

Pastor David Whitney Response To BOMS

BOMS has posed questions and requested Pastor David Whitney answers. The following is his response:

The 2019 EFCA Statement of Faith in article 8 Christian Living states in part, “God commands us to love Him supremely and others sacrificially, and to live out our faith with care for one another, compassion toward the poor and justice for the oppressed.” This call for justice accords well with a long history of the church expounding the Biblical Standards of Justice.

If we walk back to the fifth century A.D. and explore the life and ministry of a young man from England called by God to go back to those who had kidnapped him, imprisoned him, and then sold him into slavery, we can understand why he, in particular, was committed to instructing new converts in the Biblical Standards of Justice. When Patrick evangelized the pagan Irish, he recognized they had no understanding of the Biblical Standards of Justice. “Patrick also knew that faith would not last long in a nation whose laws were not aligned with the laws of the Creator. Personal devotion and civil reformation had to go hand in hand. Wherever Patrick went and established a church, he left the law book, *Liber ex Lege Moisi* along with the books of the Gospel. The *Liber* begins with the Ten Commandments and continues with thirty-five passages from the books of Moses.” But his work did not end at the borders of Ireland, he made disciples who became missionaries to the Continent, to Scotland as well as to England. Many scholars point to evidence that Irish missionaries took *Liber ex Lege Moisi* to the Continent, where it became the basis of Carolingian law.

It is also of note that *Liber ex Lege Moisi* was used by the tutor of a young Saxon prince to teach him the Biblical Standards of Justice. This young man ultimately became King Alfred the Great. King Alfred established his legal system on Patrick’s exposition of law from the Word of God. It is notable that Alfred is the only English King called “the Great” which is due to his foundational role in establishing English Common Law. “King Alfred’s civil laws became the root of all English and American common law, trial by jury, and *habeas corpus*. It was Alfred’s legal code which was derived from Mosaic Law and Jesus’ golden rule.”

More than eight hundred years later the greatest exposition of English Common Law came from the pen of Sir [William Blackstone](#), entitled *Commentaries on the Laws of England*. These *Commentaries* were long regarded as the leading work on English law and notably played a role in the development of the American legal system. “They were in fact the first methodical treatise on the common law suitable for a lay readership since at least the [Middle Ages](#)... The *Commentaries* are often quoted as the definitive source of common law by [United States courts](#). [Opinions](#) of the [Supreme Court of the United States](#) quote from Blackstone’s work whenever they wish to engage in historical discussion that goes back that far.”

I have given this background because it is important to acknowledge there is a long established history of scholars expositing the Biblical Standards of Justice. We do not need to reinvent the wheel, so to speak, when we want to conclude what the actual Biblical Standards of Justice are.

Some examples come to mind, which are commonly known as due process, following the Biblical Standards of Justice:

- The right to be considered innocent until proven guilty
- The right to know who has accused you of wrong doing and to be able to cross examine them and their claims
- The right to have accusations made against you given in advance in order to be able to prepare a defense
- The right to have questions given you in advance of an interrogation
- The right to be given a fair hearing
- The right not to have prejudicial interpretations advanced by those adjudicating your case

Several of these come to mind in my case that is being decided by the Board of Ministerial Standing.

Back in November of 2020, my cluster in EFCA East met by Zoom. During that session each pastor was asked how his church was doing during the pandemic. I replied that we had not shut down in-person worship during this time for two reasons:

The first being the command of our Lord Jesus in Hebrews 10:24-25:

And let us consider one another to provoke unto love and to good works: Not forsaking the assembling of ourselves together, as the manner of some [is]; but exhorting [one another]: and so much the more, as ye see the day approaching.

The second being that the Governor of Maryland has no constitutional authority to shutter churches. It is a violation of his oath of office.

My statements seemed to upset and anger several pastors in our cluster. I didn't know it at the time, but three pastors began investigating my sermons and demanded a meeting just before Christmas. The timing did not work for me, so we ultimately met on Zoom in February 2021. Prior to the meeting I asked Pastor Guy Kneebone for a list of questions they would be asking so that I could prepare. No list was ever provided, a clear violation of the Biblical Standards of Justice.

Pastors Kneebone, Kynes, and Riedel interrogated me for two and half hours. They were very aggressive in their attack on many things which I said in the sermons they had listened to. Pastor Kynes said he would be horrified if anyone in his congregation ever listened to any of my sermons. Pastor Kneebone spoke of how they were spending a great deal of time and effort studying and learning from CRT. He and the others stated they believed I was a Christian Nationalist and that such a stance was unacceptable in the EFCA.

They made it clear that nothing I was preaching was in error doctrinally, nor in violation of the EFCA Statement of Faith. They, however, concluded that I was not of the "Ethos" of the EFCA

and asked me not only to consider leaving the EFCA, but they also stated that I needed to answer them, telling them my decision.

Needless to say I was astonished beyond measure. I could not even conceive of fellow EFCA pastors doing this to another EFCA pastor. I continued to bring this all before our merciful Lord and Savior Jesus Christ. He made it clear to me that what was being done here was unjust according to the Biblical Standards of Justice. Furthermore He had me wonder who set these three pastors up as the authority to determine what was and was not the "Ethos" of the EFCA, let alone which pastors were in line with that "Ethos" and who were not. I have been involved in the EFCA for more than 40 years. I have pastored three EFCA churches. I have planted two of those churches, that, due to my influence, joined the EFCA. I have served on the Southeast District Board while I was pastoring in Florida.

My understanding of the EFCA, its history and polity, is that each church and each pastor is equal, there is no hierarchy, and that the District and National Offices exist to serve the local church not to "lord it over them." These three pastors who met with me had no official authority to demand that I answer them. So I chose to do what Jesus did - remain silent before my accusers. Jesus clearly understood He had the God-given right to remain silent before the Sanhedrin, the religious rulers, as well as before Pilate, the civil magistrate. To answer these three pastors would seem to give them authority that they did not properly have.

Fast forward to September 2022 when John Nesbitt of EFCA East contacted me regarding the necessity of meeting with him and Paulo Freire regarding my credentialing in advance of BOMS meeting a few days later. He apologized for so short a notice for the meeting, admitting that he had put off this meeting which he knew needed to be done. I cleared my schedule to be able to meet the time crunch they were under. I asked him for a list of questions that I would be asked in this meeting. He gave me the generalities of how the church was functioning under the governance and leadership requirements of the Constitution and perhaps revisiting discussions of my political views (which I understood to mean the February 2021 meeting with Pastors Kneebone, Kynes and Riedel). Paulo did not provide any questions, though in the meeting he read from a list of eleven questions he had regarding Christian Nationalism. It would have met the Biblical Standards of Justice to have given me these eleven questions in advance as he clearly had a list he was reading from.

In the zoom meeting on September 13th, John said that the District office had received complaints about Cornerstone regarding its adherence to the Church's Constitution. I asked for the names of those who made those complaints. Both John and Paulo refused to give those names claiming it was not right to give me those names, and John was uncertain if it was two or three people and would not clarify if it was men or women and stated he did not know if they were or were not members of Cornerstone. This refusal does not meet the Biblical Standards of Justice.

Anyone studying Matthew 18:15-16 as well as 1 Timothy 5:19 can clearly see there is a problem with the process by which this meeting was conducted. The Biblical Standard is that accusers are to be held accountable for making their accusation. The punishment can be serious, as

Deuteronomy 19:15-21 clearly demonstrates. So, in this situation, having accusers whose names are not revealed would appear to me to violate the Biblical Standards which Matthew 18, 1 Timothy 5, and Deuteronomy 19 require. Moreover, we know that even the secular courts hold that such a refusal infringes upon the God-given rights of the accused to confront any witnesses who bring accusations against them. This standard is an application of those Biblical Standards of Justice tracing all the way back to St. Patrick who established them in his exposition of the word of God.

Now the accusations which John received he said were regarding the Constitution. The specifics of those allegations I only know from the issues John raised regarding having one elder at this point in time and not holding a congregational meeting in 2021. If there are other accusations, I have not been made aware of them as I should be if the Biblical Standards of Justice are to be followed. We held congregational meetings in 2020 and 2022. The pandemic, as you all know, disrupted much in the life of all churches. Attempts were made at Cornerstone to hold a Congregational meeting in 2021, but a quorum could not be achieved. That is the reason a Congregational meeting was not achieved in 2021. Our five deacons were all aware of and supportive of all we did that year in spite of not holding an official Congregational meeting.

As to the second accusation, our Constitution does not require that there be multiple elders. It provides a process by which elders can be sought and nominated. If there is a gap in qualified or available leaders, not having multiple elders is not in violation of our Church Constitution. Far better to not place someone in that position than just to fill a spot when someone is not qualified or not ready to serve in that capacity.

When Paulo launched into his questions about Christian Nationalism, I asked if he could give me a definition of that term. He admitted he didn't have a definition, and it has meant many different things to different people and was becoming a less than useful term. Nonetheless he asked his list of eleven questions, requesting I give only yes or no answers. That is a standard way of entrapping someone, not letting them explain their answers, and even more so considering the nature of these questions. At some point in the list, Paulo said my answers indicated I was a Christian Nationalist. I denied that I am, I reject such a pejorative term which in our day has become a political weapon and a term as Paulo himself admitted has no fixed definition. How could I be charged with being something which no one can define? At the end of the questions, Paulo again asserted that I am a Christian Nationalist, which I again denied, refusing that pejorative label being pasted on me. Paulo said, and I quote him verbatim, "By your own description you are not a Christian nationalist. But I believe you are." Is this in accordance with the Biblical Standards of Justice?

John concluded the meeting stating his appreciation for my forthright answers to all of their questions and my honesty and cooperation.

Several days following this meeting, John sent a list of documents he required to further answer the accusations against me. Again the names of the accusers were not revealed. During a very busy fall ministry, John and I exchanged emails, and I responded to John in December with the following email:

“The list of documents you requested puzzles me because they don’t seem related to the two accusations you have revealed. Does that mean there are others? It also raises the polity question, are we still operating under a Congregational form of church government at the District level? The 1950 SOF to which our congregation subscribes reads as follows:

10. Government.

“We believe that Jesus Christ is the Lord and Head of the Church, and that every local church has the right under Christ to decide, govern, and resolve its own affairs.”

In precise regard to our Congregational form of government, while it inherently merits no interrogation regarding absence of a 2021 Congregational meeting, we actually flourished in our discipleship in other ways that year. We held two women’s retreats, one in February, one in October. In the spring we planted a very large Deacon’s garden and worked weekly throughout the entire summer and fall to maintain and harvest it. We also held several baptism classes during the year, resulting in multiple baptisms in a nearby creek. In the midst of this, we underwent two relocations of church seating, broadcasting equipment, etc. While the labor and time needed to organize and conduct those events may seem minimal for pastors of large congregations, they were no trivial matter for our small congregation. While we didn’t hold a congregational meeting, our small church body, nonetheless, faithfully served our Lord in deciding, governing, and resolving its own affairs in an extraordinarily difficult year. And we did so remarkably, in my view.

This takes us back to the authority question regarding your request as well as to Tony Balsamo and Cedrick Brown tasking you with following up an issue that is not related to a doctrinal nor moral accusation. Perhaps that requires a separate conversation with them. You requested:

1. Names & Contact information (email and phone numbers) for the current, active deacons, Stewardship Deacon (noted by title), and Church Secretary.
2. The minutes of the last five years of the Annual Congregational Meeting.
3. A copy of the prior fiscal year’s budget and year end results. A copy of the current fiscal year’s budget and current status.
4. 18 months of statements for all church financial accounts.
5. A list of the current members and their contact information (email and phone numbers).

Regarding #1 and #5, we make a promise to all those in our congregation who choose to share with us any contact information, that we will never share that information with anyone outside our body. And we require everyone in our congregation likewise not to share those contacts with anyone outside our body. We care about the privacy of those in our body who entrust that information with us, and we understand how highly they value their privacy in a day and at a time when few entities in our society are willing to do so. We can only provide that contact information for those who would want us to share that with you. At this point no one has volunteered to have us share their contact information with you.

Regarding #2, these documents are in the custody of our church Secretary. Having explained what has transpired thus far, the Secretary is not ready to share those documents with you unless it is clear that this whole process is following the Biblical Standards. The Secretary was surprised that an investigation was being done based on not holding a congregational meeting in 2021 as the Secretary was fully aware of the circumstances and agreed with the necessity of that decision.

Regarding #3 and #4, these documents are in the custody of our Stewardship Deacon. Having explained what has transpired thus far, the Stewardship Deacon was concerned that this whole process does not seem to be following the Biblical Standards and is thus not ready to share those documents with you. The Stewardship Deacon was very surprised that an investigation was being done based on not holding a congregational meeting in 2021, as the Stewardship Deacon was fully aware of the circumstances and agreed with the necessity of that decision. The Stewardship Deacon was wondering what is happening in the leadership of our District when there is a promotion of CRT, and it seems no one is addressing that, while time and effort are invested in an investigation of a church that didn't hold a congregational meeting.

Thus, at this point in time, I have no documents that can be shared with you.”

There were following email interchanges that have resulted in the current request from BOMS to answer the following charges. Again, I see nothing in these charges claiming I am in error doctrinally or morally. The only charge I see is that I didn't obey John Nesbitt in his demand for five documents.

The charges Greg Strand sent were these:

1. You willingly and knowingly failed to comply by providing the necessary information for the EFCA East district to determine whether the leadership of Cornerstone EFC is following the church constitution and by-laws, as accused.

Here is my response: John requested:

1. Names & Contact information (email and phone numbers) for the current, active deacons, Stewardship Deacon (noted by title), and Church Secretary.
2. The minutes of the last five years of the Annual Congregational Meeting.
3. A copy of the prior fiscal year's budget and year end results. A copy of the current fiscal year's budget and current status.
4. 18 months of statements for all church financial accounts.
5. A list of the current members and their contact information (email and phone numbers).

I replied to John's request:

Regarding #1 and #5, we make a promise to all those in our congregation who choose to share with us any contact information, that we will never share that information with anyone outside our body. And we require everyone in our congregation likewise not to share those contacts with anyone outside our body. We care about the privacy of those in our body who entrust that

information with us and we understand how highly they value their privacy in a day and at a time when few entities in our society are willing to do so. We can only provide that contact information for those who would want us to share that with you. At this point no one has volunteered to have us share their contact information with you.

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Thus, at this point in time, I have no documents that can be shared with you.”

2. You refused to provide the requested documents despite being given ample and lenient time and an extension to December 15, 2022 (a total of three months were allotted for this disclosure).

Here is my response: As noted above, I and the deacons of Cornerstone determined that a process violative of Biblical Standards of Justice was being conducted. A short list of violations:

- The right to know who has accused you of wrong doing and be able to cross examine them and their claims
- The right to have accusations made against you given in advance in order to be able to prepare a defense
- The right to have questions given you in advance of an interrogation
- The right to be given a fair hearing
- The right not to have prejudicial interpretations advanced by those adjudicating your case

It took some time to weigh John's requests, discuss them with the deacons, and come to a decision. We spent much time in prayer, I had nights where sleep was little as I brought these before our Lord and Savior. I responded in the time our Lord indicated to me that was the right time to respond.

2. You give no response after being contacted repeatedly, until the last hour when it became apparent that action would be taken by the district.

Here is my response: I did respond to John's phone call and November 12th email with an email on November 17th. I am unaware of any contact John made to me that I did not respond to. The implication of this charge is that my motives were corrupt in the timing of my response to John's document demands. That judging of my motives is against the Biblical Standards of Justice. The writer of this accusation has no idea of the time, prayer, study, and middle of the night conversations with our Lord and Savior that went into each aspect of my response including the timing of that response. This is what my Lord directed me to do, and I follow the Apostles when they proclaimed "We ought to obey God rather than men."

3. You refused to comply with the district's request because you claimed the district representatives were not following a biblical process.

Here is my response: This is true. When the Supreme Law of the Universe - God's Holy Law - is being violated by district representatives, it indicates a deep problem within the EFCA. For our congregation's leaders to participate in not following the Biblical Standards of Justice would be to participate in a wrongful action. Our non-participation was the right thing to do.

4. You were unwilling to cooperate and provide requested verifiable information, which did not allow the district to make any judgements on the truth and accuracy of voiced concerns, judgements which are required by the Conference.

Here is my response: The 1950 SOF to which our congregation subscribes reads,

10. Government.

"We believe that Jesus Christ is the Lord and Head of the Church, and that every local church has the right under Christ to decide, govern, and resolve its own affairs."

I find it odd that this significant statement was deleted in the 2019 Statement of Faith. Has the foundational commitment of the EFCA to the 1950's SOF changed? I remember being assured that our Congregation could remain committed in perpetuity to the 1950's SOF and that nothing in the 2019 SOF would change the essential commitment "that Jesus Christ is the Lord and Head of the Church, and that every local church has the right under Christ to decide, govern, and resolve its own affairs."

5. You, and the leadership of Cornerstone Church, refused to be accountable, matters with are indisputable and unacceptable.

Here is my response: The issue of accountability is stated in the The 1950 SOF to which our congregation subscribes reads,

10. Government.

“We believe that Jesus Christ is the Lord and Head of the Church, and that every local church has the right under Christ to decide, govern, and resolve its own affairs.”

This means the structure of our association of churches is from the bottom up. The District and National Offices exist to serve and support the local church, not the other way around. Has that changed with the adoption of the amendment to the By-Laws in the June 2023 Conference? Is it now the National over the Local Churches? Am I correct in understanding that the National Board is self replicating, that is no new members can be put forward by the churches, but the Board appoints its own replacements as well as appoints BOMS? If so that means the National level is no longer directly accountable to the Local Churches. And Districts such as ours, EFCA East, who have gone clause B are also directed from National and not truly answerable to the Local Churches. If this is so, then a coup has been produced in the EFCA, inverting the structure to form something more akin to an Episcopal Denomination and not a Congregational polity.

6. Your apparent and credible lack of compliance with the church's constitution and bylaws, and your disregard for the EFCA congregational polity and the disregard for the district's effort to adjudicate the matter are violations of EFCA standards for congregational interdependency.

Here is my response: There is only one issue of not fulfilling our church's Constitution and that is that we were not able to hold a Congregational meeting in 2021 due to the inability to obtain a quorum during the pandemic. This is a time when a large number of churches had closed themselves to any and all in person worship. The broad brush smear that we are not in compliance is not accurate. Furthermore, where are these standards of EFCA interdependency established and where are they stated? I have not found anything in the official documents regarding the definition and standards of interdependency, which it is claimed I am violating. Can you point me to them?

For the above reasons my Ordination should not be suspended as the charges against me are invalid. To suspend or otherwise remove my Ordination would be to further violate the Biblical Standards of Justice. I have been acting in accordance with the Articles of Incorporation and Bylaws and policies of the EFCA and acting within the congregational processes of our local church, district, and national conference.

Thank you for your time and your ministry to the body of Local Churches in the EFCA.

In Christ,

Pastor David Whitney