong, "Kong Hee 'key man behind church scandal'", *The Straits Times*, 23 October 2015.

⁷⁷ *Public Prosecutor v Lam Leng Hung & Others* [2015] SGDC 326, paragraph 500.

⁷⁸ For the sentencing report, see: *Public Prosecutor v Lam Leng Hung & Others* [2015] SGDC 327.

⁷⁹ *Public Prosecutor v Lam Leng Hung & Others* [2015] SGDC 326, paragraph 313.

for the redemption of bonds and advance rental. The evidence points overwhelmingly to a finding that they had all acted dishonestly and in breach of the trust reposed in them and they played their respective roles in a conspiracy with intent to cause wrongful loss to CHC and to defraud the auditors.⁸⁰

On the day of the judgment, Ho issued a statement on behalf of the CHC management board, expressing “disappointment” at the District Court verdict while calling for CHC members to continue “to focus on our values”.⁸¹ Ho also stated that: “Since 2012, we have had a new management and a new Church Board running the operations of the church. Therefore, let’s stay the course with CHC 2.0.”⁸² The defendants subsequently filed an appeal to the High Court. On a legal technicality, the High Court reduced the defendants’ sentences to between 7 months and 3.5 years.⁸³

Questions and Observations

Two core research questions can be raised with regard to the NLC and CHC case studies. First, why did the governance frameworks of NLC and CHC fail to

⁸⁰ *Ibid*, paragraph 499.

⁸¹ The full statement from CHC leaders responding to the verdict can be found in Sarah Eekhof Zylstra, “Singapore Convicts Megachurch Leaders of Fraudulently Funding Evangelism”.

⁸² Zylstra, *ibid*.

⁸³ The technicality revolved around whether the defendants should be found guilty of “criminal breach of trust as agents” pursuant to section 409 Penal Code or “plain” criminal breach of trust pursuant to section 406 Penal Code. The appeal proceedings eventually led to a decision by the Singapore’s highest court, the Court of Appeal: *Public Prosecutor v LAM Leng Hung & Others* [2018] SGCA 7. These legal technicalities, while flowing from the case study, are not central to our analysis and are thus not discussed here.

prevent their respective governance failures? Second, how did the governance frameworks of NLC and CHC respond to their respective governance failures?

Three observations can be made in response to these questions. First, the NLC and CHC scandals exposed a failure of oversight by their respective church boards. Specifically, in Haggard's case, although NLC had a board of local elders, it seemed that they did not exercise adequate oversight of Haggard.

Interestingly, I found no mention of or response by the local elders among the media reports of the scandal. This suggests that the board of local elders had little or no oversight role in NLC. Moreover, the statement dated 4 November 2006 which announced Haggard's dismissal was made by the overseer board, not the board of local elders. Importantly, the statement noted that it was the overseer board – not the board of local elders – which had the power to investigate the allegations against Haggard and, if necessary, remove and discipline him.

The above indicates that oversight of Haggard was the responsibility of the overseer board, not the local board of elders.⁸⁴ If so, it was likely that within NLC Haggard essentially ran the show. After all, the overseer board consisted of senior pastors from churches elsewhere – two near Denver and one as far as Louisiana. Could an overseer board comprising individuals who were based some distance away from NLC be expected to oversee Haggard adequately? The fact that the scandal occurred suggests that their oversight and vigilance at least were less than perfect. If so, this probably contributed to the NLC governance framework failing to prevent the Haggard scandal.

⁸⁴ It is unclear what is the role of the board of local elders. A perusal of NLC's current website (www.north.newlifechurch.org) offers no clue. According to the website, as at September 2019, NLC had 10 local elders appointed comprising the board of local elders, and five overseers from various churches in the Colorado Springs area and further away comprising the overseer board. No explanation is given concerning the roles of the overseer board and board of local elders.

In the CHC case, Kong was ostensibly under the oversight of the CHC management board. The issue, however, was that Kong was president of this very board. It is fair to assume that, as president and being a celebrity pastor as well as CHC's founder, Kong was the most influential and powerful member of the management board. In these circumstances, could the management board have been expected to exercise adequate oversight on Kong? Arguably, the answer is no. The fact that five of the six individuals (including Kong) found guilty of criminal wrongdoing five were members of the management board at various times indicates that something akin to regulatory capture might have occurred.⁸⁵ At the very least, the facts appear to validate the District Court judge's description of Kong as being the "spiritual leader" of CHC who "enjoyed pre-eminence within the leadership of the church" and who "had the final say in all decisions" that Xtron and CHC made with respect to the relevant financial transactions.⁸⁶ Like Haggard at NLC, it appeared that Kong ran the show at CHC and the management board did not oversee his leadership of CHC adequately.

Second, it is clear that both NLC and CHC had senior pastors who had a high profile, not only within their respective churches, but at a national level in their respective countries. Haggard was a national figure through his presidency of NAE. Kong was well known as a prominent (if not the most prominent) megachurch pastor in Singapore. In some respects, the identity of their respective churches was bound up with their personal identity and vice-versa.

⁸⁵ I owe this insight to one of my thesis supervisors, Dr John Macleod. In politics, economics, and management, regulatory capture refers to the corruption of authority when a regulatory agency is compromised and co-opted by special interests the agency is intended to oversee. The theory underlying regulatory capture is associated with the Nobel laureate in economics, George Stigler, "The Theory of Economic Regulation", *Bell Journal of Economics and Management Science* 2(1) 1971, 3-21.

⁸⁶ *Public Prosecutor v Lam Leng Hung & Others* [2015] SGDC 326, paragraph 137.

This probably contributed to them enjoying a pre-eminent position in their respective churches. In Kong's case, he did have a peer in the person of Ho, a co-founder of CHC and a prominent pastor-singer in her own right. However, because Ho is Kong's wife, it is reasonable to assume that they generally acted with one accord. In this way, it is fair to conclude that each of NLC and CHC was led essentially by one high profile pastor. Moreover, the high profile of Haggard and Kong substantially overshadowed the respective local church boards of NLC and CHC.

Third, the responses of NLC and CHC to early signs of governance failure appear to be characterised more by denial rather than a willingness to treat matters seriously. In NLC's case, a subsequent investigation by the overseer board revealed that there were "red flags" concerning Haggard even prior to November 2006. It is puzzling that other NLC leaders took little or no action in response to these concerns. Were they not informed? Or did they simply choose to close one eye and ignore these matters?

In the case of CHC, Ronald Poon made an allegation in 2003 concerning the misuse of CHC funds to support Ho's music career. This was seven years before the Singapore authorities began their investigation in 2010. Yet the CHC leaders – apart from Kong – apparently did not investigate the allegations fully. It is unclear as to why they failed to do so. Was it due to a desire to maintain church stability? Or was it because of a misplaced confidence on Kong as CHC's spiritual leader and pre-eminent pastor? To date no answers are available.

Summary

In summary, the NLC-Haggard and CHC-Kong case studies demonstrate how churches using congregational polity experienced a sexual and financial scandal, respectively. While each case is different, they are marked by common threads including the failure of oversight by local church boards, the presence of high profile celebrity pastors as protagonists, and a response to governance failures which is marked more by denial or opacity rather than a determined effort to deal with the failures seriously.

While the fact that both are megachurches means that their experiences may not be representative of small or medium-sized churches, they do offer insights into how congregational polities deal with governance issues. Meanwhile, the next chapter shifts our focus to churches using presbyteral polities.



Chapter 4

Case Studies: Presbyteral Polity

Introduction

This chapter examines two case studies involving churches which use a presbyteral polity. The first focuses on a 2015 sex scandal involving Tullian Tchividjian, former senior pastor of Coral Ridge Presbyterian Church (“CRPC”) in Florida, USA. CRPC is a well-known congregation of the Presbyterian Church in America (“PCA”) and Tchividjian is a grandson of the famed evangelist, Billy Graham. The second revolves around Cecil Brooks and Cornerstone Ministries Investments (“CMI”) of Georgia, USA. CMI had its roots as a PCA funding agency. CMI went into bankruptcy in 2008 with unsecured debts totalling USD\$142 million.

Case Study 3 – Tullian Tchividjian and CRPC

In March 2009, Tullian Tchividjian – named after the second century church father, Tertullian – was appointed senior pastor of CRPC in Fort Lauderdale, Florida. At that time, Tchividjian was a youthful 36-year old minister with an MDiv from Reformed Theological Seminary. CRPC was a megachurch of the PCA, a conservative cousin of the mainline Presbyterian Church (USA) (“PCUSA”).¹ Once led by its founding minister, D. James Kennedy, a prominent member of the religious Right, CRPC at its peak had a Sunday attendance of 7,000; by the time Kennedy died in 2007, attendance had declined to around 1,500.² After a lengthy search process, CRPC identified Tchividjian as Kennedy’s successor.³

A dynamic minister who had authored three books and was a rising star in evangelical – and especially Reformed – circles, Tchividjian was less strident than Kennedy but maintained Kennedy’s theological convictions; in this way, he offered CRPC an opportunity to present a softer, less political image which appealed to a younger generation.⁴ In that context, the fact that Tchividjian had experienced a rebellious period in his youth by dropping out of high school and pursuing “promiscuity, drugs, and alcohol”, was viewed in a positive light.⁵

¹ PCA is a conservative Presbyterian denomination founded in 1974 in the United States. It arose from a split within the Presbyterian Church in the United States (“PCUS”) – which had earlier left the Presbyterian Church in the USA (“PCUSA”), forerunner of the mainline Presbyterian Church (USA) or PC(USA). Today the PCA is the second largest Presbyterian denomination in the United States after PC(USA), with over 1,900 congregations and 380,000 members. It is generally Reformed in theology and evangelical in practice.

² Collin Hansen, “Out of Step and Fine with It”, *Christianity Today*, 5 May 2009.

³ Tchividjian was selected from a field of 175 candidates: Erika Pesantes, “Coral Ridge leaders plan for Tullian Tchividjian’s replacement”, *Sun Sentinel*, 24 June 2015.

⁴ “Billy Graham’s grandson to lead famed megachurch”, *USA Today*, 18 March 2009.

⁵ Justin Taylor, “An Interview with Tullian Tchividjian”, *The Gospel Coalition*, 31 August 2007.

The Scandal

On Sunday, 21 June 2015, six years into his ministry at CRPC, Tchividjian abruptly resigned. He issued a statement which read, in part: ⁶

I resigned from my position at Coral Ridge Presbyterian Church today due to ongoing marital issues. As many of you know, I returned from a trip a few months back and discovered that my wife was having an affair. Heartbroken and devastated, I informed our church leadership and requested a sabbatical to focus exclusively on my marriage and family. As her affair continued, we separated. Sadly and embarrassingly, I subsequently sought comfort in a friend and developed an inappropriate relationship myself. Last week I was approached by our church leaders and they asked me about my own affair. I admitted to it and it was decided that the best course of action would be for me to resign. Both my wife and I are heartbroken over our actions and we ask you to pray for us and our family that God would give us the grace we need to weather this heart wrenching storm.

Apparently CRPC leaders informed the congregation about Tchividjian's resignation that Sunday morning and posted an online statement stating:

Several days ago, pastor Tullian admitted to moral failure, acknowledging his actions disqualify him from continuing to serve as senior pastor or preach from the pulpit, and resigned — effective immediately.⁷

On Monday, Tchividjian's wife, Kim – who by then had been married to Tchividjian for more than two decades and had borne him three children –

⁶ Sarah P. Bailey, "Billy Graham's grandson steps down from Florida megachurch after admitting an affair", *The Washington Post*, 21 June 2015. Ironically, that Sunday was Father's Day in the US.

⁷ Nicola Menzie, "Wife of Billy Graham's Grandson Who Admitted Affair Says His Statement Does Not Reflect Her Opinion", *The Christian Post*, 23 June 2015.

issued a statement asserting that Tchividjian's statement "reflected my husband's opinion but not my own".⁸ She provided no further details. It was also reported that CRPC had brought in Paul Tripp, a prominent Reformed author and speaker, "to deal with the situation".⁹ By Monday, the 2,000-plus member church had also removed Tchividjian's biography page and sermons from its website.¹⁰

In an interview in August 2015, Tchividjian stated that the CRPC debacle was "the darkest season" of his life when he lost everything: "book deals cancelled, lost my job, all my speaking engagements cancelled, reputation soiled — I mean everything."¹¹ In another podcast in early August 2015, Tchividjian explained how he "ended up getting involved with a girl that I should not have," and how church leaders who had learnt of his affair approached him about it.¹²

On 11 August, the South Florida Presbytery of the PCA (to which CRPC belonged) deposed Tchividjian, declaring him unfit for Christian ministry.¹³ In

⁸ Menzie, *ibid.*

⁹ David Robertson, "Tullian's tragedy: How the megachurch business model is failing everyone, including pastors", *Christian Today*, 23 June 2015.

¹⁰ Timothy C. Morgan, "Tullian Tchividjian Files for Divorce", *The Aquila Report*, 24 August 2015. Apparently Coral Ridge removed their former pastor's sermons in order to "continue to protect Pastor Tullian and his family, as well as the integrity of the message he preached." As at 20 July 2019 none of Tchividjian's sermons were available from the Coral Ridge website even though the sermon archives go back to 2009.

¹¹ Billy Hallowell, "'I've Lost Everything': Celebrity Pastor Reveals Powerful Lessons He's Learned in the Wake of Scandal", *The Blaze*, 26 August 2015.

¹² Erica Pesantes, "Fort Lauderdale pastor who admitted to extramarital affair breaks silence", *Sun Sentinel*, 9 August 2015.

¹³ The information in this paragraph is drawn from: Staff Writer, "The PCA's South Florida Presbytery Deposes Tullian Tchividjian from Ministry", *The Aquila Report*, 17 August 2015. Under the PCA Book of Church Order, "deposition" means the degradation of an officer from his office. In Tchividjian's case his ordination credentials were removed.

voting for the deposition, the presbytery remained “committed to continuing to offer him pastoral care”, with the goal of protecting “the integrity of the Church...while...wrapping Tullian in the grace offered by Jesus Christ”.

On 22 August, Tchividjian filed for divorce in Florida against Kim.¹⁴ Paul Tripp had been involved in efforts to heal the marriage but to no avail.¹⁵ Tripp declared the marriage to be “irreparably broken” because Tchividjian and Kim no longer trusted each other.

On 4 September, an unusual development occurred. It was reported that Tchividjian had been engaged by Willow Creek Presbyterian Church in Winter Springs, Florida, as director of ministry development.¹⁶ Pastor Kevin Labby of Willow Creek explained that Tchividjian and his family had been members at Willow Creek when Tchividjian was undertaking seminary studies. Sensing “genuine confession and contrition” from Tchividjian, Labby extended a spiritual home to the disgraced senior pastor. Labby explained that Tchividjian was not hired as a teaching elder but as a support staff member.

Not surprisingly, Tchividjian’s hiring by the Willow Creek raised questions.¹⁷ It was pointed out that Willow Creek – which is part of the Central Florida Presbytery of the PCA – hired Tchividjian barely two weeks after he was deposed from ministry by another presbytery. This is significant because,

¹⁴ Morgan, “Tullian Tchividjian Files for Divorce”.

¹⁵ Leonardo Blair, “Paul Tripp Says Billy Graham's Grandson Tullian Tchividjian's Divorce Is Necessary Because Marriage Is 'Irreparably Broken'”, *The Christian Post*, 28 August 2015.

¹⁶ The information in this paragraph is drawn from: Morgan, “Tullian Tchividjian Files for Divorce”. This church is not related to the prominent Willow Creek Church in Chicago.

¹⁷ The information in this paragraph is drawn from: John Barber, “Tullian Tchividjian Bounces Back?”, *The Aquila Report*, 6 September 2015.

pursuant to the PCA Book of Church Order, before a deposed minister like Tchividjian could be returned to ministry he must “exhibit for a considerable time such an eminently exemplary, humble and edifying life and testimony” in order to heal the wounds caused by the scandal.¹⁸

An Earlier Affair

By February 2016, Tchividjian appeared to have settled into “a season of rest and healing” with Willow Creek church.¹⁹ Then a second bombshell dropped. On 16 March, Willow Creek terminated Tchividjian’s employment because Tchividjian was found to have “a previously unconfessed affair”.²⁰ Labby explained that the latest confession contradicted the narrative given by Tchividjian in June 2015 when he stepped down from CRPC.²¹

Apparently, the affair at the core of the new confession occurred prior to Tchividjian discovering Kim’s infidelity. The Willow Creek elders felt that Tchividjian “had a long period of time to share [the new information] with the church and for one reason or another he elected not to” – until certain rumours forced the issue. Tchividjian subsequently issued a statement, stating that “the process of repentance is progressive and painful” and expressing his gratitude for the ongoing help provided by Willow Creek and Labby.

¹⁸ Morgan, “Tullian Tchividjian Files for Divorce”.

¹⁹ The information in this paragraph is drawn from: Stoyan Zaimov, “Pastors Praise Tullian Tchividjian for ‘Honesty, Humility and Repentance’”, *The Christian Post*, 2 February 2016.

²⁰ Leonardo Blair, “Willow Creek Fires Tullian Tchividjian After He Confesses to Another Affair,” *The Christian Post*, 26 March 2016.

²¹ The information in this paragraph is drawn from: Blair, *ibid*.

It was later revealed that Tchividjian's earlier affair occurred in 2014 while he was still at CRPC.²² The 2016 CRPC elders then investigated the 2014 affair. They confirmed that, in 2014, two elders had learnt of the earlier affair. One of these elders subsequently left CRPC. Concerning the remaining active elder, CRPC issued this statement in March 2016:

The active elder did confirm his knowledge of the affair in 2014 and admitted he acted on outside counsel and failed to report the events to Tchividjian's family, church leadership, and the other elders. Coral Ridge immediately called a meeting for the elder to share this new information with the entire session, after which the layperson [elder] submitted his full resignation...

We are saddened that these two elders [in 2014] failed in their vows by withholding this information regarding our former senior pastor, which has since caused many families and churches much harm... We grieve for the individuals involved in this situation and pray for peace and healing for all.

The Aftermath

In a September 2016 interview, Tchividjian revealed that after the 2015 and 2016 revelations of his extramarital affairs, he was severely depressed and almost took his own life.²³ In November 2016, it was reported that in August 2016 Tchividjian had attempted to reconcile with Kim; however, the attempted reconciliation failed after Kim discovered that he was still in a relationship with

²² The information in this paragraph is drawn from: Morgan Lee, "Tullian Tchividjian Confesses Second Affair Concealed by Two Coral Ridge Elders", *Christianity Today*, 21 March 2016.

²³ Jonathan Merritt, "Billy Graham's grandson on his near suicide and whether he's planning a comeback", *Religious News Service*, 29 September 2016.

a woman called Stacie.²⁴ Tchividjian subsequently married Stacie in September 2016. Subsequently, two other women publicly alleged that Tchividjian was a serial manipulator, liar, and influence abuser.²⁵

Meanwhile, in November 2016 details of the 2015 affair which led to Tchividjian stepping down from CRPC became public.²⁶ The married woman who claimed to be having a relationship with Tchividjian was a member of CRPC. She said that evidence of their affair was found by the I.T. department of CRPC in the second week of June 2015. The I.T. staff could read the “contents of his phone” (presumably text messages) on the church’s computer server. Apparently, Tchividjian then instructed the I.T. staff to delete these records. Instead, on 18 June, CRPC elders went to the homes of Tchividjian and the woman to confront them with the evidence. The woman alleged that later, at Tchividjian’s request, she and her husband used their credit cards to pay for a private investigator to document proof that Tchividjian’s then wife, Kim, was having an affair. The private investigator’s bills paid during 2015 allegedly exceeded \$11,000.

Given the furore surrounding Tchividjian, in December 2016 the board of GRACE (Godly Response to Abuse in the Christian Environment) publicly condemned Tchividjian’s actions as a “gross misuse of power”.²⁷ The GRACE board included

²⁴ Leonardo Blair, “Tullian Tchividjian Allegedly Tried Reconciling With Ex-Wife Before New Marriage, Asked Woman to Pray for Brother's Death”, *The Christian Post*, 28 November 2016.

²⁵ Blair, *Ibid*.

²⁶ The information in this paragraph is drawn from: Leonardo Blair, “Tullian Tchividjian's Affair With Married Woman Was Allegedly Exposed on Church Server”, *The Christian Post*, 30 November 2016.

²⁷ The information in this paragraph is drawn from: Leonardo Blair, “Tullian Tchividjian's Uncle, Brother, GRACE Board Call Sex Scandal 'Gross Misuse of Power,’” *The Christian Post*, 8 December 2016.

Tchividjian's uncle, Emmanuel Tchividjian, as well as Tchividjian's brother, Boz Tchividjian – a law professor who founded GRACE.

The explosive revelations led to several prominent ministers – including Tchividjian's former counsellor, Paul Tripp – to ask Tchividjian to repent.²⁸ In a joint letter published with Labby, the ministers described Tchividjian as having “habitually and impenitently used his public platform, his family's good name, and the name of Christ for his own selfish ends” such that “he has disqualified himself from any form of public vocational ministry”. They called Tchividjian “to repent of his wickedness and demonstrate...repentance”. It was also reported that Tchividjian's mother, Gigi Graham (Billy Graham's eldest daughter), was “saddened” by her son's behaviour.

In August 2017, Tchividjian launched a new website: “Tullian: Sinner & Saint”.²⁹ His website describes him as being married to Stacie, with five children and two grandchildren. They live in Fort Myers, Florida, and are members of Living Faith Church, a church of the Lutheran Brethren.³⁰ In an October 2017 blog post, Tchividjian acknowledged that he was still “haunted” by the deep hurt he caused his children because of his unfaithfulness to their mother, Kim.³¹ In another blog post, Tchividjian states that he now “dreads” Christmas because “it

²⁸ The information in this paragraph is drawn from: Leonardo Blair, “Multiple Pastors Call on Tullian Tchividjian to Repent as Source Says His Mother, Gigi Graham, Is 'Saddened' by Sex Scandal,” *The Christian Post*, 5 December 2016.

²⁹ Leah Marieann Klett, “Billy Graham's Grandson Tullian Tchividjian Reveals Why He Now 'Dreads' Christmas” *The Gospel Herald*, 17 November 2017.

³⁰ See Tchividjian's website: www.tullian.net (online).

³¹ As reported by Leah Marieann Klett, “Billy Graham's Grandson Tullian Tchividjian Says He's 'Haunted' by Day He Told Children about Extramarital Affair,” *The Gospel Herald*, 30 October 2017.

triggers so much regret, sadness, guilt, shame, and a deep sense of loss”.³² While Tchividjian is no longer an ordained minister he continues to write and speak. In August 2018, Tchividjian and another former pastor, Chris Bird, jointly wrote a blog calling on Christians to show “forgiving mercy” to former ministers who experience public disgrace and scandalous falls.³³

Case Study 4 – Cecil Brooks and PCA

The second case study involving a presbyteral polity relates to CMI and CMI’s main protagonist, Cecil Brooks. The case study will be outlined in three chronological parts. The first part traces the origins of CMI within the PCA. The second part focuses on the CMI bankruptcy petition and Examiner’s Report while the third part discusses the bankruptcy aftermath.

PCA, Brooks, and CMI

The story begins in the 1990s when PCA was headquartered in Atlanta, Georgia.³⁴ At that time, PCA headquarters included a number of corporate entities including the Investor’s Fund for Building and Development (“IFBD”). IFBD was incorporated in 1986 under the auspices of the General Assembly of

³² As reported by Klett, “Billy Graham's Grandson Tullian Tchividjian Reveals Why He Now 'Dreads' Christmas”.

³³ Tchividjian, “Grace for the Disgraced: Showing Forgiving Mercy to Former Ministers” (online).

³⁴ For a brief background on the PCA, see footnote 1.

the PCA mainly to help fund the construction of church buildings as part of PCA's Mission to North America ("MNA").³⁵

The Director of Development for MNA was Cecil Brooks.³⁶ Brooks was a 1952 graduate of Mercer University in Georgia who subsequently undertook a career in real estate and construction. In 1975 he graduated with an MDiv from Reformed Theological Seminary and went into ministry. During the early 1980s, Brooks pastored Trinity Presbyterian Church in Miami, Florida. In 1986, Brooks moved to Atlanta and began working for the PCA as Director of Development for MNA.³⁷ In that role, he effectively led IFBD. To assist him, Brooks recruited John T. Ottinger whom he had met at Trinity Presbyterian Church in Miami when both ministered there. Ottinger was a graduate of the University of Delaware (1976) and Westminster Seminary in Philadelphia (MDiv, 1979).

³⁵ IFBD was to be "a revolving building fund to operate as a trust for the purpose [of receiving] monies and [making] loans for the primary purpose of church building construction": Bob Wildrick, "Should Cornerstone Ministries Investments Have Existed? – Part One", *Christian Observer*, 15 August 2011. Wildrick wrote three articles in the *Christian Observer* during 2011 concerning the collapse of CMI. Wildrick and his wife were CMI bondholders who lost a substantial amount of money when CMI went into bankruptcy in 2008.

³⁶ The information in this paragraph is drawn from the 45-page Examiner's Report, *In re Cornerstone Ministries Investments, Inc. Case 08-20355-reb*, dated 16 March 2009, 5-7. Legally, after the filing of a bankruptcy petition, creditors may request the Bankruptcy Court to appoint an Examiner in cases where there is suspected improper business dealings. While the Examiner's Report forms part of the documentation of a bankruptcy case, the report itself does not amount to a court finding or form part of a court judgment. Pat Huddleston II was appointed bankruptcy Examiner for CMI on 30 December 2008 following a successful appeal by CMI creditors: *Walton v Cornerstone Ministries Investments, Inc.*, 398 B.R. 77 (N.D. Ga. 2008). At that time Huddleston was a former Enforcement Branch Chief at the Securities and Exchange Commission and principal at The Huddleston Law Firm in Marietta, Georgia.

³⁷ Examiner's Report, *In re Cornerstone Ministries Investments, Inc.* p 5-7.

According to a 2009 statement issued by the PCA Stated Clerk, IFBD operated under a board of directors elected by the PCA General Assembly.³⁸ IFBD was headquartered at the PCA's offices in Atlanta, Georgia, and remained there until 1994 when it "was ecclesiastically and legally disassociated" by the PCA following a legal audit of PCA and its associated entities.

The PCA General Assembly had ordered the legal audit in 1993 and it encompassed all committees, boards, and agencies of the PCA, including IFBD.³⁹ According to Roger Schultz, a former PCA ruling elder, the General Assembly at that time was "gravely concerned about denominational liability and the potential for lawsuits".⁴⁰ While the General Assembly ordered the legal audit, the final legal audit report was not submitted to the General Assembly. Ostensibly, this was to protect the confidentiality of the legal audit report through attorney-client privilege so that the report could not be used against the PCA.⁴¹ Various groups within the PCA at that time questioned the need to keep the report confidential and some of these doubts remain.⁴²

With respect to IFBD specifically, the minutes of the 1994 PCA General Assembly noted that the Committee of Commissioners on Investor's Fund did review the legal audit report: apparently, they saw nothing amiss and "found no substance

³⁸ The information in this paragraph is from: Ken Walker, "Victim of a bad economy or a house of cards?", *World Magazine*, 31 July 2009.

³⁹ Bob Wildrick, "Should Cornerstone Ministries Investments Have Existed? – Part One".

⁴⁰ Roger Schultz, "Where Is Sherman When You Need Him?: The 1994 PCA General Assembly", 12 *Contra Mundum* (Summer 1994) 38.

⁴¹ Bob Wildrick, "Should Cornerstone Ministries Investments Have Existed? – Part One," quoting from Minutes of 22nd General Assembly 1994, p 269.

⁴² See, for example: Bob Wildrick, "Should Cornerstone Ministries Investments Have Existed? – Part One," and Doug Douma, "Using God's Money for Man's Kingdom: A Short History of a Financial Scandal", *Christian Observer*, 2 September 2018.

to rumors that have circulated that there is impropriety in the IFBD.”⁴³

Nevertheless, the IFBD trustees and the MNA Committee recommended that the IFBD be hived off from the General Assembly to become a “separate, non-integrated supporting organization.”⁴⁴ The recommendation that the General Assembly divest IFBD – which was later done – has continued to fuel allegations of impropriety on the part of IFBD.⁴⁵

Based on publicly available information, it is difficult to ascertain what steps were undertaken by PCA to divest IFBD. According to the Bankruptcy Examiner’s report, PCA divested IFBD in 1994, “with Brooks in charge and Ottinger assisting”.⁴⁶ At this time, the IFBD name was changed to Presbyterian Investors Fund, Inc (“PIF”). It is unclear who were the shareholders of PIF. What is clear is that Brooks became the chief executive officer (“CEO”) of PIF while Ottinger became its chief financial officer (“CFO”). PIF continued making loans to PCA churches to enable them to build church buildings and Christian schools. Following the practice of IFBD since 1986, PIF issued state-registered securities offering up to 9% annual interest on five-year bonds.

On the occasion of the 1994 General Assembly, Roger Schultz made these comments which, with hindsight, appears to be prescient:⁴⁷

⁴³ Bob Wildrick, “Should Cornerstone Ministries Investments Have Existed? – Part One,” quoting from Minutes of 22nd General Assembly 1994, p 189.

⁴⁴ Bob Wildrick, “Should Cornerstone Ministries Investments Have Existed? – Part One,” quoting from Minutes of 22nd General Assembly 1994, p 191.

⁴⁵ Bob Wildrick, “Should Cornerstone Ministries Investments Have Existed? – Part One”.

⁴⁶ The remaining information in this paragraph is drawn from the Examiner’s Report, *In re Cornerstone Ministries Investments, Inc.*, 6-7.

⁴⁷ Roger Schultz, “Where Is Sherman When You Need Him?”, 40.

The biggest organizational news [of the General Assembly] concerned the PCA'S Investors Fund, which was 'spun off' as an independent entity. The Fund functioned as the PCA 'bank' where people can invest money and draw interest. Local churches may borrow money (and pay interest). My...friends insist that the PCA should never have gotten into the usury business, but having created the Fund, the PCA has a responsibility to the investors. Will the new independent Fund be managed properly? Will money – contributed by PCA members for the purpose of funding Reformed works – be used for its intended purpose? Will the PCA have a say in who governs the independent Fund?

In 1996, Brooks and Ottinger incorporated CMI.⁴⁸ CMI was intended to mirror PIF except that it was to have a broader mandate than providing building loans to PCA churches and schools. From CMI's inception, Brooks was appointed chairman and CEO while Ottinger was appointed vice-president and CFO. Brooks and Ottinger remained in their respective roles until November 2006 when both men retired from CMI.

The Bankruptcy Examiner noted that the CMI board of directors was identical to the PIF board.⁴⁹ More importantly, the Examiner noted that every witness he interviewed who was in a position to know Brooks acknowledged that Brooks "controlled" the boards of CMI (and, by extension, PIF) because the board members were essentially longtime friends of Brooks and Ottinger and most were elderly folks who "were not inclined to challenge him [Brooks], and never did challenge him".

⁴⁸ The remaining information in this paragraph is drawn from the Examiner's Report, *In re Cornerstone Ministries Investments, Inc.*, 6-7.

⁴⁹ The information in this paragraph is drawn from the Examiner's Report, *In re Cornerstone Ministries Investments, Inc.*, p 6-7.

In December 1996, CMI undertook an initial public offering and raised approximately USD\$3.7 million through the sale of common stock and bonds.⁵⁰ Shortly thereafter, it appears that the business of PIF was merged with CMI, with the public company keeping the CMI name. Post-merger, PIF held most of the CMI common stock. Later, in 2003, PIF was “distributed” to Church Growth Foundation – an entity purportedly controlled by Brooks.

Commencing with the initial public offering in 1996, CMI issued several more bond offerings to raise funds for lending to borrowers.⁵¹ The Bankruptcy Examiner found that between 1997 and January 2005 CMI issued bonds totalling approximately USD\$141.4 million. A final bond offering was issued in October 2007 but the amount raised was unknown due to the fact that CMI filed its bankruptcy petition soon thereafter in February 2008.

Significantly, in its fundraising efforts and communications, the CMI and PIF names were at times used side by side.⁵² This is so even though by this time the PIF business had been merged with CMI and, arguably, had been substantially altered in scope by CMI. The Bankruptcy Examiner also noted that CMI newsletters stated that money invested in CMI was put towards “God’s work”. Similarly, PIF’s letterhead from April 2000 had the tagline: “Using God’s Money for God’s Kingdom”. During 1999-2000, a PCA newsletter focusing on MNA still included a solicitation titled “God’s Money for God’s Kingdom” and provided details of interest rates and maturity dates and contained an invitation for

⁵⁰ The information in this paragraph is drawn from the Examiner’s Report, *In re Cornerstone Ministries Investments, Inc.*, p 7-8.

⁵¹ The information in this paragraph is drawn from the Examiner’s Report, *In re Cornerstone Ministries Investments, Inc.*, Exhibit C.

⁵² The information in this paragraph is drawn from the Examiner’s Report, *In re Cornerstone Ministries Investments, Inc.*, 8-9.

interested readers to contact PIF for a prospectus. By this time, CMI had been incorporated and operating for almost four years.

Bankruptcy of CMI

The second set of events revolved around 10 February 2008 when CMI filed a voluntary bankruptcy petition with the United States Bankruptcy Court in the Northern District of Georgia.⁵³ On that date, CMI had outstanding unsecured debt securities totalling USD\$141,868,404 held by 3,523 bondholders. The petition was signed by CMI's interim CEO, Ottinger, and dated 8 February 2008. CMI claimed to have total assets of USD\$159 million and total debts of USD\$154 million – including the unsecured debt securities of USD\$142 million. The list of 20 largest bondholders included several churches and individuals each holding between USD\$500,000 – USD\$1,480,000 in CMI bonds.

One of the twenty largest bondholders was Kathy Woody-Deming from Georgia.⁵⁴ Steve Deming, Kathy's husband, pointed out that until April 2008 the CMI website "indicated [investors'] money was going to [be loaned to] churches and retirement villages" – which were generally considered to be safe investments. It seemed, however, that investors' funds were instead used to fund risky second mortgages which generated for CMI outsized returns of up to 10.5%. This included loans to for-profit developers of housing projects aimed for

⁵³ The information in this paragraph is drawn from the bankruptcy petition filed on 10 February 2008 with the United States Bankruptcy Court: *In re Cornerstone Ministries Investments, Inc.* A copy is held by the author.

⁵⁴ The information in this paragraph is drawn from: Ken Walker, "Cornerstone Falters", *Christianity Today*, 10 July 2008.

low-income buyers. With the real estate downturn and the Great Recession of 2007-2009, CMI's property loans soured and led to its bankruptcy.

In the Bankruptcy Examiner's report, the following points were made:

1. The central character in the CMI story was Brooks.⁵⁵ Beginning with churches, CMI's loans expanded in the late 1990s to senior housing facilities and other real estate developments. Through "disclosed and undisclosed ownership interests in related companies, Brooks and Ottinger reaped substantial income over and above the salaries" disclosed in CMI filings with the Securities and Exchange Commission ("SEC"), the government agency which regulates the US securities market.
2. The shift by CMI from lending to not-for-profit churches to lending to for-profit developers occurred as early as 1999.⁵⁶ This shift "to making loans to for-profit companies first took place in the minds of Brooks and Ottinger" and was "characterized by self-dealing".
3. The Examiner's survey of communications with bondholders painted a "troubling picture of broker misconduct".⁵⁷ Specifically, the Examiner noted that "[m]ore than 85% of the investors who responded were over age 60. Many investors were over age 75. More than 40% invested more than half of their life savings in Cornerstone bonds. Many bought in

⁵⁵ The information in this paragraph is drawn from the Examiner's Report, *In re Cornerstone Ministries Investments, Inc.*, 1.

⁵⁶ The information in this paragraph is drawn from the Examiner's Report, *In re Cornerstone Ministries Investments, Inc.*, 18, and 42-43.

⁵⁷ The information in this paragraph is drawn from the Examiner's Report, *In re Cornerstone Ministries Investments, Inc.*, 28.

reliance on assurances that Cornerstone invested only in churches and non-profits.”

4. The Examiner stated that by December 2005: “over 76% of [CMI’s] loan portfolio consisted of loans to its two largest borrowers – 45.2% to SHS, from which Brooks and Ottinger indirectly reaped large consulting fees., and 30.9% to WRC, in which Brooks, Ottinger, and Wehmiller owned an interest that would bring Brooks and Ottinger \$6,200,000 each. Yet, in note 19 to the audited financial statements accompanying the Series G registration statement, [CMI] affirmatively stated that SHS was ‘not a related party’ and that [CMI] had ‘no power to direct or significantly influence the management or operating policies of SHS.’”⁵⁸

While the findings of the Bankruptcy Examiner are significant, they do not constitute a court judgment. They remain the untested conclusions of the Examiner. Indeed, in one media report, Ottinger’s attorney was quoted as stating that the Examiner’s Report was full of “incorrect” conclusions.⁵⁹ The attorney also stated that Ottinger and his family had lost USD\$1.4 million in CMI investments despite Ottinger having come out of retirement in order to help CMI get back on track.⁶⁰

⁵⁸ The information in this paragraph is drawn from the Examiner’s Report, *In re Cornerstone Ministries Investments, Inc.*, 37-38.

⁵⁹ Christopher Quinn, “Cornerstone Ministries betrayed them by straying from mission, investors say,” *The Atlanta Journal-Constitution*, 24 June 2009.

⁶⁰ Quinn, *ibid*. Both Brooks and Ottinger had retired from CMI in 2006; Ottinger rejoined CMI as interim CEO in late 2007 and remained as such until the bankruptcy process began.

The Aftermath

Shortly after the CMI bankruptcy first came to light, Charles Wilson, a retired PCA teaching elder and former chairman of Concerned Presbyterians, referred to the failure of the 1994 General Assembly to release the legal audit report as a key issue.⁶¹ In view of CMI's collapse, Wilson believed that CMI's early links to the PCA would harm the denomination: "All this was done in the name of the Lord Jesus Christ... Their [CMI's] behavior will most certainly have a negative effect upon the witness of the PCA."

Roger Schultz, a former PCA ruling elder, was more charitable: he stated that many would view CMI as a case where the efforts of "well-intentioned Christians collapsed because of a bad economy."⁶² However, Bob Williams, editor of the conservative leaning *Christian Observer*, struck a more strident note in 2011. Williams articulated a concern which was probably bubbling in some segments of American presbyterianism as they pondered over the CMI financial scandal and the impact on the PCA:⁶³

Is the PCA as a denomination culpable in the loss of 3500 investors of their retirement and other invested funds? Maybe. The evidence was available in the Legal Audit that there was mismanagement of funds occurring in 1991. The Stated Clerk and the Administrative Committee in 1994, by refusing to reveal the results of the Legal Audit, did not allow the General Assembly the option to properly discipline Brooks and Ottinger. They were allowed to continue with their credentials intact, eventually bilking 3500

⁶¹ The information in this paragraph is drawn from: Walker, "Victim of a bad economy or a house of cards?"

⁶² Walker, "Victim of a bad economy or a house of cards?"

⁶³ Bob Williams, "Unfinished Business for the Presbyterian Church in America (PCA)", *Christian Observer*, 15 March 2011.

investors who unknowingly thought these two men were making fiducially-responsible investments of their assets, but were in actuality running a USD\$142 million Ponzi scheme.

Over time, the bankruptcy progressed. By October 2014 the process was near completion and successful bondholders received distributions of 7.93% of their allowed claims (about eight cents for every dollar invested).⁶⁴ Meanwhile, in 2018 one commentator expressed the view that CMI may be “the greatest financial scandal in Presbyterian history”⁶⁵ – despite the fact that the CMI debacle is generally not well known by church members within the PCA, let alone Presbyterians in other countries.

Questions and Observations

In reviewing the CRPC-Tchividjian and PCA-Brooks CMI case studies, the same two research questions can be asked. First, why did the governance frameworks of CRPC and PCA fail to prevent their respective governance failures? Second, how did the CRPC and PCA respond to these governance failures?

Three observations can be made in response. First, one common thread which featured in the CRPC-Tchividjian and PCA-Brooks CMI case studies – which, incidentally, is not dissimilar to the case studies in Chapter 3 – is that the key protagonists involved appeared to have been successful, dominant, and persuasive individuals in their respective spheres. Within PCA circles, Tchividjian

⁶⁴ Motion for Final Decree and Closing the Case, *In re Cornerstone Ministries Investments, Inc. Case 08-20355-reb*, dated 16 October 2014, p 6.

⁶⁵ Douma, “Using God’s Money for Man’s Kingdom: A Short History of a Financial Scandal”, *Christian Observer*, 2 September 2018, n.p.

was a rising star. Being a grandson of Billy Graham helped. Not unlike Haggard at NLC and Kong at CHC, Tchividjian also appeared to be a celebrity pastor at CRPC. Tchividjian's prominence and status might have contributed to the decision by the two CRPC elders in 2014 not to publicise his 2014 affair – which occurred well before the 2015 affair which led to his resignation from CRPC.

In the case of Brooks, while the PCA legal audit did not appear to find clear evidence of impropriety within IFBD, the fact that IFBD was hived off from PCA in 1994 and the fact that the legal audit report was not publicly released suggest that IFBD operations under Brooks were less than satisfactory. After all, if IFBD was operating perfectly, why hive it off? And if there was nothing untoward in the legal audit report, why not publicly release it? Nonetheless, it appeared that Brooks' stature within the PCA administration was still sufficiently high to enable him to become chairman and CEO of PIF – the reincarnated IFBD.

A second common thread in the two case studies is the apparent lack of follow through or finality in the task of overseeing key church leaders. The fact that the two CRPC elders in 2014 became aware of Tchividjian's 2014 affair meant that the system of eldership oversight at CRPC worked – at least to some degree – because two elders came to know of the affair. What was surprising was the lack of follow through in acting appropriately with that knowledge. They did not take the final steps required to bring church discipline to bear upon Tchividjian.

At the presbytery level, there also appeared to be a lack of follow through. Tchividjian's deposition by the South Florida Presbytery in 2015 – in respect of a later affair – appeared to have been neutralised to some degree by the rapid hiring of Tchividjian by the Willow Creek church from the Central Florida Presbytery. The fact that one presbytery did not appear to acknowledge the

church discipline of a neighbouring presbytery underscores this lack of follow through in governance.

In the PCA-Brooks CMI case study, from one perspective PCA's decision to hive off IFBD in 1994 might be viewed as an appropriate act of governance: it was designed to reduce the risk of liability upon PCA for potential financial irregularities within IFBD. However, this decision was not followed through to its logical end. Surprisingly, it appeared that PCA did not prevent Brooks from continuing to use the PCA name when promoting PIF and, later, CMI. The result was that, even though IFBD (and hence PIF and CMI) were legally separated from PCA, Brooks and his team were successful in creating in the eyes of bondholders a strong connection between PCA and CMI. In effect, CMI used PCA's established name and goodwill in order to attract investments from the PCA community.

A third common thread which appears in both the CRPC-Tchividjian and PCA-Brooks CMI case studies is a level of opacity which characterised some aspects of the governance function, especially in its response when initial signs of impropriety first arose. The decision by the two CRPC elders in 2014 not to inform the rest of the eldership about Tchividjian's affair smacked of a cover-up. The same may be said of the decision by the PCA administration to not publicly release the 1994 legal audit report. Both decisions left key aspects of governance of their respective churches in the dark. It is unclear what prompted these decisions. What is clear is that the fact the decisions were made meant that the opacity was not a result of ignorance or lack of care; it was intentional.

Summary

In summary, the CRPC-Tchividjian and PCA-Brooks CMI case studies demonstrate how a Presbyterian church and a Presbyterian investment fund experienced a sexual and financial scandal, respectively. While each case is different, they are marked by common threads including the presence of successful, dominant, and persuasive protagonists, a lack of follow through and finality when responding to initial signs of impropriety, and a degree of opacity in aspects of their governance framework.

Both case studies involve the PCA and occurred in the United States. While this may limit their applicability to Presbyterian denominations in other contexts and jurisdictions, they do offer some insights into how presbyteral polities in developed, Western jurisdictions deal with governance issues. Meanwhile, the next chapter shifts our focus to the Roman Catholic Church which uses an episcopal polity.



Chapter 5

Case Studies: Episcopal Polity

Introduction

This chapter examines two case studies involving the Roman Catholic Church (“RCC”) – the largest Christian denomination globally and one which uses an episcopal polity. The first case study focuses on the RCC child sexual abuse scandal in Australia. The second case study revolves around finances at the RCC diocesan level, involving a set of allegations revolving around Cardinal Óscar Rodríguez Maradiaga of Honduras. Examining case studies at both the national and diocesan levels offers insights as to how the episcopal polity of the RCC deals with claims of sexual and financial misgovernance at different levels of the church.

Case Study 5 – RCC Child Sexual Abuse Scandal in Australia

As is widely known, the RCC child sexual abuse scandal is a global issue and not restricted to Australia.¹ However, our case study focuses on the scandal in Australia largely because of the information unearthed by the Royal Commission into Institutional Responses to Child Sexual Abuse (“RCIRCSA”) in Australia. The Australian federal government announced in November 2012 its intention to form a Royal Commission to investigate child sexual abuse and RCIRCSA was formally established in January 2013.² Costing half a billion Australian dollars, it is the largest and most expensive royal commission in Australian history.³

By the time of its final report in December 2017, RCIRCSA had had contact with approximately 17,000 individuals, heard about 8,000 abuse survivors’ personal stories, and received over 1,300 written accounts from survivors.⁴ RCIRCSA

¹ The RCC is facing similar issues in the United States and elsewhere. In the US, the story gained massive traction after the *Boston Globe* newspaper published a major exposé in 2002: Jim Davis, “Church allowed abuse by priest for years”, *Boston Globe*, 6 January 2002. The *Boston Globe* investigation was later made into a movie, *Spotlight*, which debuted in 2015 and won two Academy Awards, including Best Picture. In 2003, The *Boston Globe* received a Pulitzer Prize for public service. The public exposure subsequently led to the resignation of the Archbishop of Boston, Cardinal Bernard Law, in December 2002.

² See generally: Katie Wright, “The Australian Royal Commission into Institutional Responses to Child Sexual Abuse”, *Child Abuse & Neglect* 74 (December 2017) 1-9. Prior to this royal commission established by the federal government, two Australian states had completed their own inquiries into similar matters: South Australia in November 2004, resulting in the report, E.P. Mullighan, *Children in State Care Commission of Inquiry: Allegations of sexual abuse and death from criminal conduct* (Commission of Inquiry South Australia, 2008); and Victoria in April 2012, resulting in the report by the Family and Community Development Committee, *Betrayal of Trust: Inquiry into the handling of child abuse by religious and other non-government organisations* (Parliament House, 2013) 2 vols.

³ Wright, “The Australian Royal Commission into Institutional Responses to Child Sexual Abuse”, 2.

⁴ Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report – Preface and executive summary*, 1, updated with data from the *Final Report – Final information update* (no date). The December 2017 final report covers data received during May 2013 – May 2017. The *Final Report – Final information update* is undated but states that it includes data received from May 2013 – November 2017; hence it was probably released sometime in 2018. Documents relating to RCIRCSA are available from www.childabuseroyalcommission.gov.au, including the *Final Report*. The material generated by RCIRCSA is voluminous. In addition to the 17 volumes

completed its work and submitted its *Final Report* to the Australian federal parliament in December 2017. The *Final Report* comprises an executive summary of 218 pages and a further 17 volumes with an aggregate of 7,174 pages. The final report has been described as a “landmark study of institutional child abuse in the developed world”.⁵

From the outset, it should be noted that RCIRCSA did not confine itself to examining child abuse among religious institutions. Its terms of reference encompass various institutions including residential institutions, schools, sports and recreation clubs, and community and hobby groups. However, religious institutions were a clear focus. This is underscored by the fact that volume 16 of the *Final Report*, which focuses on religious institutions, comprises three books totalling 2,534 pages – this is 39% of all pages devoted to institutions.⁶

Based largely – but not exclusively – on the *Final Report*, I detail the sexual abuse scandal involving the RCC in Australia in two parts. The first part is an overview of the sexual abuse scandal including one egregious example. The second part examines RCIRCSA’s analysis of the institutional factors which contributed to the scandal.

comprising the *Final Report*, there are 57 case studies of which 30 focus on responses to child sexual abuse allegations in religious institutions. Of the 30 case studies, 15 involve RCC institutions.

⁵ Michael A. Peters, “Child sexual abuse: The final report of the Australian Royal Commission into institutional responses to child sexual abuse”, *Educational Philosophy and Theory* 51(3) (2019) 233-238 at 233. The Australian inquiry is comparable in significance and arguably broader in scope than the Irish equivalent which reported in 2009 – the Commission to Inquire into Child Abuse (also called the Ryan Commission), documents available from www.childabusecommission.ie

⁶ Volumes 11-15 of the *Final Report* focus on specific institutions and total 3,978 pages. Together with volume 16 on religious institutions (comprising three books totalling 2,534 pages), volumes 11-16 total 6,512 pages.

Overview of the Scandal

The RCC is the largest Christian denomination in Australia and has an extensive presence through its educational and welfare activities.⁷ To appreciate the level of interest which RCIRCSA had on the RCC during the inquiry, it should be noted that Book 2 of volume 16 of the *Final Report* comprises 925 pages and is entirely devoted to the RCC. In comparison, the next longest treatment in volume 16 was in relation to the Anglican Church – which had 241 pages devoted to it.⁸

The scope of abuses involving the RCC uncovered by RCIRCSA is staggering: 2,489 survivors said they were sexually abused at an institution managed by the RCC;⁹ of these, 49.2% allegedly occurred in schools, 28.7% allegedly occurred in residential institutions, and 24.1% occurred in places of worship or during religious activities.¹⁰ The complaints involve up to 1,049 separate institutions including parishes, schools, seminaries, and residential institutions.¹¹ Table A depicts the proportion of survivors who claimed they were abused in a religious institution – note the high proportion relating to the RCC.

⁷ The 2016 Australian national census reveals that there are about 5,290,000 Roman Catholics representing 22.6% of the population: Australian Bureau of Statistics, “Religion in Australia”, in *Census of Population and Housing: Reflecting Australia – Stories from the Census 2016* (online).

⁸ *Final Report – Volume 16: Religious Institutions, Book 1*, 556-797.

⁹ *Final Report – Preface and executive summary*, 45-46. Obviously, this figure does not represent the total number of actual abuse cases involving the RCC. Those who gave evidence to RCIRCSA are, in a sense, a “self-selected” sample; so these figures probably understate the number of abuse cases which actually occurred.

¹⁰ *Final Report – Volume 16: Religious Institutions, Book 2*, 89. The percentages total more than 100% because a survivor can report multiple abuses in more than one location.

¹¹ *Final Report – Volume 16: Religious Institutions, Book 2*, 89. This figure is from a submission provided by the RCC to RCIRCSA.

Table 2: Abuse Survivors and Religious Institutions



Source: RCIRCSA Final Report – Final information update (no date), 1.

Of the 2,489 survivors of abuse in RCC institutions, 73.9% were male, 25.9% were female.¹² The average age of first abuse was 10.4 years. Of 2,413 survivors who disclosed the role of the abuser, 74.7% said their abusers were in religious ministry and 27.6% said they were teachers.

A survey undertaken by RCIRCSA of RCC archdioceses, dioceses, and religious institutes with clergy who ministered during the period 1950-2010 identified 9,025 priests who ministered during the 60-year period, of whom 507 priests (5.6%) were alleged abusers.¹³ Using a weighted average methodology to account for different lengths of service by priests, the percentage of priests who

¹² The data in this paragraph is taken from: *Final Report – Preface and executive summary*, 60.

¹³ *Final Report – Volume 16: Religious Institutions, Book 2*, 85.

were alleged abusers increased from 5.6% to 7%.¹⁴ A separate submission from the RCC for the period 1980-2015 identified 1,880 alleged abusers including priests, religious brothers, employees, and volunteers.¹⁵

There were significant differences in the amount of reported abuse among different geographical areas and RCC orders.¹⁶ At the low end, the Archdiocese of Adelaide and the Dominican Friars had a weighted proportion of 2.4% and 2.1%, respectively. The figures for the Christian Brothers (22.0%), the Benedictine Community of New Norcia (21.5%), the Salesians of Don Bosco (20.9%), and the Marist Brothers (20.4%) suggest that around one in five of their clergy were alleged abusers. The worst figure was for the St John of God Brothers ("SJOGB") – where the data suggests that up to 40.4% of its clergy were alleged abusers.

One especially egregious example of abuse involved former SJOGB brother, Bernard McGrath. While convicted in 2017 and currently incarcerated in Australia, McGrath's story began in New Zealand.¹⁷ Born in 1947, McGrath grew up in New Zealand and joined the SJOGB at age 18. He trained at an SJOGB institution in Sydney, Australia, where he was abused by a senior SJOGB brother. After his training, McGrath was transferred in 1974 to New Zealand and

¹⁴ *Final Report – Volume 16: Religious Institutions, Book 2*, 80. See also: *Final Report – Preface and executive summary*, 61.

¹⁵ *Final Report – Volume 16: Religious Institutions, Book 2*, 80.

¹⁶ The data in this paragraph is taken from: *Final Report – Volume 16: Religious Institutions, Book 2*, 85-88.

¹⁷ The material in this paragraph and the next four paragraphs is sourced from: Joanne McCarthy, "Bernard McGrath named after lengthy child sex abuse case", *Newcastle Herald*, 14 December 2017; Joanne McCarthy, "Victims of notorious St John of God Brother laugh, cry and cheer on dramatic day", *Newcastle Herald*, 17 February 2018; Broken Rites, "Background article: Disabled boys were abused in a Catholic institution in NSW", 6 February 2019 (online).

appointed a teacher and dormitory master at “Marylands”, a SJOGB boarding school near Christchurch. Marylands catered for boys with learning and behavioural difficulties. The same abusive senior brother who was in Sydney was also posted to Marylands. McGrath alleged that the senior brother “set the tone” for a cover-up culture of sexual abuse at Marylands.¹⁸

After four years in Marylands, in 1978 McGrath was transferred to “Kendall Grange” – another boarding institution for boys with learning difficulties – in Morriston, New South Wales (“NSW”), Australia. McGrath continued to abuse boys while at Kendall Grange. After eight years in Kendall Grange, in 1986 McGrath was transferred back to Christchurch to establish Hebron Trust, a residential program for street kids designed to teach them life-skills.

It was in Christchurch that McGrath came to the attention of police. In 1991 two social workers first raised issues with the SJOGB hierarchy about McGrath’s indecent advances to street kids. When the SJOGB hierarchy failed to act, the social workers reported the matter to police. Based on evidence from four Hebron Trust boys and two former Marylands boys, in 1993 McGrath was convicted in New Zealand and sentenced to three years’ jail for his offences at Marylands and Hebron Trust.

Separately, in the 1990s former Kendall Grange boys had complained about McGrath to the SJOGB Sydney headquarters. One person, Jimmy, subsequently filed a complaint with NSW police. After McGrath completed his New Zealand jail term, NSW police extradited him to NSW where he pleaded guilty in 1997 and was sentenced to nine months’ jail for his offences against Jimmy. After

¹⁸ Broken Rites, “Background article: Disabled boys”.

protracted negotiations extending over 10 years, Jimmy also obtained an out-of-court compensation from the SJOGB order.

In 2002 additional complaints were filed with New Zealand police alleging sexual assaults by McGrath while at Marylands. In March 2006, the High Court in Christchurch found McGrath guilty of 21 charges relating to his 1974-1977 tenure at Marylands. He was sentenced to five years in jail, but was paroled in 2008. In 2012, based on additional complaints, NSW police filed 252 charges against McGrath for alleged sexual abuses during his time at Kendall Grange. McGrath fought the extradition request made by NSW police but lost.

McGrath was subsequently extradited to Australia, tried, and in December 2017 convicted by the NSW District Court. In February 2018, at age 70, McGrath was sentenced to 33 years jail for 60 offences committed during the 1970s-80s including buggery, homosexual intercourse with a child, assault, indecent assault, and gross indecency.¹⁹ His earliest parole date is in 2035.

RCIRCSA Analysis of the Scandal

As part of its investigation, the RCIRCSA analysed possible factors which might have contributed to child sexual abuse in the RCC. The analysis highlighted two contrasting views.

¹⁹ Joanne McCarthy, “Bernard McGrath named after lengthy child sex abuse case”. McGrath’s case is not an isolated one. An equally egregious example from the United States is the case of John Geoghan (1935-2003), a priest in the archdiocese of Boston, who was alleged to have molested over 130 children during his ministry and was repeatedly shuffled from parish to parish by the Boston church hierarchy until he was ultimately charged and convicted: Evan Richman, “Geoghan preferred preying on poorer children”, *Boston Globe*, 7 January 2002. Geoghan was tried and convicted of sexual abuse, laicised, and sentenced to prison in 2002; however, less than one year into his prison term Geoghan was murdered by a fellow inmate.

One view is that abuse cases stem from “personal failure and sinfulness” rather than institutional structures.²⁰ For example, Australia’s most senior RCC cleric, Cardinal George Pell, gave evidence to the RCIRCSA stating: “I think the faults overwhelmingly have been more personal faults, personal failures, rather than structures.”²¹ Others tried to explain away child sexual abuse as a case of “a few bad apples”, homosexual priests, priests who could not cope with mandatory celibacy, or some kind of media conspiracy against the RCC.²² A second view, also found within the RCC leadership, believed that personal failure is not the sole or main factor. For example, a 1999 study initiated jointly by the Australian Catholic Bishops Conference and Catholic Religious Australia noted, “there is more to the issue of child sexual abuse than the failings of individuals”.²³

Ultimately, RCIRCSA took the view that “a [systemic] combination of theological, historical, cultural and structural or organisational factors” enabled child sexual abuse in the RCC in Australia and contributed to inadequate institutional responses.²⁴ These systemic factors are entwined with personal factors –

²⁰ Eamonn Conway, ‘Operative theologies of priesthood: Have they contributed to child sexual abuse?’ in R Ammicht-Quinn, H Haker & M Junker-Kenny, eds., *The Structural Betrayal of Trust* (SCM Press, 2004) 73-85, at 72.

²¹ *Final Report – Volume 16: Religious Institutions, Book 2*, 585. Pell was himself subsequently charged and convicted in the State of Victoria, Australia, in 2019 of historic child abuse. Pell’s appeal to the Victorian Court of Appeal was dismissed by a 2-1 majority: Debbie Cramsie, “Archbishop calls for civility after Cardinal Pell appeal dismissed”, *The Catholic Weekly*, 22 August 2019. Pell has now appealed to the High Court of Australia, the nation’s peak court. At the time of writing, the HCA has agreed to hear the appeal, but the appeal has not yet been heard or determined.

²² *Final Report – Volume 16: Religious Institutions, Book 2*, 586.

²³ As quoted in: *Final Report – Volume 16: Religious Institutions, Book 2*, 585. The 1999 report was entitled: *Towards understanding: A study of factors specific to the Catholic Church which might lead to sexual abuse by priests and religious*.

²⁴ *Final Report – Volume 16: Religious Institutions, Book 2*, 586.

including the personality traits, sexuality, developmental maturity of individual perpetrators – and contributed to the crisis.²⁵

The view that “situational and contextual factors” – including organisational structure, culture, and governance – play a part in generating the child sex abuse scandal appears to be supported by the RCC data provided to RCIRCSA which indicate that a large majority of perpetrators in the RCC are “opportunistic”.²⁶ Opportunistic perpetrators are those who take advantage of institutional and situational factors to engage in abuse. They should be contrasted with “fixated-persistent” perpetrators (such as pathological paedophiles) who are fewer in number and commit abuses regardless of institutional and situational factors. If so, the RCC child sex abuse scandal cannot be blamed on a few bad apples but rather on a complex interplay of both personal and institutional factors.

Combining these personal and systemic factors, RCIRCSA identifies nine contributing factors to the scandal: (i) individual personal factors relating to the perpetrators; (ii) clericalism; (iii) structure and governance of the RCC; (iv) leadership; (v) canon law; (vi) celibacy; (vii) selection, screening and formation of clergy and religious; (viii) oversight, support, and ongoing training; and (ix) the sacrament of reconciliation, including confession and ablution, and a culture of secrecy within the church.²⁷

²⁵ *Final Report – Volume 16: Religious Institutions, Book 2*, 588.

²⁶ The points in this paragraph are based on: *Final Report – Volume 16: Religious Institutions, Book 2*, 591-591, 611. Fixated-persistent perpetrators tend to abuse multiple individuals. The RCC data shows between 5%-8% of clergy and religious are the subject of 10 or more claims – these are likely to be fixated-persistent perpetrators. In contrast, 74% of alleged perpetrators involved single claims and they are considered to be opportunistic.

²⁷ *Final Report – Volume 16: Religious Institutions, Book 2*, 588-590, 616.

Of the above nine factors, two appear especially relevant for our study because they fundamentally relate to the structural (as opposed to human) aspects of RCC governance: clericalism as well as church structure and governance.²⁸ These two aspects are elaborated upon below.

Clericalism

Clericalism is a complex concept. It has been described as the “conscious or unconscious concern to promote the particular interests of the clergy and to protect the privileges and power that have traditionally been conceded to those in the clerical state”.²⁹ Dr Michael Whelan SM, a Marist father and director of the Aquinas Academy in Sydney, defines clericalism as “a lifestyle...that seeks and expects both power and privilege to be given simply because one is a cleric.”³⁰

While this understanding of clericalism involves attitudinal, behavioural, social, and cultural elements, it is generally accepted that structural elements also play a part. Specifically, RCIRCSA noted three structural elements within the RCC which appear to foster clericalism: the clergy having sole power of governance within the church; the clergy monopolising the administration of sacraments to

²⁸ The discussion on clericalism can be found in: *Final Report – Volume 16: Religious Institutions, Book 2*, 612-642. On organisational structure and governance, see: 643-682.

²⁹ *Final Report – Volume 16: Religious Institutions, Book 2*, 613, quoting from a 1983 report by the United States Conference of Major Superiors of Men, *In solidarity and service: Reflections on the problem of clericalism in the Church*. This 1983 report was cited in a submission by the Truth, Justice and Healing Council to the RCIRCSA.

³⁰ *Final Report – Volume 16: Religious Institutions, Book 2*, 615.

the laity; and the clergy being viewed as visibly representing Jesus Christ as head of the church.³¹

These structural elements are supported by tangible and intangible forms. Tangible forms include the use of distinctive titles, robes, and insignia; special rites like ordination and distribution of sacraments; and hierarchic grades of clergy. Intangible forms include the use of theological concepts such as “ontological change” – the idea that, at ordination, a priest undergoes a deep change which renders him in some way superior to the laity. Julian Porteous, then rector of the Good Shepherd Seminary in Sydney and current Archbishop of Hobart, described this ontological change as something “mysterious...[,] an action of grace,...something quite real... [The priest] is changed at the level of his being.”³² Another commentator notes that after ordination a priest “acts in *persona Christi*, not as a mere instrument of Christ’s work but rather as Christ’s real image and representative”.³³

Dr Marie Keenan, an accredited psychotherapist and associate professor at University College Dublin, is of the view that “a corrosive culture of clericalism [is]...borne from such a theology”, affecting both clergy and laity through the notion of “clergy as elite” and creating an “ecclesiology [which] gives rise to a

³¹ *Final Report – Volume 16: Religious Institutions, Book 2*, 614.

³² Julian Porteous, *After the Heart of God: The Life and Ministry of Priests at the Beginning of the Third Millennium*, as quoted by Marie Keenan, *Child Sexual Abuse and the Catholic Church: Gender, Power, and Organizational Culture* (Oxford University Press, 2012) 236. Interestingly, many Protestants are likely to agree with Porteous if the reference to ordination is substituted by a reference to spiritual conversion and baptism – because of the Reformation idea of the priesthood of believers (1 Pet 2:5) and the transformation of a new life in Christ (Rom 6:1-6).

³³ F. Ryan, “Images of God, Images of Priesthood,” paper presented at *Church: A Culture of Abusive Relationships?* Conference organised by Irish Theological Association in All Hallows College, Drumcondra, Dublin (18–19 March 2011), as quoted by Marie Keenan, “Child Sexual Abuse and the Catholic Church: A Multi-Layered Perspective”, in Patrick Claffey *et al*, eds., *Broken Faith: Why Hope Matters* (Peter Lang, 2013) 93.

dual model of Church in which the Church of the clergy is superior and more ‘holy’ when compared to the Church of the laity”.³⁴ According to Keenan, such a notion of church helped create the climate in which child sexual abuse could occur and remain undetected for a relatively long time.

Church Structure and Governance

Aside from clericalism, a second institutional factor identified by RCIRCSA as contributing to the RCC child sexual abuse crisis in Australia is the structure and governance of the RCC. For the inquiry, RCIRCSA defined “governance” to mean “the systems, structures and policies that control the way an institution operates, and the mechanisms by which the institution, and its people, can be held to account.”³⁵

Governance and clericalism are linked because Canon Law specifies that the church is governed by clergy.³⁶ Specifically, clericalism is a key factor in the monarchical nature of RCC governance. Dr Thomas Doyle OP, an American Dominican priest, canon lawyer and survivor advocate describes the RCC as “a stratified society essentially ruled by just under 3,000 bishops”, including

³⁴ Statement of evidence by Marie Keenan to RCIRCSA: Marie Keenan, “Evidence”, 2-3.

³⁵ This definition is borrowed from the Australian Institute of Corporate Directors (AICD) definition of corporate governance, which is widely used in Australia in the context of companies – especially publicly listed ones – engaged in commercial activity. On the AICD, see: www.aicd.com.au

³⁶ Canon 12, *Code of Canon Law* (1983). This Canon Law provision is consistent with RCC theology which distinguishes between “clergy” who are ordained from “laity” who are not ordained; laity includes lay people, as well as religious brothers and sisters who have taken vows – like celibacy, stability, and poverty – but are not ordained.

archbishops, cardinals, and the pope.³⁷ Among the ordained, bishops wield significant authority because the RCC's history and theology promote a view of episcopal governance which is monarchical – reflecting the notion that Jesus is also a monarch.³⁸

Thus, under Canon Law, a diocesan bishop is vested with “all ordinary, proper and immediate power which is required for the exercise of his pastoral function” and this is understood to include legislative, executive, and judicial power.³⁹ While there are some matters (mainly financial) where bishops are required to obtain the consent of certain bodies such as the Council of Priests or College of Consultors from his diocese,⁴⁰ by and large, a bishop's authority over his diocese is highly concentrated.⁴¹ In this way, each bishop and his diocese is autonomous; as noted by RCIRCSA: “bishops govern their dioceses independently from each other and have authority in their diocese upon which no other bishop, apart from the Bishop of Rome [ie. the pope] can encroach”.⁴²

This has led to University of Sydney law professor, Patrick Parkinson, to describe the RCC governance structure as a mix of “ecclesiastical community and feudal principality”, in which there is an “extraordinary level of decentralisation and

³⁷ *Final Report – Volume 16: Religious Institutions, Book 2*, 644.

³⁸ *Final Report – Volume 16: Religious Institutions, Book 2*, 645. In Christian theology, Jesus is described as “Lord of lords and King of kings” (e.g. Rev. 17:14).

³⁹ *Final Report – Volume 16: Religious Institutions, Book 2*, 645, citing Canon 381, *Code of Canon Law* (1983).

⁴⁰ Canon 495-501, *Code of Canon Law* (1983).

⁴¹ Hence the statement by the archbishop of Perth, Archbishop Timothy Costelloe SDB: “...the bishop was perhaps regarded as almost like a little monarch in his own diocese and could make whatever decisions he wanted, irrespective of what advice he might seek or not seek”: *Final Report – Volume 16: Religious Institutions, Book 2*, 648.

⁴² *Final Report – Volume 16: Religious Institutions, Book 2*, 646.

autonomy” among dioceses.⁴³ It is in this context that (perhaps tongue-in-cheek) Professor Sheila Hollins has described the RCC as “the largest ungoverned organisation in the world.”⁴⁴

The above observations relating to RCC dioceses also apply to religious institutes and orders. In their case, the role of the provincial or superior-general is equivalent to that of a diocesan bishop and they generally share similar powers under Canon Law. The RCIRCSA has noted that even though in theory religious institutes are either under the oversight of the pope (ie. “religious institutes of pontifical right”) or the diocesan bishop (ie. “religious institutes of diocesan right”), in practice many religious institutes operate in a highly autonomous manner.⁴⁵ This suggests that religious institutes operate with relatively little oversight and accountability, similar to diocesan bishops.

What then of the common perception that the RCC is monolithic and hierarchically controlled by the Vatican? The answer is that this perception is partly accurate and partly not. An Australian advocacy group, Catholics for Renewal, notes that although the Holy See controls the RCC worldwide, its intervention in the “routine exercise of administrative authority by diocesan bishops” – including responses to allegations of child sexual abuse – has in the past been minimal.⁴⁶

⁴³ *Final Report – Volume 16: Religious Institutions, Book 2*, 646.

⁴⁴ *Final Report – Volume 16: Religious Institutions, Book 2*, 646. A member of the House of Lords, Baroness Hollins is an eminent psychiatrist from the University of London and a member of the Pontifical Commission for the Protection of Minors.

⁴⁵ *Final Report – Volume 16: Religious Institutions, Book 2*, 652. The governance of religious institutes is covered in pages 652-656.

⁴⁶ *Final Report – Volume 16: Religious Institutions, Book 2*, 647.

Similarly, retired Sydney auxiliary bishop Geoffrey Robinson has noted that although in theory RCC governance has the pope sitting as head of the universal Church and a bishop is at the head of each diocese, “in the Latin Church there is no real or effective level of government between the two.”⁴⁷ Hence, for alleged abusers, their primary decision-making authority is their local bishop who, in turn, is largely autonomous because he is answerable to the pope and has little or no accountability to his regional archbishop. Thus, vicar general of the Diocese of Broken Bay, NSW, Dr David Ranson, notes that the personalisation of authority in a bishop correspondingly limits his accountability.⁴⁸

Two provisos should be raised at this point. First, the claims of near absolute authority of diocesan bishops is not accepted by all commentators. For example, Archbishop Mark Coleridge, Archbishop of Brisbane, refers to the “myth of omnipotence about bishops”.⁴⁹ Nevertheless, on balance, the RCIRCSA took the view that, while a bishop’s authority is not unlimited, in practice bishops – especially in the case of child sexual abuse allegations – “acted as if they were accountable to no one, least of all to the children under their authority”.⁵⁰

Second, in some sections of the RCC in Australia significant improvements on church governance structures have taken place recently. The RCIRCSA received evidence showing that boards of management and boards of governance comprising lay men and women are increasingly being incorporated into RCC

⁴⁷ *Final Report – Volume 16: Religious Institutions, Book 2, 647.*

⁴⁸ *Final Report – Volume 16: Religious Institutions, Book 2, 649.* RCIRCSA noted that the Attorney-General of Massachusetts who reported in 2003 regarding child sexual abuse claims in the Archdiocese of Boston found that, for many years, cardinals and bishops within that archdiocese “acted with the mistaken belief that they were accountable only to themselves”: *Final Report – Volume 16: Religious Institutions, Book 2, 649.*

⁴⁹ *Final Report – Volume 16: Religious Institutions, Book 2, 650.*

⁵⁰ *Final Report – Volume 16: Religious Institutions, Book 2, 650.*

governance structures.⁵¹ For example, in the Archdiocese of Adelaide, by authority delegated from the archbishop, women have been appointed as episcopal vicars for specific ministry areas and there is also a diocesan pastoral council which includes women as part of its leadership team.⁵² This has led to calls – similar to those made at the Second Vatican Council – for the RCC to adopt a more synodical structure, including calls for a “more inclusive, participative Church, with real listening to the voices of the laypeople”.⁵³ In particular, there appears to be an openness towards increasing the role of women in leadership and governance – even though women cannot be ordained.⁵⁴ These developments are viewed positively by the RCIRCSA.⁵⁵

Case Study 6 – RCC Diocesan Financial Scandals

From sexual scandals at a national level, our last case study moves to financial scandals at the diocesan level. A random sampling of diocesan level financial scandals in the RCC within the past three years may include several from around the globe. In the archdiocese of Philadelphia, Pennsylvania, United States, a RCC monsignor who was parish administrator had accumulated USD\$110,000 donated by parishioners in an “off-the-books” bank account which he

⁵¹ The involvement of lay men and women in governance is dealt with in *Final Report – Volume 16: Religious Institutions, Book 2*, 661-664.

⁵² *Final Report – Volume 16: Religious Institutions, Book 2*, 664.

⁵³ *Final Report – Volume 16: Religious Institutions, Book 2*, 666.

⁵⁴ Quoting Archbishop Coleridge: “...if the Catholic Church says it cannot ordain women, we are correspondingly obliged to explore ways in which women can exercise genuine responsibility in the decision-making processes at the highest level”: *Final Report – Volume 16: Religious Institutions, Book 2*, 667.

⁵⁵ *Final Report – Volume 16: Religious Institutions, Book 2*, 668.

maintained.⁵⁶ In the Ruteng diocese of Flores in the remote East Nusa Tenggara province of Indonesia, the sitting bishop resigned as he was investigated by the Vatican after allegations emerged of a secret mistress as well as financial corruption to the tune of USD\$100,000.⁵⁷ In Guam, an archbishop was suspended from office in 2016 – and removed from office in 2019 – as the archdiocese of Agaña was rocked by both financial and sexual scandals.⁵⁸

Cardinal Maradiaga and the Archdiocese of Tegucigalpa

Among recent reports such as those above, perhaps the allegations of diocesan misgovernance involving Cardinal Óscar Rodríguez Maradiaga, Archbishop of Tegucigalpa, Honduras, may be especially concerning. One of the leading cardinals under Pope Francis, Maradiaga was appointed to the cardinalate in 2001 by Pope John Paul II. Maradiaga later headed the powerful group of nine cardinals (“the Council of Cardinals” or “C9”) appointed by Francis in 2013 to help reform the Roman Curia.⁵⁹

⁵⁶ Matthew Gambino, “St. Joseph’s pastor resigns amidst cloud of financial misuse,” *Catholic Philly*, 17 April 2018.

⁵⁷ Mathias Hariyadi, “Bishop of Ruteng resigns over illicit affair and financial scandals,” *AsiaNews*, 12 October 2017. However, in 2018 the bishop was re-assigned to the Bandung archdiocese in Java, Indonesia – to the dismay of several concerned priests: Ryan Dagur, “Church gives scandal-hit Indonesian bishop second chance,” *UCA News*, 12 December 2018.

⁵⁸ Salvatore Cernuzio, “The Guam problem, a diocese rocked by financial and sexual scandal,” *La Stampa*, 20 September 2017; and Carol Glatz, “Rejecting appeal, Vatican hands down final ruling against Guam bishop,” *CRUX*, 4 April 2019.

⁵⁹ In late 2018, the composition of C9 was reduced by three. Pope Francis accepted the resignation of Cardinal Errazuriz Ossa from Chile – who was being investigated by Chilean authorities for covering up priests accused of sexually abusing minors; Francis also thanked Congolese Cardinal Laurent Monsengwo Pasinya – who retired as archbishop of Kinshasa; and Australian Cardinal George Pell – who one day earlier was convicted of historic sexual abuse by the Supreme Court of Victoria (see footnote 21 above): Nicole Winfield, “Pope cuts 2 cardinals from cabinet named in abuse scandal,” *AP News*, 13 December 2018.

In December 2017, a prominent Italian newsmagazine, *L'Espresso*, published sensational allegations concerning Maradiaga.⁶⁰ The allegations included: that Maradiaga mismanaged church funds by receiving USD\$41,600 per month for several years from the Catholic University of Tegucigalpa; that he invested USD\$1.2 million into some London investment companies, with some of that money later vanishing; that the Honduran Court of Auditors was investigating large sums of money which flowed from the Honduran government to two foundations associated with the RCC and Maradiaga himself; and accusations of financial and sexual misdemeanours against an auxiliary bishop of Tegucigalpa, Juan José Pineda, who was “among the most loyal in Maradiaga’s inner circle and *de facto* his deputy in Central America”. The allegations were partly based on a May 2017 report written for Pope Francis by retired Argentine Bishop Alcides Jorge Pedro Casaretto, who was sent to Honduras as a papal envoy to investigate matters in the archdiocese of Tegucigalpa.

Maradiaga responded quickly, asserting that the allegations were not new and clarifying that the monthly amounts he received as Grand Chancellor of the Catholic University of Tegucigalpa were not for himself but for the entire archdiocese.⁶¹ Then, in July 2018 – amidst allegations by Honduran seminarians of widespread homosexual misconduct in Tegucigalpa’s Our Lady of Suyapa Major Seminary⁶² – Pope Francis accepted the resignation of Bishop Juan José

⁶⁰ The information in this paragraph is drawn from: Di Emiliano Fittipaldi, “35 thousand euros a month for the Cardinal: the news scandal that shakes the Vatican,” *L'Espresso*, 21 December 2017; and Matthew C. Hoffman, “Pope Francis’ top ‘reform’ cardinal accused of massive financial scandal,” *Life Site*, 22 December 2017.

⁶¹ Andrea Gagliarducci, “Cardinal Maradiaga responds to allegations of corruption,” *Catholic News Agency*, 22 December 2017.

⁶² Edward Pentin, “Honduran Seminarians Allege Widespread Homosexual Misconduct,” *National Catholic Register*, 25 July 2018. The seminarian’s allegations have been disputed by the Honduran Conference of Bishops: Catholic News Agency, “Honduran bishops deny ‘culture of homosexuality’ at national seminar,” *CRUX*, 31 July 2018.

Pineda who was reportedly a protégé of Maradiaga and was in charge of the archdiocese of Tegucigalpa in Maradiaga's absence.⁶³

Cardinal Maradiaga and the Reichmanns

While Maradiaga appeared to have emerged relatively unscathed from the 2017-2018 allegations, in April 2019 a new book laid fresh allegations against him.⁶⁴ Written by Martha Alegria Reichmann, the Spanish-language book *Traiciones Sagradas (Sacred Betrayal)* published in Honduras detailed additional alleged misdemeanours on the part of Maradiaga. Reichmann is the widow of Alejandro Valladares, the late Honduran ambassador to the Vatican for 22 years and a former dean of the Vatican diplomatic corps. In an article about the book, journalist Matthew Hoffman noted the following allegations:

- (a) Reichmann acknowledged that she and her late husband had been close personal friends of Maradiaga and Maradiaga's then auxiliary bishop, Juan José Pineda, for over two decades. According to her, Maradiaga helped persuade Honduran authorities to reappoint her husband repeatedly as the Honduran ambassador to the Vatican. Correspondingly, her husband helped convinced Vatican insiders to support Maradiaga in his appointment to the cardinalate. Both projects appeared successful.

⁶³ Edward Pentin, "Pope Francis Accepts Resignation of Honduran Bishop Accused of Sexual Abuse," *National Catholic Register*, 20 July 2018.

⁶⁴ The information in this paragraph is drawn from: Matthew C. Hoffman, "Corruption of Pope Francis' reform chief portrayed in groundbreaking new book," *Life Site*, 25 April 2019. See also: Edward Pentin, "Author Accuses Honduran Cardinal of 'Betrayal' and 'Cover-Up' in New Book," *National Catholic Register*, 6 April 2019.

- (b) Reichmann detailed the friendship between her and her late husband with Pineda. She also explained how that friendship unravelled as a result of Pineda's relationship with another man. The fracturing of this friendship, in turn, led to their falling out with Maradiaga. In passing, Reichmann reportedly described Maradiaga's relationship with Pineda as "excessive" and "unhealthy" and noted that for years Pineda lived near Maradiaga's residence with a homosexual layman boyfriend who dressed as a priest.
- (c) Reichmann claimed that in 2012 Maradiaga persuaded her and her late husband to invest a large portion of their family savings in Britain. The investment offered a 7% return and was run by a London-based investment firm recommended by Maradiaga. However, Reichmann alleged that the London firm disappeared unexpectedly in 2015 along with their funds.

It should be noted that the above allegations remain unproven to date. Nevertheless, the public reporting of the allegations and the status of the person making them have generated significant negative publicity concerning Maradiaga, the archdiocese of Tegucigalpa and, indirectly, the RCC.

Questions and Observations

In reviewing the RCC-Australian child sexual abuse scandal and RCC-Diocesan financial scandal case studies, the same two research questions can be asked. First, why did the governance framework of the RCC at the national and diocesan levels fail to prevent these governance failures? Second, how did the RCC governance framework at the national and diocesan levels respond to these governance failures?

Three observations can be made in response. First, the RCIRCSA finding that clericalism and the governance structure of the RCC are institutional factors which helped contribute to the RCC child sexual abuse scandal in Australia appears to be valid. Significantly, these two institutional factors intersect at one key point: the ecclesiastical power of RCC bishops. Arguably, it is this strong episcopal authority which distinguishes RCC episcopalianism – dubbed “monarchical episcopalianism” by Long⁶⁵ – from other forms of episcopalianism.

While there may be advantages to having strong episcopal authority – for example, to advance the Gospel in new regions and to promote a kind of decentralised decision-making – the evidence unearthed by the RCIRCSA suggests that the same strong episcopal authority can be manipulated to facilitate child sexual abuse. After all, it was powerful bishops and superiors who shuffled abusers like McGrath with relative impunity until the truth was finally outed. In other words, strong episcopal authority – which, theoretically at least, can be used to prevent governance failures – can also become a key contributing factor leading to governance failures.

Second, the stratified hierarchy of the RCC governance framework is arguably another contributing factor towards governance failures. Hierarchical church structures can create distance between church leaders and church members. Arguably, one indication of such distance is the fact that, during and after the RCIRCSA hearings, Cardinal George Pell was described separately as “aloof”⁶⁶

⁶⁵ Long, *Patterns of Polity*, Chapter 1.

⁶⁶ John Silvester, “George Pell should not be charged just to clear the air”, *Sydney Morning Herald*, 24 May 2017.

and “arrogant”.⁶⁷ While aloofness and arrogance may simply be personal traits of Pell, they can also be accentuated when hierarchy is involved.

The hierarchical nature of the RCC governance framework is underscored by the theological separation between clergy and laity. This is epitomised by the RCC notion of ontological change which is thought to occur at ordination. Such ontological change reinforces the hierarchical and theological distance separating clergy from laity. In turn, this distance can breed a culture of superiority among clergy which, in certain circumstances and with certain individuals, makes it easier for sexual and financial scandals to occur and remain undetected.

Third, a self-protective clericalism appears to be a common thread in the two RCC scandals discussed earlier. This may manifest itself as a kind of denial of the obvious and a refusal to acknowledge fault. One example is Cardinal Pell’s refusal to acknowledge the role which institutional factors – as opposed to personal failings – can play in facilitating sexual abuse. Similarly, the resignation of auxiliary bishop Juan José Pineda from Honduras occurred with little or no acknowledgment as to the validity or otherwise of the allegations raised against him and Cardinal Maradiaga.

Summary

In summary, the RCC case studies at national and diocesan levels demonstrate how a church using a monarchical episcopalian polity experienced sexual and

⁶⁷ BBC News, “George Pell: Who is the cardinal convicted of sexual abuse?”, *BBC News*, 26 February 2019.

financial scandals. Both scandals are marked by common threads including the strong episcopal authority of bishops, the highly hierarchical nature of the RCC governance framework, and a self-protective clericalism which tends to deny, obfuscate, and ignore faults. Of course, the RCC with its strongly monarchical episcopalian framework is unique among church governance systems. Nevertheless, the case studies do offer insights as to how one episcopal polity functions in practice. The next chapter will analyse in greater detail the differences and similarities among congregational, presbyteral, and episcopal polities in their experiences of misgovernance scandals.



Chapter 6

Analysis, Recommendations, and Conclusion

Introduction

Following the case studies in Chapters 3-5, this chapter undertakes a cross-case analysis of all six case studies in order to draw insights as to how churches with differing polities deal with scandals. The cross-case analysis identifies two common characteristics which appear to run through most, if not all, of the case studies. I then discuss these two characteristics – which I dub monarchialism and hierarchicalism – and explore possible correlations they may have with different church polities. Drawing on the case studies, I develop a Church Governance Grid which shows diagrammatically how different church polities relate to the two dimensions of monarchialism and hierarchicalism. I conclude with a reflection on the viability of reducing monarchialism and hierarchicalism

and then offer six practical recommendations designed to help churches prevent and deal with misgovernance.

Cross-Case Analysis of Case Studies

At the end of Chapters 3, 4, and 5 brief observations are made concerning the two case studies dealt with in each chapter. The observations result from asking two questions: “Why did the particular church governance framework not prevent the scandal?”; and “How did the framework respond to the scandal?” The observations from Chapters 3-5 are now summarised in Table 3 below.

Table 3: Summary of Observations from Case Studies

| | Why did the church governance framework not prevent the scandal? | How did the church governance framework respond to the scandal? |
|---|---|--|
| Congregational polity <ul style="list-style-type: none"> • NLC-Haggard (sexual scandal) • CHC-Kong (financial scandal) | Inadequate oversight by local church boards | Initial signs of wrongdoing were ignored or denied |
| | High-profile celebrity pastors enjoying a pre-eminent and dominant position in church | |
| Presbyteral polity <ul style="list-style-type: none"> • CRPC-Tchividjian (sexual scandal) • PCA-Brooks CMI (financial scandal) | Successful and persuasive individuals in prominent church roles | A degree of distance or opacity in when responding to initial signs of impropriety |
| | Lack of follow through in supervising key individuals | |
| Episcopal polity <ul style="list-style-type: none"> • RCC-Child sexual abuse in Australia (sexual scandal) • RCC-Maradiaga (financial scandal) | Strong ecclesiastical power of bishops which is often unchecked | Self-protective clericalism leads to a tendency to deny wrongdoing |
| | Highly stratified hierarchy of governance structures which create distance from laity | |

Based on the above, what common structural characteristics can be detected among the observations from Chapters 3-5? I see at least two. The first is the presence of one prominent and influential leader which causes the church in question to lean towards a one-person leadership model. This tends to concentrate decision-making power in the hands of that one leader. I call this characteristic “monarchicalism”.

The second characteristic is a degree of distance or opacity in decision-making at one or more levels of the church hierarchy. Distance refers to a sense of separation between hierarchical church leaders who make a decision and the laity who experience the implemented decision.¹ Opacity is the lack of transparency in decision-making such that the laity are left unclear as to whether the decision made complies with the church’s internal rules or, in the absence of such rules, with generally accepted norms. I call this characteristic “hierarchicalism”.

It is important to note that both monarchicalism and hierarchicalism as manifested in the case studies are structural characteristics which feature in the respective church polities. For example, with respect to the monarchicalism of an RCC bishop, this is, in part, a function of how episcopal authority is ordered and embedded within the episcopalian polity of the RCC. Of course, it is not a structural issue *exclusively*; it is also a theological issue for the RCC because there are doctrines (e.g. apostolic succession) which support and legitimise the RCC version of monarchicalism.

¹ Interestingly, management theory suggests that organisational hierarchies tend to thwart human moral impulses by creating distance between decision-makers and those who experience the implemented decisions: C.R. (Bob) Hinings & Michael K. Mauws, “Organizational Morality”, in *Church Ethics and Its Organizational Context: Learning from the Sex Abuse Scandal in the Catholic Church*, Jean M. Bartunek *et al*, eds (Rowan & Littlefield Publishers, 2006) 115-121.

Similarly with hierarchicalism. When a denomination chooses to empower its provincial synod, assembly, or conference to make decisions binding on local churches in a given region, that is a choice which affects its structure. When a church polity decides to incorporate multiple hierarchies beyond a local congregation (i.e. overstructures) or within a local congregation, this too is a decision which affects its structure.

As noted in Chapter 1, this study focuses on matters of church polity (structural factors) and not on church leadership (human factors). Given that monarchicalism and hierarchicalism are two structural characteristics which have emerged as discernible patterns from the six case studies, they are further elaborated upon below.

Monarchicalism: One-person Leadership Model

Monarchicalism is discernible, to varying degrees, in all six case studies. That one key leader may be Ted Haggard, Kong Hee, Tullian Tchividjian, Cecil Brooks, or a particular priest or bishop of the RCC such as Cardinal Maradiaga. The common denominator is that the scandal in each of the case studies features a prominent, influential leader who stands head-and-shoulders above others in their church communities.

Typically, it is this prominent leader who is personally involved in the extramarital affair (e.g. Haggard and Tchividjian) or financial wrongdoing (e.g. Kong). In the case of the RCC child abuse scandal, that person may be the clergy who committed the offence or the supervising bishop who sought to cover it up. In the case of CMI, the Bankruptcy Examiner's report points to Brooks as the

alleged leader who was instrumental in successfully leveraging the goodwill of the PCA to benefit CMI.

What about the church's oversight of these prominent leaders? After all, there were oversight boards in each of the organisations where Haggard, Kong, Tchividjian, and Brooks functioned. Yet, the case studies demonstrated that no board was successful in holding these leaders accountable for their actions until after the scandal occurred.

In the case of the RCC, monarchicalism is demonstrated in the strong ecclesiastical power held by bishops and other clergy. Such episcopal power is often *unchecked* (e.g. a bishop's authority is not readily subject to local checks and balances), *decentralised* (e.g. each bishop wields that power in his own jurisdiction and cannot be encroached by another bishop except, theoretically, by the bishop of Rome), and *concentrated* (e.g. a bishop's authority is vested in his own person and office).

In the RCC child sexual abuse scandal, monarchicalism allowed bishops and superiors to exercise ineffective oversight of activities in their jurisdiction. The monarchicalism manifested in bishops and superiors arguably contributed to the scope, depth, and duration of the RCC child sexual abuse scandal. Similarly, the scandal surrounding Cardinal Maradiaga underlines the enormous power and authority vested in his position as archbishop of Tegucigalpa.

Hierarchicalism: Distant or Opaque Decision-Making

Hierarchicalism is also discernible, to varying degrees, in all six case studies. For example, in the NLC-Haggard case, the overseer board uncovered various "red

flags” which apparently were already present prior to the 2006 scandal which led to Haggard’s downfall. Were these red flags known to NLC leaders? It would be odd if NLC leaders were not aware of them as they were uncovered by a brief investigation by the overseer board after Haggard’s resignation. On the other hand, if the red flags were known to the NLC leaders, what was the decision-making process which caused these red flags not to be investigated? Did that process comply with NLC’s internal rules or generally accepted community norms, including the general expectations of NLC members? To date, these questions have not been answered.

With respect to the CHC-Kong scandal, the opacity in decision-making is manifested after the Roland Poon allegations in 2003. When Poon publicly accused church leaders of misusing funds to bankroll Ho’s music career, the church reduced transparency to members. Kong’s preference for discretion coupled with a compliant CHC management board led to increased opacity in decision-making which, in turn, led to subsequent cover-ups. These cover-ups were not revealed until the successful criminal prosecution initiated by the Singapore authorities in 2012.

With respect to the CRPC-Tchividjian scandal, opacity was demonstrated in 2014 by the two CRPC elders who learnt about an alleged extramarital affair involving Tchividjian but decided to keep quiet about it. No explanation was given as to the circumstances in which they received the information and why they decided to keep it confidential even from the rest of the eldership, let alone the congregation. Again, it is unclear whether in doing so these two elders complied with CRPC internal rules or fulfilled the general expectations of CRPC members.

As for the PCA-Brooks CMI scandal, officials within PCA headquarters went to remarkable lengths to keep confidential the legal audit report which the PCA

General Assembly commissioned in 1993. Even if this complied with the PCA's internal bylaws, it did not appear to comply with the expectations of the broader PCA community – especially PCA members who became investors and lost money when CMI became bankrupt.

In the case of the RCC child sexual abuse scandal, there were numerous instances when powerful individuals within the RCC hierarchy made decisions which led to abuser priests being shuffled from one parish to another. The bulk of these decisions were made opaquely. This was similar to the allegations concerning Cardinal Maradiaga. Despite the reported denials there appeared to be little, if any, evidence made public to substantiate these denials. The overall result is a sense of dissatisfaction revolving around decisions which appear to lack transparency and accountability.

Correlation with Church Politics

If the preceding analysis is correct, what correlations can be drawn between the structural characteristics of monarchialism and hierarchicalism on the one hand, and church politics and misgovernance on the other hand? Specifically, is there evidence to suggest that certain church politics have a correlation with one or both characteristics such that they increase the likelihood of scandal and misgovernance?

In seeking to examine the existence of a correlation, it is important to bear in mind that our data-set comprises only six case studies. While the case study research method allows the analysis of small data-sets and even single cases in order to draw findings, the fewer the number of case studies used the more the

finding should be viewed as a preliminary one.² Moreover, even if there is a preliminary finding of a correlation, it is a truism that correlation does not mean causation. Rather, a correlation simply suggests the existence of a statistical relationship. If a correlation exists between a church polity and monarchicalism and hierarchicalism then, all other things being equal, there is a greater likelihood for misgovernance to occur among churches using that polity than if no correlation exists.

Correlation with Congregational Polity

Turning to congregational polity, the question thus becomes: what correlation do churches with congregational polity have with monarchicalism and hierarchicalism? Two responses come to mind.

First, churches utilising congregational polity do not appear to be inherently predisposed to monarchicalism. This is because these churches tend to have local oversight boards – such as a board of elders – which exercise decision-making authority. In this sense, with respect to monarchicalism, churches using congregational polity appear to face largely the same challenges as churches using a presbyteral polity. This is because a presbyteral polity typically has a session as the local oversight board – something akin to the eldership board in a congregational polity. The similarities in the cases involving Kong and Haggard (congregational polity) and Tchividjian (presbyteral polity) underscore this point.

² Robert. K. Yin, *Case Study Research: Design and Methods*, 5th. ed. (Sage, 2013) 18. See also: K. M. Eisenhardt, “Building Theories from Case Study Research”, *Academy of Management Review*, 14(4) (1989) 532-550.

However, a church using congregational polity may lean more towards monarchicalism if its senior pastor is given excessive power and prestige at the expense of its local oversight board. In an extreme case, a senior pastor can exercise one-person leadership in a way which is similar to a monarchical bishop operating in an episcopal polity. In this vein, CHC has been described as having something resembling a “proto-Episcopal structure” with Kong exercising “spiritual authority similar to that of a bishop”.³ In other words, although technically CHC utilises congregational polity, Kong’s personal dominance meant that the oversight role of the CHC management board was ineffective – allowing Kong to operate like a pseudo-bishop.

Second, churches using a congregational polity should generally be less prone to hierarchicalism. This point is not illustrated in the case studies but appears self-evident. This is because their oversight board – for example, a board of elders – is typically local. Since the eldership board is composed of members of the local congregation, it should be easier for members to approach, access, and question their elders. This shifts the balance towards proximity and transparency rather than distance and opacity.

Having said that, this does not mean that local oversight boards cannot be tainted by hierarchicalism. In some situations, power imbalances and particular group dynamics may create distance or opacity even in local oversight boards. One example is the 2007 decision by NLC leaders to keep confidential a monetary settlement made to a former church member who had alleged a prior incident of sexual impropriety involving Haggard. Consider also the CHC management board which appeared to have been overly influenced by Kong. In

³ Kim-kwong Chan, “City Harvest Church of Singapore”, 294-295.

both cases, the local oversight board acted in a way which many of their church members would have found somewhat opaque and distant, coloured by hierarchicalism.

Correlation with Presbyteral Polity

What about churches using a presbyteral polity: is there a correlation between such churches and monarchicalism and hierarchicalism? First, as with churches utilising congregational polity, churches utilising presbyteral polity do not appear to be inherently predisposed to monarchicalism. This is because a presbyteral church typically has a group of elders comprising a session which functions as its local oversight board. This kind of collegiate eldership rule usually reduces the risk of monarchicalism arising.

However, in the CRPC-Tchividjian case, CRPC appeared to have allowed Tchividjian to gain excessive status and power as senior pastor at the expense of the local session. This might have enabled Tchividjian to enjoy degree of monarchicalism at CRPC. A similar dynamic can arise with senior church officials within a centralised denominational hierarchy. For example, when Brooks led IFBD under the auspices of PCA headquarters, it appeared that he had already started to move towards monarchical leadership within IFBD. In this way, monarchicalism can arise through practice (celebrity pastors or excessively powerful denominational officials) as well as doctrine (monarchical rule by bishops).

The situation is potentially different when it comes to presbyteral polity and hierarchicalism. This is because presbyteral overstructures – such as

presbyteries, synods, and general assemblies – generally operate beyond the local session. While some decisions are made by the local session, certain decisions are the responsibility of these overstructures. For example, the ordination of ministers, installation of pastors, and planting and closure of a church are usually decisions for a presbytery, not a local session. Other decisions may be made by the general assembly, for example, decisions relating to denominational finances, foreign missions, teaching curriculum, and doctrinal matters.

The challenge in using overstructures is that they can encourage hierarchicalism by generating distance or opacity between leaders and laity. Church officials in overstructures can degenerate into viewing local churches and the laity as mere “customers or branches” – meaning that they are treated as clients to be satisfied or financial backers from whom funding is sourced.⁴ This can lead to a disconnect between the centralised overstructures and the congregations they are meant to serve.

One example of hierarchicalism manifested through overstructures is the decision by the PCA General Assembly in 1994 to not publicly release the legal audit report. Today, that decision still rankles certain segments of the PCA community. On a similar note, one perceptive Presbyterian insider has pointed out that, on controversial issues, majority-voting by General Assemblies have at times hindered – not helped – the process of strengthening unity and the *sensus fidei* at the level of local churches.⁵ In other words, the use of centralised denominational overstructures does not always yield a positive outcome.

⁴ This point is made by the Swedish theologian, Harald Hegstad, *The Real Church: An Ecclesiology of the Visible* (Wipf and Stock, 2013) 221.

⁵ Joseph D. Small, “Presbyterianism’s Democratic Captivity”, *First Things*, March 2012, 45-50. Small was director of the PCUSA Office of Theology and Worship from 1989-2011.

Meanwhile, it should be noted that overstructures are used not solely by presbyteral polities. For example, the Southern Baptist denomination utilises congregational polity and yet has overstructures. In a 2000 case involving the Arizona Southern Baptist Convention, its finance agency called the Baptist Foundation of Arizona (“BFA”) applied for bankruptcy. Eventually, the collapse of BFA – in circumstances not too dissimilar to CMI – led to more than 11,000 investors losing US\$570 million.⁶ In the case of Methodist churches, prominent Methodist historian, Russell Richey, has observed that schisms in Methodism’s first century “all [revolved around] the superintending powers and authorities, typically those of bishops and presiding elders”.⁷ This suggests that the use of overstructures within Methodist connexionalism has not always been problem-free.

However, while the use of overstructures in presbyteral polity may make it more prone to hierarchicalism, it does not appear to be as severe as the situation with episcopal polity. This is because presbyteral polity preserves some “bottom-up” features by electing local representatives to presbyteries, synods, and general assemblies; in this way, Presbyterian churches can be described as operating under a “representative eldership”.⁸ This should be contrasted with the strong episcopalianism of the RCC where hierarchicalism is significantly more pronounced.

⁶ Chuck Fager, “Ponzi Payback: Treachery of the Highest Order – Andersen insurer pulls plug on Baptist Foundation of Arizona settlement”, *Christianity Today*, 22 April 2002.

⁷ Russell E. Richey, “Methodism as Machine”, in *Church, Identity, and Change: Theology and Denominational Structures in Uncertain Times*, David A. Roozen & James R. Nieman, eds. (Eerdmans, 2005) 523-533, at 524.

⁸ Presbyteral polity is called “representative eldership” by Long, *Patterns of Polity*, Chapter 4.

Correlation with Episcopal Polity

Turning to churches using an episcopal polity: is there a correlation between such churches and monarchialism and hierarchicalism? The answer seems clear. Our case studies reveal that the strong episcopalianism of the RCC tends to foster both monarchialism and hierarchicalism.

With respect to monarchialism, RCC Canon Law states that a bishop has extensive power within his diocese and is not generally constrained by fellow bishops (other than the bishop of Rome). In that sense, while it is correct to assert that the RCC has an “extraordinary level of decentralisation and autonomy” among its dioceses,⁹ the power to wield that autonomy is very much in the hands of a single person – the bishop. Here, the point lies not so much on the decentralisation (which is still less than churches using congregational polity), but that within the RCC version of decentralisation the power is concentrated in the bishop.¹⁰ Put in another way, RCC polity involves diocesan autonomy combined with monarchial oversight, whereas congregational polity involves congregational autonomy with collegiate oversight.

One example of monarchialism in the RCC context is Cardinal Maradiaga and his former auxiliary bishop, Juan José Pineda. The allegations of financial and sexual impropriety could not be understood if Maradiaga and Pineda did not hold substantial power in their capacity as bishops. If they did not wield such power, the allegations arguably would not have arisen in the first place.

⁹ The comment is made by University of Sydney law professor, Patrick Parkinson AM: *Final Report – Volume 16: Religious Institutions, Book 2*, 646.

¹⁰ I owe this insight to one of my thesis supervisors, Dr John Macleod.

With respect to hierarchicalism, the RCC case studies underscore the reality that the locus of decision-making within the RCC is often relatively distant from and opaque to the laity in local parishes. This distance is largely due to the highly hierarchical nature of the RCC, with each level of the hierarchy one step further removed (geographically as well as functionally) from the local parish. A clear demonstration of opacity is the way in which the RCC hierarchy in Australia (and other jurisdictions) quietly shuffled abuser priests for decades from one parish to another parish or ministry without the laity knowing. Such hierarchicalism can generate a potentially corrosive elitism and clericalism which are inimical to the RCC as a whole.

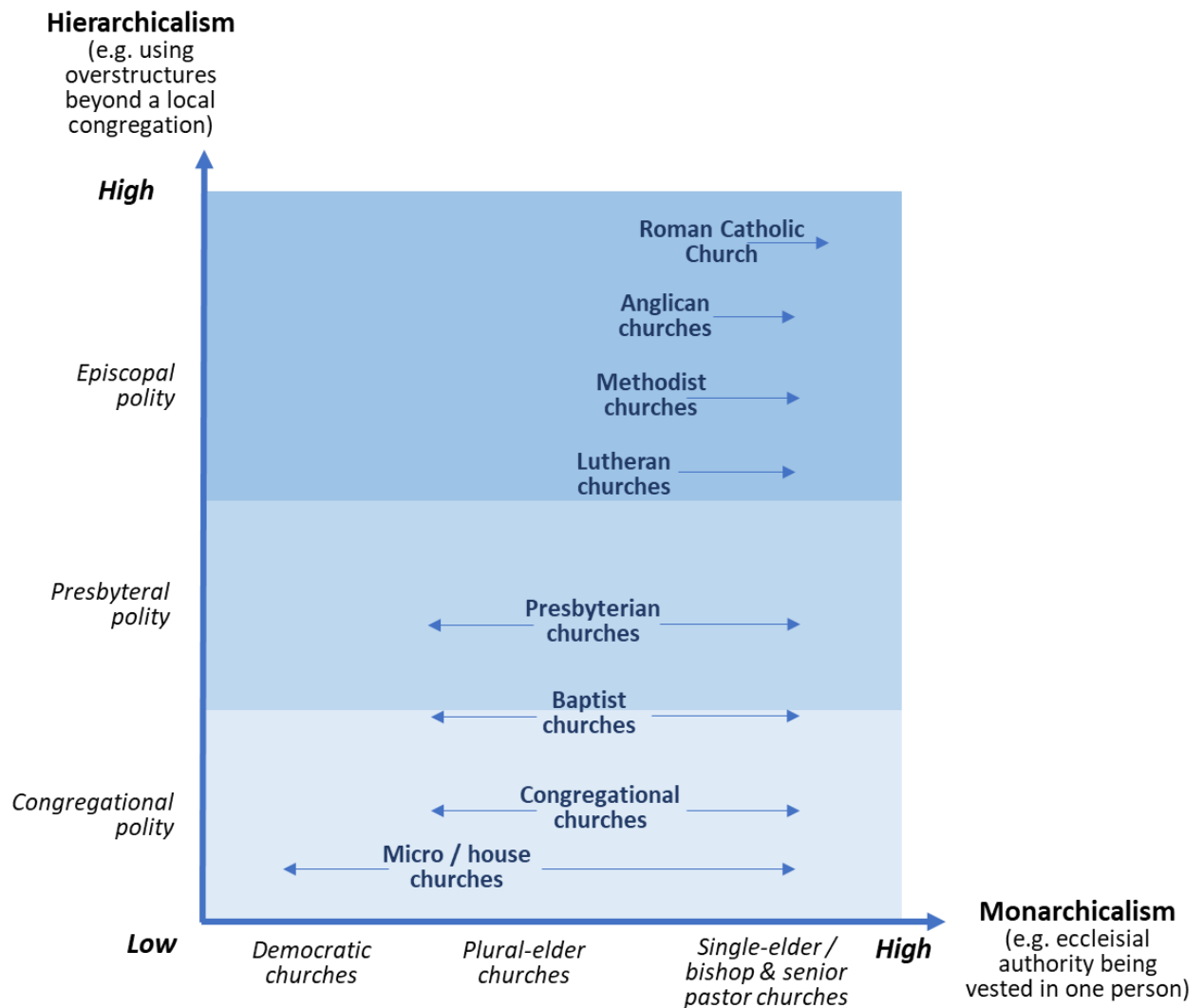
The Church Governance Grid

One way to summarise the above correlations is to depict, diagrammatically, monarchicalism and hierarchicalism on the one hand, and church polity on the other. I do this in the “Church Governance Grid” shown as Diagram 4 below. Monarchicalism is placed on the horizontal axis while hierarchicalism is placed on the vertical axis. On the monarchicalism horizontal axis, single-pastor churches are at the high end (right), plural-elder churches at the middle, and democratic churches (where every member votes on decision-making) are at the lowest end (left). The reasoning is that single-pastor leadership is the most prone to monarchicalism. In contrast, the collegiate leadership of plural-elder churches is less prone to monarchicalism and democratic churches are the least prone.

Correspondingly, on the hierarchicalism vertical axis, congregational polity is at the lowest band. It is followed by presbyteral polity at the middle band and

episcopal polity at the highest band. The reasoning is that congregational polity is least prone to hierarchicalism whereas episcopal polity is most prone to hierarchicalism, with presbyteral polity in the middle.

Diagram 4: Church Governance Grid



Source: Benny Tabalujan, 2019.

Different denominations using variations of these three main types of church polity can be positioned on the diagram with varying combinations of monarchialism and hierarchicalism, as shown in Diagram 4. For instance,

because micro-churches and house churches can range from being democratic in nature to being single-pastor driven, they can range from left to right on the monarchialism horizontal scale. However, because they tend to have the fewest levels of hierarchy, they are located on the lowest portion of the congregational band on the hierarchicalism vertical axis.

Congregational churches and Baptist churches are also located on the congregational band on the hierarchicalism vertical axis, but higher than micro and house churches. This is because congregational churches and Baptist churches can grow into large self-governing congregations and incorporate internal hierarchies within their congregations. On the other hand, on the monarchialism horizontal axis, congregational and Baptist churches tend to range from being plural-elder churches to single-elder / senior-pastor churches.

While Baptist churches traditionally adopt congregational polity and affirm congregational governance,¹¹ some Baptist groups now use overstructures in a significant way, thus increasing the leaning towards hierarchicalism. For example, the Southern Baptist Convention, which is the largest Baptist grouping in the United States, has eleven supra-congregational ministry entities active in various fields including international missions, seminary education, publishing, and finance.¹² For this reason, I have placed Baptist churches higher on the hierarchicalism vertical axis than congregational churches. However, Baptist churches remain below Presbyterian churches on the hierarchicalism vertical

¹¹ See: Stephen Prescott, "Ecclesiology Among Baptists in Great Britain and America (1609-Present)" in Gerald P. Cowen, ed., *Who Rules the Church? Examining Congregational Leadership and Church Government* (Broadman and Holman, 2003) 133-142.

¹² See: Southern Baptists, "About Us" (online).

axis because Baptists – perhaps because of their Anabaptist roots – traditionally still tend to have fewer denominational overstructures than Presbyterian churches.

Presbyterian churches are generally located in the presbyteral band on the hierarchicalism vertical axis. However, like congregational churches, they can range from being plural-elder churches to senior-pastor churches. As for the Lutherans, Methodists, Anglicans, and the RCC, they are all located in the episcopal band on the hierarchicalism vertical axis. Among them, Lutheranism arguably adopts the lightest form of episcopalianism and hence Lutheran churches are located at the lower section of the episcopal band. Methodist churches, with their superintendent bishops and their connexionalism principle are placed higher than Lutheran churches. Arguably, the two strongest forms of episcopalianism are represented by, first, the RCC with its strong hierarchy culminating in the papacy and, second, Anglicanism which has a lighter version of episcopalianism compared to the RCC.

Meanwhile, on the horizontal axis, Lutherans, Methodists, Anglicans, and the RCC are placed generally on the high end of monarchialism. This is due to the fact that these churches tend to be led by single pastors, superintendents, or bishops rather than collegiate oversight boards.

In putting forward the Church Governance Grid, it is important to note that there is room for debate as to where precisely a church should be located on the grid. Moreover, a church's location is not necessarily permanently fixed. Over time a church can, intentionally or otherwise, shift its location in terms of monarchialism or hierarchicalism, or both. The value of the grid is to demonstrate how the two structural characteristics of monarchialism and hierarchicalism can be related to church polities. In doing so, it offers a fresh

typology which highlights how these two characteristics correlate with church polity and misgovernance.

Whither Monarchialism and Hierarchicalism?

If the preceding analysis is correct, it suggests that, all other things being equal, high levels of monarchialism and hierarchicalism are generally unhelpful for good church governance. This raises several questions. How did monarchialism and hierarchicalism emerge among churches in the first place? How should we view monarchialism and hierarchicalism today?

Answering these questions fully is beyond the scope of this study. However, it would be remiss not to offer some preliminary remarks in response, with the hope that future research may generate more fulsome answers.

First, as noted in Chapter 2, an examination of early church history suggests that monarchialism and hierarchicalism were not prominent features of the first century church. While the Twelve, together with the Paul,¹³ played a special role as apostolic witnesses in the spread of the Gospel,¹⁴ the biblical evidence indicates that leadership of local congregations largely fell upon local elders and deacons. The Philippian church had elders and deacons;¹⁵ the pastoral epistles

¹³ Paul refers to himself as an apostle “untimely born”: 1 Cor. 15:8.

¹⁴ The apostolic role includes not only primacy in the geographical spread of the Gospel, but also a key role in determining the content of the Gospel – for example, in confirming that Gentiles can receive God’s salvation without circumcision, as decided at the Jerusalem Council (Acts 15).

¹⁵ Phil. 1:1.

discuss in some detail the qualities of elders and deacons;¹⁶ and Luke records that elders were being appointed during the lifetimes of the apostles.¹⁷

Second, monepiscopacy first emerged probably in the early second century. Monepiscopacy can be viewed as a precursor of monarchicalism because the monarchical bishop exercised one-person leadership over one church and, subsequently, gained authority over multiple churches. Monepiscopacy likely became the prevailing model of church governance by the third century. Later, monepiscopacy also gave rise to increasing hierarchicalism as it evolved and ushered in a prelacy and the papacy – at least within the Latin church of the West. In turn, monarchicalism and hierarchicalism encouraged clericalism, while clericalism further entrenched monarchicalism and hierarchicalism.

Third, monepiscopacy appeared to have emerged gradually. As noted in Chapter 2, scholars like von Harnack and Burke suggest various factors as contributing to the rise of monepiscopacy and the hierarchical episcopacy of the Western church. What is striking is that most, if not all, of these factors appear to be more circumstantial than doctrinal. Monepiscopacy appeared to emerge incrementally as a response to changing circumstances – for example, the need for centralised organisation to counter heterodoxy, the rise of strong-minded individual bishops like Ignatius of Loyola, and, post-Constantine, the desire to emulate Roman administrative structure.¹⁸ If so, monepiscopacy was largely a product of circumstantial responses to the pressing social, legal, and political exigencies of the time.

¹⁶ I Tim. 3:1-15; Tit. 1:4-9.

¹⁷ E.g. Acts 14:23; 15:2; 20:17.

¹⁸ This appears to be supported by Jerome's comment in the fourth century that monepiscopacy was not an instruction of the Lord: see Chapter 2, footnote 18.

Fourth, if monepiscopacy (and its later siblings, monarchicalism and hierarchicalism) grew into prominence largely because of circumstances, they should conversely be allowed to decline when circumstances render them unhelpful. After all, there does not appear to be any prohibition within Scripture against setting aside monarchicalism in favour of collegiate leadership in churches. Neither are there prohibitions against setting aside hierarchicalism in favour of a less hierarchical and more localised leadership. Indeed, the weight of evidence is the other way: even before and certainly after the demise of the Twelve, the first century church appeared to have been led primarily by local, collegiate groups of elders. If so, then working towards a gradual decline of monarchicalism and hierarchicalism in church governance today is biblically, historically, and empirically defensible.

Recommendations

Based on the foregoing, I offer six practical recommendations designed to reduce the risk of church governance failures. Some – not all – attempt to do this by reducing monarchicalism and hierarchicalism. None focuses on the personal aspects of church leaders – such as spiritual development, virtue formation, or skills training. Rather, as has been the case throughout this study, the focus is on improving the governance structure of churches.

The recommendations offered are polity agnostic. In other words, they can be applied to varying extents by churches using congregational, presbyteral, or episcopal polity. Granted, if applied to the extreme, some of these recommendations can alter a church's organisation so much that this effectively changes its historic polity (e.g. from presbyteral polity to congregational polity).

Although that is a possibility, that is not the intention. Rather, the objective is that these recommendations be sufficiently practical, flexible, and effective in reducing the risk of misgovernance while allowing a church, if it so desires, to maintain its historic polity. The six recommendations, together with their rationales and suggestions for implementation, are detailed below.

Recommendation 1: Reduce the Power of Individual Church Leaders

The first recommendation is to reduce to an appropriate level the power and influence of individual church leaders, especially the senior minister or senior pastor in churches with a one-person leadership model. The rationale for this is self-evident. Our case studies demonstrate that sexual and financial scandals often involve individual church leaders who are particularly powerful or influential. Of course, this does not mean that churches operating under a one-person leadership model and celebrity pastors inevitably fall into scandal. However, it is equally clear that individuals with substantial power and influence typically face greater temptation to abuse their position.¹⁹

For this reason, partly to save such gifted individuals from themselves, it is helpful to reduce their power so that they can still fulfil their roles while their overall influence is trimmed appropriately. This may mean placing reasonable limits as to the number of occasions when they preach or teach publicly. It may involve limiting their approval thresholds in respect of financial expenditures. It may involve giving other individuals – such as the chair of the oversight board –

¹⁹ Hence the famous aphorism from the nineteenth century English Catholic politician and historian, Lord Acton: “Power corrupts, and absolute power corrupts absolutely.”

more prominence through making public and media announcements, so as to create a counter-balance to the senior pastor's high visibility.

Also, in a church with one senior pastor, why not appoint additional senior pastors so that there is a plurality of senior pastors at all times? What if senior pastors in large churches with multiple staff behave less like CEOs directing a management team and more like stewards and co-workers who focus on the ministry of the Word and prayer? What if senior pastors actively downplay their celebrity status at home by going on extended mission trips to where they are not well known – much like the first apostles who left Jerusalem to preach the Word in Judea, Samaria, and the uttermost parts of the earth?

These suggestions are consistent with the New Testament example of avoiding highly individualised work in favour of collaborative work. Jesus sent out his disciples in pairs (Luke 10:1). He chose twelve apostles, not one; and even if there is an inner circle among them, it comprises three apostles – Peter, James, and John – not one. Paul had a penchant for working collaboratively, as witnessed by the last chapter in Romans where he greeted 29 individuals as fellow workers and collaborators.²⁰ At the Jerusalem Council, the apostles and elders gathered together to discuss an issue (Acts 15:6) and the final decision was made by the apostles, elders, and the church in community (Acts 15:22).

In fact, encouraging greater lay participation appears to hark back to what Everett Ferguson calls the “congregationalism” of the early church – when local members participate in decision-making, including appointing their own

²⁰ Eckhard Schnabel rightly notes: “Paul does not work alone. He surrounds himself with other missionaries and coworkers, and he reckons with the work of teachers in the churches once he leaves to engage in missionary work in other cities.”: Eckhard J. Schnabel, *Paul the Missionary: Realities, Strategies and Methods* (InterVarsity Press, 2008) 153.

leaders.²¹ Collaborative work and collaborative leadership – not one-person leadership – appear as marks of Christian ministry in the New Testament.

Recommendation 2: Create a Local Oversight Board of Equals

The second recommendation is to create a local oversight board of dedicated equals – not sycophants – who exercise collegiate oversight of the church, including ministerial staff. The rationale for this recommendation is that, in the church context, group leadership is preferable to one-person leadership. (As such, this recommendation can be viewed as the flip side of the recommendation 1.) Moreover, in an effort to reduce distance and opacity, a local board comprising members from the local Christian community is preferable to a geographically distant board.

Specifically for the RCC, the Chapter 5 case studies demonstrate the disadvantage of not having an oversight board of dedicated equals at the parish or diocesan level. If such oversight boards had existed – particularly if they included the laity – then perhaps the sexual abuse scandal in Australia and the scandal revolving around Cardinal Maradiaga would have been addressed earlier and more effectively.

²¹ Everett Ferguson, “The ‘Congregationalism’ of the Early Church” in D. H. Williams, ed., *The Free Church and the Early Church* (Eerdmans, 2002) 129-140. Interestingly, the Benedictine monk and medievalist, Dom Jean Leclercq, noted that it was not until the fifth century – when the church transitioned from the patristic to the medieval age – that there emerged a growing distance between the laity and “the Church of the clerics”: Jean Leclercq, “The Priesthood in the Patristic and Medieval Church”, in Nicholas Lash & Joseph Rhymer, eds., *The Christian Priesthood: The Ninth Downside Symposium* (Darton, Longman & Todd, 1970) 53-76, at 73.

However, having a local oversight board which oversees bishops does not appear likely under the current RCC framework. Theologically and functionally, RCC episcopalianism is characterised by bishops vested with much power. Although Canon Law provides for diocesan councils to provide input to a bishop on specific matters, such councils are generally advisory in capacity. While the power and influence of such local councils may increase because of recent calls for change precipitated by the sexual abuse scandals, the likelihood that they can become full-fledged oversight boards capable of constraining the authority of an RCC bishop remains an open question.

Nevertheless, the backlash facing the RCC because of recent scandals has spurred calls for reform of RCC governance, including its strong emphasis on monarchialism.²² In these circumstances, can a bishop's power be limited, while respecting key RCC theological tenets such as apostolic succession, the clergy-laity distinction, and the special position of bishops? One possibility is the creation of a bishops' tribunal – perhaps chaired by an archbishop – which is tasked to oversee individual bishops and hear complaints brought by diocesan councils comprising mixed clergy-laity members. Such a tribunal will allow a bishop to be evaluated, constrained, and disciplined only by his peers, while still providing a channel for laity to voice feedback and complaints.

²² See the essays in Francis Oakley & Bruce Russett, eds., *Governance, Accountability and the Future of the Catholic Church* (Continuum, 2003). See also: Bruce Russett, "The Crisis in Church Governance", *Catholic New Times*, 10 April 2005. Russett, a professor of political science at Yale University, calls for less monarchialism and more consultative hierarchies of the kind proposed by the jurisprudential theorist, John Rawls.

Recommendation 3: Reduce the Use of Overstructures

The third recommendation is to reduce, where feasible, the power of and reliance on overstructures. This should help reduce hierarchicalism.

Overstructures include everything from presbyteries, synods, assemblies, and diocesan offices to the Roman Curia of the RCC. Overstructures are often used for decision-making concerning denominational policies. They also implement standard processes across a denomination. The challenge is how to wean off a church from using overstructures when they have been relied upon for a long time. To that end, I offer three suggestions.

First, start slowly. For example, where a committee operates within a hierarchical denominational structure, try appointing committee members from below, not above, the hierarchy. This will help create greater awareness and transparency of the committee's work among those who are lower in the hierarchy. Second, wherever possible, apply the principle of subsidiarity. In essence, subsidiarity means that a decision is to be made generally by the people closest and most affected by the decision. Implementing subsidiarity allows decision-making to occur lower in the hierarchy. As such, subsidiarity can be seen as a principle of social organisation which broadly encourages personal initiative and decentralisation of authority.

Third, occasionally be courageous and simply do away with a particular overstructure. It may be a pleasant surprise to find that the specific overstructure is not as essential to the functioning of the church as previously thought. One evidence of this is that numerous congregational churches function reasonably well by managing their own finances, property deeds, staffing, and teaching curriculum. Some of these churches collaborate together in missions and humanitarian aid without creating an overstructure which

subsumes their congregational decision-making authority. In this way and to varying extents, collaboration, partnerships, and networks can replace overstructures as long as mutual respect and goodwill are shared among a group of like-minded churches.

Recommendation 4: Separate the Church from its Business Entities

The fourth recommendation seeks to create a clear separation between a church and its business-oriented entities. The CHC-Kong and PCA-Brooks CMI case studies highlight the perils of a church undertaking substantial business activities without a clear demarcation between the church and its business unit. Such demarcation is essential even if – as claimed by CHC – the business activities undertaken have evangelistic objectives. The point is not that a church cannot set up a business or be involved with a para-church organisation which operates a business. Rather, the point is to ensure that third parties are not misled into thinking that the parties are more connected than they in fact are.

Accordingly, the risk of financial scandal can be reduced if churches undertake a clear and strict separation between it and any of its commercially oriented activities. For a start, if a church undertakes business, it should create a separate legal entity for that purpose. The business should have its own staff and independent oversight board separate from those of the church. Also, its operations should be housed in premises which are distinct from church premises (unlike CMI's predecessor institution, IFBC, which was housed within the same PCA denominational headquarters in Atlanta).

Where the same individuals are engaged in both the church as well as its business unit(s), additional safeguards are required to ensure dealings are arms-length. For example, the chairperson of a church's oversight board may be a director of the business. If so, then applying the usual corporate law rules governing "related-party transactions" may be helpful.²³ These rules typically require prior full disclosure of personal interests and abstaining from voting on key decisions. The purpose of these rules is to ensure the independence and integrity of each entity and the individuals involved.

Churches should also be quick to disclaim any attempt by affiliated businesses to make a connection with the church if doing so is solely intended to take advantage of the church's reputation. This is to ensure that others do not free-ride on the church's goodwill. Equally, a business which is initiated by a church or a group of church members should have sufficient integrity to not take advantage of the church's goodwill in order to gain business. Such a stance can be explicitly included in a code of conduct adopted by the business concerned.

Recommendation 5: Have an Accessible Whistleblowing Channel

The fifth recommendation is to establish and maintain an accessible channel for reporting alleged misconduct which is likely to give rise to a scandal. Such a whistleblowing channel must be accessible to everyone, especially church

²³ In corporate law, a "related party transaction" arises when two (or more) parties to a transaction are connected by a pre-existing business relationship or common interest. For example, if two companies which share common directors or majority shareholders want to enter into a property contract where one is the buyer and the other is the seller, then this constitutes a related party transaction. There is a general presumption that a related party transaction is often not an arms-length transaction. Hence, additional rules are required to force them to be arms-length.

members. The whistleblowing channel may be as simple as a dedicated telephone number, email address, or nominated church office-bearer. At the same time, the channel must be credible in the sense that any report received will be treated with the seriousness it deserves.

In order for a whistleblowing channel to be effective, it is important that it is maintained, operated, and supervised well. The committee overseeing the whistleblowing channel should include respected lay persons from the church and possibly invited third parties from sister churches, parachurch organisations valued for their independence, and perhaps even the general public. The committee should evaluate each report carefully, inviting evidence of any allegations made, and following clear protocols for subsequent action. Alternatively, a church can outsource the maintenance of such a whistleblowing channel to a third-party commercial provider.²⁴ In any event, such a channel should be publicised within and outside the church in order to ensure that everyone connected to the church is aware of its availability.

Recommendation 6: Adopt a Crisis Management Protocol

Whereas the preceding five recommendations seek to help prevent scandals, the last recommendation is designed to help respond to scandals when they occur. The recommendation is for a church to have a crisis management protocol which includes, among other things, the activation of a crisis team and implementation of a crisis communication plan. Such crisis management

²⁴ For example: IntegraCall (www.integracall.com) and Yourcall (www.whistleblowing.com.au).

strategies are now common in the business sector. While not all elements of such systems are applicable to churches, they can be a useful template for a church seeking to create its own protocol.

The principal rationale for having a crisis management protocol is to ensure that when a crisis occurs church leaders are not frozen by inaction. A well-developed protocol will help leaders respond to the crisis and limit the scope of reputational damage as well as financial and legal liability which the church can potentially suffer. It can also provide assurance to church members especially during the early stages of the crisis when uncertainty and innuendo may be swirling within the community.

Among other things, such a protocol will outline the key individuals who will respond to the crisis. It will specify what key communications are required to which stakeholders. It will include questions to ask key individuals involved in the crisis. It will detail the types of circumstances which may require further reporting of the crisis to third parties – which may include the police, government regulators, sister churches, insurers, and external auditors.

In the context of a crisis management protocol, the selection of a crisis team is an important task. The team should be headed ideally by a church leader known for personal integrity, a cool head, and spiritual maturity. It would be helpful if team members can include those who have experience dealing with communications and the media. The team should also include those with the spiritual maturity and sensitivity to deal with the persons at the centre of the crisis – typically one or more church leaders caught up in the financial or sexual scandal, together with their families.

Conclusion

With the six recommendations outlined above, this study comes to a close. What remains is to summarise its key findings and then offer a final observation.

From the outset, a key motivation for this study has been the desire to see contemporary churches governed better. To this end, I believe that much can be learnt from past cases of misgovernance, specifically the sexual and financial scandals which have afflicted churches in recent decades. In order to keep the study manageable, the scope of investigation focuses on one aspect of church governance: to what extent does a church's polity – the way it is structured and organised – affect the likelihood of it experiencing a sexual or financial scandal?

On that basis, the study begins by tracing how leadership in the early church shifted from a collegiate-style church eldership towards a monepiscopacy. Over subsequent centuries, through a convoluted process of evolution, compromise, restoration, and reform, three main types of church polity emerged: congregational, presbyteral, and episcopal. Based on this traditional categorisation, I undertake six case studies of congregational, presbyteral, and episcopal church polities which experienced sexual and financial scandals. The aim is to discern patterns among these church polities which can shed light on how church governance can be improved.

My analysis of the six case studies reveals two structural characteristics which appear to feature among churches which experience governance failure. The two characteristics are: a tendency towards a one-person leadership model (monarchialism); and opacity or distance in decision-making (hierarchicalism). This leads me to postulate that there is a positive correlation – although not

necessarily a causative relationship – between monarchialism and hierarchicalism and the incidence of governance failure among churches.

The Church Governance Grid is then created to show diagrammatically how contemporary churches manifest the two structural characteristics of monarchialism and hierarchicalism in their polity and how these correlate with the likelihood of misgovernance. The argument encapsulated in the grid is that, all other things being equal, a church whose polity features a marked degree of monarchialism and hierarchicalism has a higher risk of experiencing sexual and financial scandals compared to other churches with polities which have less of these two characteristics. This constitutes the key preliminary finding of the study.

I then briefly discuss whether it is biblically and empirically defensible for a church today to reduce monarchialism and hierarchicalism. After answering in the affirmative, I offer six practical recommendations for churches who wish to improve their governance. While not all of the recommendations are directed specifically to reducing monarchialism and hierarchicalism, they all seek to reduce the risk of church misgovernance. The recommendations are intended to be policy agnostic in the sense that they can be implemented – to varying degrees – by churches using congregational, presbyteral, or episcopal polities.

In closing, I offer one final observation: the findings of this study appear somewhat old-fashioned, even anachronistic. In the West, where individualism, big-name celebrities, and powerful CEOs dominate, the findings call for collegiate leadership in churches. In a world dominated by global agendas, image-conscious social media, and increasingly hierarchical corporate groupings, the findings favour local, authentic, relatively flat, and participatory Christian communities in which individuals collaborate in decision-making. It

turns out that these findings hark back to features found in the first century church. If so, then what appears to be new findings for contemporary church governance may, in truth, not be new at all.



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