

# LAYMEN'S RIGHTS IN LUTHERAN CONGREGATIONS: ORIGINS, DEVELOPMENT, AND CONTEMPORARY CHALLENGES

By Martin R. Noland, September 2009<sup>1</sup>

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## I. Introduction

At the beginning of this year, Grace Lutheran Church in Columbus, Indiana<sup>2</sup> invited me to speak on the proposals of the Blue Ribbon Task Force for Synodical Structure and Governance (hereafter Blue Ribbon Task Force). The synodical president convened the task force in June 2005. The task force intends to recommend some major changes to the polity, i.e., the structure and governance, of The Lutheran Church-Missouri Synod (hereafter LCMS) at its 2010 convention. We won't know until sometime in mid-October 2009 what the proposals will be.<sup>3</sup> It is therefore still too early to offer any definite criticism of those **specific** proposals, but it is never too early to discuss the **general** principles that inform the polity of our Missouri Synod. With a firm grounding in the general principles, we should all be better prepared to discuss and evaluate any changes to our church-body and congregations.

You don't have the time, and I don't have the energy, to talk about **all** the general principles of Missouri Synod polity. That would be a graduate level course at one of our seminaries, under the title "Church and Ministry," or something like that. What we need to talk about today is what principles may be at risk in our Missouri Synod **today**. Based on several years of observation of current trends and practices in our church, I believe that the **most endangered principle is "laymen's rights."** From a theological standpoint, this refers to the Lutheran doctrine of the "priesthood of all believers."

I suspect that there are a number of pastors here who would strongly disagree with me. Some pastors believe that, in their congregation, laymen have asserted their "rights" over against the pastor, to the point that the pastor has had no effective authority. Or at least that is how the pastor views the problem. We would be getting ahead of ourselves if we made any judgment about whose "rights" have been usurped. You would also misunderstand me if you think that I am using the term "rights" in the modern sense of the term, i.e., legal rights established by government. I am using the term "rights" in the classical sense, that is, natural rights given by the creator, or in this case, **baptismal rights given by your Redeemer**. In any event, my purpose here is not to pit pastor against layman, but to help both understand the rights of laymen in the church and how that is challenged today.

Before we look at contemporary challenges to laymen's rights in Lutheran congregations, I would like to take you on a historical tour of

the idea. We will start with the origins of the idea of laymen's rights in the church, follow its development in the Lutheran church, and then look at several places where it is being challenged today in the LCMS at the synodical and congregational levels.

## II. The Origin of Laymen's Rights in the Christian Church

Probably the earliest evidence of a layman serving in some official capacity in the Christian church was that of a laywoman. That was the mother of John Mark, who offered her home for use by the Jerusalem church (Acts 12:12). Since the book of Acts says that the church was meeting in her home, it means that she was still using it, had legal control of it, was paying for its maintenance, and I am sure had unilateral say in its appointments. I can't imagine that Saint Peter would have told John Mark's mother to change the color of the Persian carpet in the house to fit the liturgical season. Peter and all the rest were guests in her house, and I am sure they exhibited Christian courtesy in the use of that house.

Many biblical scholars believe that John Mark and his mother were wealthy and that she had a large house. There is good evidence for this and it supports the general rule that in the early Christian church, the rich and the noblemen were benefactors and leaders of the Christian church. This was a natural outgrowth of their similar role in the secular Roman society. This means that **the ministers of the**

**Gospel worked cooperatively with lay leaders in the very earliest days of the Christian church.**

By the time of Pope Gregory the Great, which was the beginning of the seventh century, many things had changed in the church. By that time, bishops had significant administrative control over properties, farms, buildings, industries, employees, and many other business affairs. Pope Gregory was so powerful that the raiding Germanic tribes concluded peace with him, instead of the petty officers of the secular state. Led by the example in Rome, the Western church saw a gradual, but significant decrease in lay authority in the church.

This decline in lay authority climaxed with the Investiture Controversy in the eleventh century, which concluded with Emperor Henry IV begging for mercy on his knees to the pope's legate at Canossa in January 1077. Henry was the most powerful man in the world, but it was obvious at Canossa that the pope was even more powerful. The conclusion made by all was that every priest was superior, in every way, to every layman, and that in church affairs laymen had no rights whatsoever.

At this point in the story, you might expect to hear the sound of a hammer on the Wittenberg church door. Actually Martin Luther was not the first reformer to address the issue of laymen's rights in the Christian church. Luther's greatest insights were theological, particularly in the matters of justification and the sacraments. But in the issue of church polity, Luther followed the lead of an Englishman

named John Wycliffe, professor of theology at Oxford University in the fourteenth century, who lived one hundred and fifty years before Luther.<sup>4</sup>

In 1374 Wycliffe was asked by the English kings to review the theological justification for the pope's annual tax on England. This was during England's Hundred Year's War with France. The English kings had discovered that the annual tax they were sending to the pope was paying for the French armies against whom they were fighting. This was because the pope was French and lived on French soil, i.e., at Avignon. English-speaking people have been skeptical of the French and the popes every since.

Wycliffe not only proved that the pope could not impose a tax on any country, he also proved from Scripture that **the ministers of the church were called to exercise their office faithfully, and if they did not, the lay leaders of society were obligated to depose them and replace them with faithful leaders.** This meant that the English king could depose the Archbishop of Canterbury and the Holy Roman Emperor could depose the pope. What was most upsetting to the pope, the monks, and the wealthy clergy was that Wycliffe agreed with the Franciscans that church-workers should not be wealthy, and that the extensive holdings of the church in real estate should be "secularized" by the king.

Wycliffe's view of the relationship between clergy and laymen made him an arch-heretic in the pope's court. Pope Gregory IX issued

a bull of heresy against Wycliffe on May 22, 1377. The English king was not willing to fight the pope, so Wycliffe was put under house arrest, put on trial, and eventually was removed from office as professor at Oxford. He died soon after being exiled from Oxford. Wycliffe's followers were known as Lollards. Their work spilled over into Bohemia, where they influenced John Hus. The Hussite view of the church eventually spilled over to neighboring Saxony, where Martin Luther took up a similar call for reform of the papacy.

Luther's protest against the sale of indulgences in October 1517 was not original to him. Many theologians in the church, including Wycliffe and Hus, had criticized indulgences. What was new in Luther's criticism was his call for reform of the sacrament of confession. Luther criticized indulgences on the theological ground that they undermined repentance among the faithful. Wycliffe and others had criticized indulgences on ethical grounds, i.e., that they were sold in order to enrich the clergy and the monks who sold them. Both criticisms were true, but **Luther's criticism demonstrated that indulgences endangered the souls of the faithful, not just the souls of the clergy.**

I think that Luther was surprised to find that his criticisms were not welcome by the papists at Rome. He really was a true believer in Christ and the papists in Rome were utterly corrupt. Luther also found few friends or allies among the clergy or bishops, who were too afraid for their livelihood to really care about the effect of indulgences on the

laymen under their pastoral care. So Luther turned to the powerful laymen of his day, the German princes, in a famous treatise titled *To the Christian Nobility of the German Nation Concerning the Reform of the Christian Estate*.<sup>5</sup>

In *To the Christian Nobility*, Luther not only demolished the entire medieval political system, he also enunciated for the first time the Lutheran doctrine of the “priesthood of all believers.” We should note that other Protestants have a doctrine of the “priesthood of all believers,” but that it is not the same as Luther’s. **Luther’s doctrine of the “priesthood of all believers” did not assert, “Everyone is a minister.”** That was the view of the Anabaptists of his day and perhaps some in the Lutheran church today. Luther’s view was much more complex, but was also entirely faithful to the New Testament view of the relationship between clergy and laity.

Luther’s treatise is as fresh and as relevant as when he wrote it almost five hundred years ago. Here is the paragraph where he got down to business:

The Romanists have very cleverly built three walls around themselves. Hitherto they have protected themselves by these walls in such a way that no one has been able to reform them. As a result, the whole of Christendom has fallen abominably.

In the first place, when pressed by the temporal power they have made decrees and declared that the

temporal power had no jurisdiction over them, but that, on the contrary, the spiritual power is above the temporal. In the second place, when the attempt is made to reprove them with the Scriptures, they raise the objection that only the pope may interpret the Scriptures. In the third place, if threatened with a council, their story is that no one may summon a council but the pope.<sup>6</sup>

These were all things that reformers of the church had learned since the days of Wycliffe; they were not things that just cropped up in Luther's day.

These three walls are dangers to any Christian church when malicious or corrupt leaders take over from the inside. They are not problems exclusive to Rome, but are characteristic of the papal system invented by Rome. Defenders of this system were technically known as "papists." A papist was not just someone who gave allegiance to the pope, but who firmly defended these three principles of papal church polity.

Luther's attack on the "first wall" is the most important for our purposes, so I quote it here at length. It is the most significant passage in church history addressing the issue of laymen's rights in the Christian church:

It is pure invention that pope, bishop, priests, and monks are called the spiritual estate while princes, lords, craftsmen, and farmers are called the temporal estate. This

is indeed a piece of deceit and hypocrisy. Yet no one need be intimidated by it, and for this reason: all Christians are truly of the spiritual estate, and there is no difference among them except that of office. Paul says in I Corinthians 12 [:12-13] that we are all one body, yet every member has its own work by which it serves the others. This is because we all have one baptism, one gospel, one faith, and are all Christians alike; for baptism, gospel, and faith alone make us spiritual and a Christian people.

The pope or bishop anoints, shaves heads, ordains, consecrates, and prescribes garb different from that of the laity, but he can never make a man into a Christian or into a spiritual man by doing so. He might well make a man into a hypocrite or a humbug or a blockhead, but never a Christian or spiritual man. As far as that goes, we are all consecrated priests through baptism, as Saint Peter says in I Peter 2 [:9]: “You are a royal priesthood and a priestly realm.” The book of Revelation [5:9-10] says, “Thou hast made us to be priests and kings by your blood.” The consecration by pope or bishop would never make a priest, and if we had no higher consecration than that which pope or bishop gives, no one could say mass or preach a sermon or give absolution.

Therefore, when a bishop consecrates it is nothing else than that in the place and stead of the whole community, all of whom have like power, he takes a person and charges him to exercise this power on behalf of others. It is like ten brothers, all king's sons and equal heirs, choosing one of themselves to rule the inheritance in the interests of all. In one sense, they are all kings and of equal power, and yet one of them is charged with the responsibility of ruling. To put it still more clearly: suppose a group of earnest Christian laymen were taken prisoner and set down in a desert without an episcopally ordained priest among them. And suppose they were to come to a common mind there and then in the desert and elect one of their number, whether he were married or not, and charge him to baptize, say mass, pronounce absolution, and preach the gospel. Such a man would be as truly a priest as though he had been ordained by all the bishops and popes in the world. That is why in cases of necessity anyone can baptize and give absolution. This would be impossible if we were not all priests. . . .

Since those who exercise secular authority have been baptized with the same baptism, and have the same faith and the same gospel as the rest of us, we must admit that they are priests and bishops and we must regard their office

as one which has a proper and useful place in the Christian community. For whoever comes out of the water of baptism can boast that he is already a consecrated priest, bishop, and pope, although of course it is not seemly that just anybody should exercise such office. Because we are all priests of equal standing, no one must push himself forward and take it upon himself, without our consent and election, to do that for which we all have equal authority. For no one dare take what is common to all without the authority and consent of the whole community. And should it happen that a person chosen for such office were deposed for abuse of trust, he would then be exactly what he was before. Therefore a priest in Christendom is nothing else but an officeholder . . .

It follows from this argument that there is no true, basic difference between laymen and priests, princes, and bishops, between religious and secular, except for the sake of office and work, but not for the sake of status. They are all of the spiritual estate, all are truly priests, bishops, and popes. But they do not all have the same work to do.<sup>7</sup>

So far Luther.

Not only does this key passage establish **the divine right of lay leaders to govern the church, it also establishes a principle of egalitarianism** with these words:

Because we are all priests of equal standing, no one must push himself forward and take it upon himself, without our consent and election, to do that for which we all have equal authority. For no one dare take what is common to all without the authority and consent of the whole community.

Here then is **the basic principle of Lutheran structure and governance**, established by Luther himself in one of his most important polemical treatises. The Book of Concord established this and similar polemical treatises from Luther as a tertiary authority in the Lutheran church, after the primary authority of Scriptures and secondary authority of the Confessions.<sup>8</sup>

We should note here that the idea of laymen's rights in Christian congregations had its origins in England, but found its theological fruit in the Lutheran church. This means that the **English-speaking peoples and Lutherans have a great affinity for each other**. When the English church went through its Reformation, under Henry VIII and Elizabeth I, it asserted the right of the king to govern the church and depose the bishops, if necessary. This was a right first stated by Wycliffe. Later forms of English Protestantism expanded the rights of laymen and to whom those rights applied. The Presbyterians gave a group of lay elders rights over their own congregation. The Congregationalists gave the entire congregation rights over their own affairs. Most of the American Protestants derived their ideas of church government from these variations, but all agreed on laymen's rights.

### III. The Development of Laymen's Rights in the Lutheran Church

I am surprised that so few church historians have commented on the role of laymen in the reform and later establishment of the Lutheran church. But there is no doubt that **Luther succeeded, in contrast to others such as Wycliffe and Hus, because he had gained the support of the secular princes.** This is seen most clearly in the signatures attached to the Augsburg Confession, which were all made by secular princes or rulers. There is not one theologian or clergy among them. The Augsburg Confession is a confession by laymen to laymen, written by the lay humanist Philip Melancthon. **The Lutheran church was thus established in the beginning as a laymen's church.**

The basic principle of religious law in the Holy Roman Empire after Luther was that subjects were obliged to follow the confession of the secular prince. This principle was established by the Religious Peace of Augsburg in 1555. The Latin for this was: *Ius reformandi: cuius regio, eius religio*. Translated it meant: "the law of reform is this - whatever your king believes, that is your religion." Of course, you and I would object to this principle as prohibiting freedom of religion, but it did establish freedom of religion for kings, with their subjects in tow. If you didn't agree with the king, you could in many cases move to another state or kingdom. Only citizens of imperial cities were free

to choose their own religion. **This was a major advance in civilization and good government over the medieval system.**

The kings and princes in Lutheran Europe rarely bothered themselves with religious policy. They usually hired lawyers to manage church affairs for them. Some of the Lutheran states had “superintendents,” who were like our District Presidents. Many of the Lutheran states had “consistories,” which included local clergy, prominent lay leaders, and a lawyer representing the ruler’s interests. These consistories made significant decisions on a regular basis for all the churches. They would be similar to our District Board of Directors, in making financial, legal, and administrative decisions for the hundreds of congregations under their care.

Theological decisions were reserved for the faculty at Wittenberg, which issued official decisions that were used by all pastors and church councils in the Lutheran states. When significant controversy or other issues arose, the kings and princes would call “synods,” which were similar to our national conventions. Theologians, clergy, and lay rulers all participated in these Lutheran “synods.” Their work is recorded in the archives, annals, and histories of the various German, Baltic, and Scandinavian states.

At the time of the “confessional revival” in the early nineteenth century, the Lutheran church structure and government was not really in need of repair. **The term “confessional Lutheran,” incidentally, originated at that time to indicate persons who were products of**

**this revival and were loyal to Luther's teaching and the Book of Concord.** The problem was not the structure, but the fact that the Prussian king wanted to rule all of Germany with an iron fist, and he wanted to control everyone's religion. This meant Lutheran theologians, Lutheran scholars, Lutheran pastors, Lutheran teachers, Lutheran church musicians, Lutheran books, Lutheran hymns, Lutheran liturgy, Lutheran prayers, and even the name "Lutheran" had to be purged from the face of the earth, by order of the king. Those people whose conscience compelled them to retain these aspects of the Lutheran church were the spiritual fathers of our Missouri Synod. Only some of them immigrated to America. Others went to Australia and other places. Others stayed in Germany and stubbornly held on to the "old ways."

One of the leaders of the "confessional revival" who never left Germany was a theologian named Johann Gottfried Scheibel, pastor and professor at Breslau in Silesia. **"Confessional Lutherans" should never forget Scheibel, because he was the theologian who first developed the principles of lay governance of individual Lutheran congregations.**<sup>9</sup> Scheibel knew that the king of Prussia, the superintendents, and the consistories were all determined to purge the Lutheran church from the land, so he returned to the principles enunciated by Luther.

On May 16, 1831, Scheibel proposed that lay elders elected by the congregation would govern individual congregations. He proposed

that the properties of each congregation would be owned, maintained, and paid for by that congregation. He finally proposed that each congregation would make its own decision about whom they would call as their pastor, and they would be responsible for his salary, parsonage, and the care for his family. This is, of course, the system of congregational governance that members of the LCMS know today.

Scheibel's proposals were deemed a matter of rebellion and treason against the Prussian king, so he was forced into exile. For a while he lived in Saxony, where he was in communication by letter with the Saxon founders of the Missouri Synod. Scheibel completed an important book before his death on the confessional revival that has yet to be translated into English.<sup>10</sup>

Scheibel's principles of church governance were not put into practice until the Saxon immigrants had settled in the state of Missouri and had been outraged at the behavior of their bishop, Martin Stephan. The story of the development of their church government is told in an important book, now out of print, titled *Government in the Missouri Synod*, authored by Carl S. Munding.<sup>11</sup>

The Saxons not only reacted to the excesses of Bishop Martin Stephan, they also had to defend their position against another Lutheran bishop named Johannes Grabau. Grabau was the bishop of the "Buffalo Synod," so called because most of its members lived in and around Buffalo, New York. The members of the Buffalo Synod were

also recent immigrants from Germany, had left for religious reasons, and were products of the confessional revival.

After Stephan was demoted, Bishop Grabau wanted the Saxons in Missouri to come under his episcopal supervision. They refused to submit, asserting the equality of all pastors on the basis of the “Treatise on the Power and Primacy of the Pope,” in the section titled “The Power and Jurisdiction of Bishops.”<sup>12</sup> This section also contained a reference to Luther’s doctrine of the priesthood of all believers.<sup>13</sup> This section of the Treatise became the Missouri Synod’s justification for laymen’s election of their pastors, and their right of the deposal of the same for due cause. The battle between the Buffalo Synod and the Missouri Synod was as vicious as any Lutheran battle you have witnessed in your lifetime, if not worse! Eventually, the Missouri Synod convinced half of the Buffalo Synod that the Missouri Synod was right, resulting in those members joining Missouri.

The enduring fruit of that battle was a cogently articulated position on church government, whose title is well known by LCMS pastors. The original title is *Kirche und Amt*, translated as *Church and Ministry*. Its author was C. F. W. Walther, who in 1851 submitted 29 theses on the doctrines of the church and ministry to the Missouri Synod convention at Milwaukee. The convention approved the theses and his outline for the book, which he published in 1852.<sup>14</sup> The theses and book were reaffirmed as the Missouri Synod’s position at its 2001 convention.

The three theses from this book that are most relevant for our topic are Church Theses IV and VII and Ministry Thesis VI. They state in part:

Church Thesis IV: [The true church of believers] is the proper and only possessor and bearer of the spiritual, divine, and heavenly gifts, rights, powers, offices, and the like that Christ has procured and are found in his church.

Church Thesis VII: [Visible congregations also] possess the power that Christ has given to his whole church, on account of the true visible church hidden in them, even if there were only two or three believers.

Ministry Thesis VI: The ministry of the Word is conferred by God through the congregation as the possessor of all ecclesiastical power, or the power of the keys, by means of its call, which God Himself has prescribed.<sup>15</sup>

These theses demonstrate that Walther's position, and thus the Missouri Synod's position, on laymen's rights was derived directly from Luther's position, which position we have examined previously in his treatise *To the Christian Nobility*. **This position was the "backbone" of Missouri Synod structure and governance for at least its first hundred years.**

After World War II, a number of trends in American religion put pressure on Missouri Synod clergy and congregations to abandon their traditional doctrines and polity. An excellent example of this was

recently published in the journal *First Things*. In the April 2009 issue, which paid tribute to former LCMS pastor Richard John Neuhaus, his uncle, the Rev. Erwin Prange recounted this event during a fishing trip to Canada:

The fishing trip was only partially successful. . . [Fifteen year old] Richard [Neuhaus] sat at the feet of two nonconformist theologians. . . . We made fun of Richard’s corny Missouri Synod theology. “Richard, surely you can’t believe all the things they are teaching,” was our favorite reply to his theological platitudes. . . . Eight months before he died, Richard sent me a letter [stating that] Dr. Backus and I had tried to turn him into a maverick theologian that summer [in Canada]. . . . [He concluded] that we had succeeded.<sup>16</sup>

It appears that Pastor Prange and many of his peers thought that the Missouri Synod had been run by a bunch of “old fogies” and “conformists.” The result of Prange and his peer’s corrupting influence on the next generation was not a single theological system, but a number of theologies and trends that ran rampant through the Missouri Synod clergy in those days. The period of this alteration in Missouri’s doctrine was from about 1950 to 1974. **The Lutheran position on laymen’s rights was one of the things challenged in those days.** It has never been entirely reaffirmed by all the clergy or laymen since that time.

#### IV. Contemporary Challenges to Laymen's Rights in the Missouri Synod

Now that we understand the history of laymen's rights in Lutheran congregations, especially as that is found in the Missouri Synod, we can assess some current challenges to those rights. Does the Blue Ribbon Task Force directly attack laymen's rights? **No**. Will their proposals reduce laymen's rights at the synodical and congregational level? Maybe, depending on what those proposals will be.

##### *A. Eliminate Legal Autonomy of Congregations*

My biggest concern is with the proposals that would change the constitution of the synod. These proposals can be found at synod's website, in the section devoted to the Blue Ribbon Task Force and labeled as "Proposed Wording Changes to Constitutional Amendments" (or similar wording). The proposal to change Constitution Article VII, under Proposed VII.B.2 would make it mandatory that all congregations "agree to abide by, honor, and uphold the collective will of the Synod as expressed in . . . convention resolutions." **This statement directly undermines the letter and intent of Article VII, which is that synod is only an advisory body to the local congregation.**

If the synod accepts this proposal, its congregations will lose their long-treasured legal autonomy and will become legally subservient to the national synod. Munding's book, cited previously,

explains how important this legal autonomy has been in the synod's history. This issue was also addressed by the 1962 report of the Synodical Survey Commission.<sup>17</sup> Proposed Article VII.B.2 attacks laymen's rights, because **laymen assert their rights through congregational voter's assemblies**. If proposed VII.B.2 passes, those rights will be curtailed and abridged, if not entirely abandoned.

**The legal autonomy of congregations does not mean they are free to teach and do whatever they please.** When they become members, congregations agree to accept the **legal duty**<sup>18</sup> to comply with the Scriptures, Lutheran Confessions, and the conditions of membership found in Article VI of the LCMS Constitution. There is no freedom here, as long as they want to be members of synod. Congregations also have an **ethical duty** to support the synod and districts financially, since congregations benefit directly from the supply of church-workers and other support agencies of the synod. Where congregations do have freedom is in their acceptance, or rejection, of **any synodical convention resolution**, which autonomy has traditionally been safeguarded by Constitution Article VII and is at risk in the Blue Ribbon proposals.

*B. Extension of the Vote to Commissioned Church-Workers*

The synod has respected laymen's rights in its deliberative bodies by having equal numbers of clergy and lay delegates at national and district conventions, and at meetings of circuits at which national delegates are elected. Several proposals from the Blue Ribbon Task

Force diminish the voting rights of laymen in those bodies by adding commissioned church-workers to the voting body. “Commissioned church-workers” include teachers, DCEs, lay ministers, deaconesses, and a few others. These people are all on the synodical roster, all are on some church-related payroll, all are eligible to receive Concordia Plans benefits, all are considered “ministers of religion” for tax purposes, and by most non-Lutherans would be considered ministers.

**If commissioned church-workers are added to the deliberative bodies of the LCMS, it will mean either that they replace laymen’s votes, or that they will reduce the proportion of laymen’s votes, which now is 50%.**

### *C. More Votes to Big Congregations*

The most controversial proposal from the Blue Ribbon Task Force is to give larger congregations more votes. Some people have argued that larger congregations should get more votes, because they are assessed more for conventions. I don’t think they should be assessed more, since convention assessment should be based on voting rights, but convention assessment is a very small portion of synodical support.

When I served in the Northern Illinois District, my congregation, which was one of the smallest congregations with a full-time pastor, was among the top ten in per capita giving to the synod and district via regular, unrestricted offerings. There were a number of “mega-churches” in that district that gave nothing to synod and district in those

years. Thus really large congregations only have a case for more votes if their total per capita giving to synod is equal to or better than the rest.

How does giving larger congregations more votes affect laymen's rights? I am not sure, after studying the matter, that it really affects laymen's rights as a class of people. But it will definitely disadvantage those laymen who are in smaller or medium-size congregations, since their congregations will have less voting power. It will also politically disadvantage those districts that have no or few mega-churches.

I recently did a study about the mega-churches in the Missouri Synod. I studied every LCMS congregation that reported an average of 800 or more people in worship per week, which I am calling a "mega-church." Many journalists accept the "mega-church" definition as 800+ in worship. This data would be recorded under the "Average Attendance" column published in recent Lutheran Annuals. I used the 2003 and 2008 Lutheran Annuals for my data.

There are 79 congregations that can thus be called "mega-churches." Out of these, only 7 are **not** in a metropolitan area, as defined by the US census bureau's Metropolitan Statistical Area (MSA). Those seven are located in Seymour, Indiana; Mankato, Minnesota; Concordia, Missouri; Perryville, Missouri; Seward, Nebraska; Napoleon, Ohio; and Shawano, Wisconsin. Those are all locations with a culturally dominant LCMS population and long synodical history.

Of the 79 congregations, only 10 are in cities under 160,000 populations. All the other 69 congregations are located in suburbs of main cities or in suburban county areas of metropolitan areas with populations over 160,000. With regard to growth statistics, 60% of the mega-churches did not meet or exceed the population growth of their MSA. 64% of the mega-churches did not meet or exceed the national population growth rate for the period of 7.0%

One conclusion that you can draw from this is that, just because a church is big, does not mean they are smarter than small churches in the matter of growth. I need to say this, because I heard a very prominent LC-MS mega-church pastor argue this way fifteen years ago. **He argued that their churches are smarter and thus should have more voting power.** The fact is that 2/3rds of these LCMS mega-churches are not keeping up with the US population. They obviously benefit from the demographic size and growth in their community, but **that benefit cannot be transferred to congregations in other communities or to the synod as a whole.**

Many of these mega-churches are bunched up into a couple of districts. If you give the mega-churches more votes, then their districts will get more votes than what they have now. District presidents should take note of which districts don't even have one mega-church, as previously defined: California-Nevada-Hawaii, Montana, Wyoming, North Dakota, South Dakota, Oklahoma, Minnesota-North, Iowa-East, Mid-South, Southern, New England, Atlantic, New Jersey,

Southeastern, SELC, and English. Districts with only one mega-church include: Florida-Georgia, Iowa-West, Eastern, Central Illinois, Southern Illinois, and Northwest. Districts with only two mega-churches include: Rocky Mountain and Kansas. Put all these districts together, and they would be the “losers” in the “more votes to big church” proposal.

Districts who would be the “winners” in this proposal (more than 5 mega-churches) would be: Northern Illinois (6), Indiana (6), Nebraska (6), South Wisconsin (6), Missouri (9), Texas (10), and Michigan (12). Since these districts are the heartland of the Missouri Synod, the general effect of “more votes to big congregations” would be that the central Midwest and its interests would dominate synodical conventions and operations even more than it already does. I am surprised to see so many non-Midwestern church leaders in favor of this particular proposal, but then maybe they don’t know the facts about its probable effects on the synod.

#### *D. Blue Ribbon Plan in General*

The Blue Ribbon Plan does not appear to be targeted specifically at layman’s rights. The damage to layman’s rights seems to be collateral damage rather than the main target. **The main target, at least from what I have seen so far, is the plan for the synod expressed by C.F.W. Walther in his letter to Adam Ernst of August 21, 1845.**<sup>19</sup> The Missouri Synod adopted Walther’s plan in April 1847 as the essence of its constitution.

These are the six main features that Walther wanted in our church in 1845: 1) unconditional subscription to the Bible and the 1580 Book of Concord; 2) prohibition of all syncretistic activity by congregations and ministers of the synod, described specifically in a special paragraph; 3) the first and foremost function of the synod would be to maintain, promote, and defend the unity and purity of Lutheran doctrine; 4) the synod, i.e., convention and officers, would not be a full-powered government, but only an advisory body designed to assist congregations; and that the right to elect and call its pastor would remain solely with the congregation; 5) lay delegates and clergy delegates would have equal votes and voice at conventions, with a clergy chairman; 6) all matters resolved by delegates at convention could be still appealed to all of the individual congregations for final decision.

Points 3, 4, 5, and 6 in Walther's plan would be altered under what we have seen in the Blue Ribbon proposals so far. Changes proposed for Constitution Article III, i.e., the objectives of synod, would change point 3. Changes proposed for Constitution Article VII, i.e, the advisory character of synod in relationship to its congregations, would change point 4. Changes proposed for Constitution Article V, i.e., the definition of voting members, would change point 5. Changes proposed for the way doctrinal resolutions and doctrinal statements are approved would change point 6, since it appears that appeal to congregations is not envisioned.<sup>20</sup>

The administration does not need to change point 2 in Walther's plan. It already approved that change in the controversy over District President Benke's participation in a syncretistic worship service at Yankee Stadium. In other words, Walther's point 2 is still in our constitution, but no one is enforcing it. The only unaltered point in Walther's plan is point 1, i.e., unconditional subscription to the Bible and Confessions. Thus, recognizing that the synod's constitutional article on its confession will not be changed, it appears to me that **voters to the 2010 convention will be given the choice between two plans: Walther's plan or the President's Blue Ribbon Task Force plan.**

I need to make one more comment about the Blue Ribbon Task Force. **They have important work to do, and their work should not be summarily rejected. There are many proposals that are good.** I am hoping that they will listen to the district conventions and that their final proposal will have mostly good things for all of us. They especially need to work on the problem of unrestricted income to synod for the support of seminaries, church-worker training, and international missions. If they cannot move us along the path toward progress in that area, **everything else will be hindered by the lack of funding.**

*E. "Transforming Congregations Network"*

I believe that the most serious challenge to laymen's rights in congregations since the Buffalo Synod is the program known as "Transforming Congregations Network" (hereafter TCN). This is part

of the Ablaze movement, under the auspices of the LCMS Mission department. You can find more about it at the TCN web-site; or go to the synod's web-site and type its name or TCN in the search window.<sup>21</sup> TCN has also been known as the "Transforming Churches Network."

The most objectionable feature of TCN is that **it recommends to a congregation that it suspend its constitution and bylaws.** The new bylaws, which replace the original constitution and bylaws, have in every case made the pastor the **real** authority over **all affairs** of the church, both temporal and spiritual. Under the TCN constitution, the congregational voter's assembly no longer functions as the legal authority for the church, and certainly not as the court of final appeal.

**This is a doctrinal issue for Lutherans, because the voter's assembly is the horizontal dimension of the public activity of the priesthood of all believers. The vertical dimension of the public activity of the priesthood of all believers is lay participation in worship, such as hymn-singing, confessing the creed, confessing our sins, the prayers of the church, etc.**

TCN convinces its clients that abandonment of their old constitution is necessary in order to bring about growth, especially if the congregation is small or declining. The threat of decline is usually enough to bring along the skeptical members in the congregation, and if they don't, they are welcome to leave.

The TCN program does not, of course, depict its features in this way. The change in constitution is nestled inside a consultation with

paid experts on church growth. **Consultation, in itself, is not a bad thing and is often very helpful.** The other recommendations made by the consultation are usually salutary. But every case of consultation that I have heard about, so far, recommends that the old constitution be completely replaced, at least for a mandatory three years. Farmers would call this deception a “pig in the poke.”

The defenders of TCN, which include some district and synodical officials, will argue that the pastor is “accountable” to the Board of Directors who works with him. But **they don’t tell you that the pastor handpicks the directors, who are the legal authority in the congregation.** He is the **only** person who can nominate persons to be directors. The voters then get to “select” which of pastor’s favorites get to be directors. The handpicked nominees of the pastor will support him at first. But what if they don’t agree with him? Why would he put their name on the nomination list when their terms expire? This structure really makes the directors nothing more than the pastor’s “stooges.”

**“Selecting” is not “electing.” This is a deception intended to undermine democratic procedure and all of laymen’s rights in a congregation.** Political scientists recognize that control of the nomination process in this way is a favorite strategy of dictators, tyrants, and fascists. **And our national headquarters is promoting this!**

Why would any LCMS pastor in his right mind want to undermine laymen's rights and democracy? Those who adopt TCN are, in my opinion, not in their right mind. Either they are completely ignorant about the basic principles of American democracy and laymen's rights, or they are so scared by decline that they will do anything, even if it is wrong and harmful to their flock.

There is a third possibility, namely, that some of these pastors who adopt TCN are "wolves in sheep clothing." They agree with Baptist minister Paul Borden, the TCN mastermind, who wrote:

Our churches have also assumed [traditionally] that a shepherd functions like a chaplain, caring for a group of sheep. The biblical model, however, portrays a shepherd as an entrepreneur, who led sheep by still waters and into green pastures so that he could eventually shear them or kill them.<sup>22</sup>

If that is not the mind and spirit of a wolf waiting to devour sheep, I don't know what is.

When the TCN program was first introduced to the LCMS districts, some LCMS district presidents posed the question whether or not congregational constitutions can be suspended temporarily. The LCMS Commission on Constitutional Matters gave an answer in its reply #08-2519, June 6-7, 2008. It told the inquirers that unless existing constitutions provide for a suspension, a suspension is in fact a complete amendment. It told the inquirers that the question of a

suspended constitution's effect on its tax and non-profit status would have to be sent to the IRS and the office responsible in each state. So the effect on non-profit status and taxes is still, to my knowledge, unknown.

I am glad that our district presidents and that Commission followed procedure, but I am disappointed that, to my knowledge, no synodical or district official raised the issue of laymen's rights in TCN. I am disappointed that, to my knowledge, many of our synodical and district officials have so casually accepted the TCN program, in which there are no checks and balances in a congregation. **The only reason that a pastor and his handpicked cronies might want to change their constitution is because they want to make changes that would not be accepted by a majority of the congregation.** This is what the TCN program is really all about.

#### *F. The Church Growth Movement*

TCN has intruded itself into our affairs, because the Church Growth movement paved its way. Many leaders in our synod judge everything now by statistical growth and decline. Many pastors now neglect their visits to hospitals, nursing homes, and shut-ins, because these aging and sick people will never contribute to growth. Of course, a rich man and his family will get immediate attention, because that man's resources will contribute to "growth." Catechism in the traditional manner of one or two years is drastically shortened, because it can be daunting to potential members. Sermons, worship, and

prayers are revised in order to avoid offending potential members.

**Anything contributing to growth is accepted; anything potentially lessening growth is rejected. For many, growth is their idol.**

Of course, we do want the church of believers in Christ to grow. I do too, and the Missouri Synod has always been aggressive in its outreach. Historically the Missouri Synod has been more aggressive in its outreach than any other Lutheran synod in America, and has been envied by the other synods for its growth. But **it is wrong for the church to grow at the expense of ethics or laymen's rights.** The Church Growth movement is antithetical to laymen's rights, because it was invented and developed by men who were trying to satisfy the egos of pastors. For such pastors, laymen are not fellow priests to be worked with and cared for, but sheep to be fleeced, as TCN mastermind Paul Borden aptly says!

The Church Growth movement has given many people the impression that the Missouri Synod did not understand "mission" or "pastoral leadership" before it came along in the 1980s. The truth is that good outreach, pastoral leadership, and church administration has been with the Missouri Synod for a long time. **Our forefathers were no dummies**, as is obvious in any of our congregational histories! Even as late as the 1970s, many congregations were following programs devised by Pastor Guido Merkens of Saint Antonio and his "Living Lutheran Leadership" program for laymen. Merken's programs are still useful, in my opinion.<sup>23</sup>

The Church Growth movement has been responsible for the wide acceptance of “contemporary worship” in our synod, as well as other church bodies in the United States. Change in worship is the way in which the movement has most publicly manifested itself. The worship topic is another lecture in itself. But you have a right to know where I stand on this topic, since you may think my real complaint about the Church Growth movement is worship.

In my theology of worship, I am neither a traditionalist nor a modernist. Traditionalists say that we can only use the forms of worship inherited from the Lutheran past. Modernists say that we can use those old forms, but they are not effective among the modern generation, and will contribute to decline. I follow the position of Formula of Concord, Solid Declaration, Article Ten, Church Usages. This confessional position, to which all our pastors and congregations subscribe, states that worship practices must meet the criteria of “good order, Christian discipline, evangelical decorum, and the edification of the church.”<sup>24</sup>

What does this mean? “Good order” means that laymen can follow along and participate. “Christian discipline” means that the congregation is instructed about their faith. “Evangelical decorum” means that God’s gifts in Word and Sacraments, as also the prayers of the congregation, are treated with respect. “Edification of the church” means that those in the congregation who are the true believers should be comforted and encouraged by the Word, Sacraments, and prayers,

even if many of those attending worship think these things are “boring.” If a case of contemporary worship meets these criteria, then I will be for it. If a case of traditionalist worship fails these criteria, then I will be against it. **My experience is that congregations that follow our synodical hymnals and agendas are on firm ground in meeting these criteria, while those that don’t are frequently entertaining the world, not edifying the faithful.**

One book bears great responsibility for the current misunderstanding about the Missouri Synod’s past effectiveness and for promoting “contemporary worship.” That book, called *Evangelical Style and Lutheran Substance*,<sup>25</sup> greatly distorts Lutheran and Missouri Synod history, while promoting the basic ideas of the Church Growth “experts.” The book’s basic argument is that to grow, Lutheran congregations can no longer **be** Lutheran or they will die. The author, David Luecke, says that we can still **teach** Lutheran doctrine, but we can’t **be** Lutheran or we will die. This argument comes out of the same mold as Episcopal Bishop Shelby Spong’s book, *Why Christianity Must Change or Die* (1999).

One organization has been particularly effective in promoting the ideas and attitudes of the church growth movement. This is the *Jesus First* organization,<sup>26</sup> which actively and successfully campaigns for candidates for synodical office, often in unethical ways.<sup>27</sup> In the most recent issue of the *Jesus First* newsletter, David Luecke unfairly criticizes the Concordia Seminary, Saint Louis faculty. Luecke’s

complaint is that our seminary faculty, in a recent issue of the *Concordia Journal*,<sup>28</sup> encourages our congregations to uphold the common interests of the church.

What is wrong with our seminary faculty's counsel, according to Luecke? His *Jesus First* article "Congregation-Led Entrepreneurship Is Necessary"<sup>29</sup> argues that congregations need to think and act primarily out of "self-interest." If this argument from Luecke is accepted, then the synod will collapse. **Our synod is established on common interests, not personal or congregational self-interest.** Luecke and the leaders of the *Jesus First* organization need to read the Missouri Synod's Constitution, Article II, regarding the reason for forming the synod. This article states that it is "Our Lord's will that the diversities of gifts should be **for the common profit**, I Corinthians 12:4-31."

Luecke's article is an unusual, and perhaps unintentional, revelation. It reveals that he, and the leaders of the *Jesus First* organization, apparently do not understand the meaning of Christian love. Christian love often has to work contrary to self-interest and always works for the common good.<sup>30</sup>

#### G. "High Priest" Idea

One other movement has intruded itself in our affairs. Although its influence is limited, it can be disastrous when and where it takes root. That is the Roman Catholic idea that the pastor is the authority in the church over both spiritual and temporal affairs, because of his ordination, call, or ministerial status. I am calling this the "high priest"

idea, since a high priest claims more status than a common priest. **I believe that this idea took root in the 1950s due to the teaching and influence of Arthur Carl Piepkorn.** Richard John Neuhaus, who later joined the Roman Catholic church, acknowledged that his biggest theological influence was Piepkorn.<sup>31</sup> Piepkorn was the leader of what become known as the “evangelical-catholic” movement in the LCMS, and its current journals of opinion are *Lutheran Forum* and *Forum Newsletter*.

One of the manifestations of this movement is the tendency to call our district presidents “bishops” or our pastors “father.” Those terms carry significant freight with them, and should be avoided by Lutherans. Another manifestation is the **unilateral** use of the “lesser ban” by the pastor, which our synod rejected explicitly early on its history.<sup>32</sup> The term “lesser ban” is a fancy term for “excommunication,” i.e., withholding communion from a congregation member as a form of discipline.

The biblical procedure for excommunication is as follows: If a pastor in an LCMS church is going to exert discipline, and the person being disciplined refuses to accept it, he has to bring the case to the elders. If the person being disciplined still refuses, they have to bring it before the voters, **prior to the ban going into effect.** That principle is there in order to protect laymen’s rights, and we should never abandon it.

## V. Conclusion

In my opinion, the Lutheran Church-Missouri Synod is the best church option going in the United States for people who want to be real Lutherans. Current challenges, as described in this article, do not change my assessment of this fact. I intend to stay in our church-body until the Lord takes me home. I am teaching my children about what is **good** and what is **great** about our church, so that they will be encouraged to stay with our church and our faith when they become adults.

That does not mean that the synod has a *carte blanche* as far as my support and membership is concerned. If the Missouri Synod continues to follow the direction set by TCN, or if the synod makes it a policy, and trains its clergy, to trample on laymen's rights, I may have second thoughts. After all, I want to belong to a real Lutheran church that teaches and practices in accord with the Scriptures, the Confessions, and the insights of Martin Luther. I hope that is what you want, and that you will join me in trying to keep the Missouri Synod in that faith, doctrine, and practice.

## NOTES

<sup>1</sup> I apologize to any and all readers who are seeking extensive footnotes. I had to prepare this essay without access to my own professional library, or that of any significant theological library, because my family and I moved to Evansville, Indiana in the month preceding the writing of this essay.

<sup>2</sup> I gave this essay at three conferences. On September 11, 2009, I gave the essay to Texas Confessional Lutherans meeting at Grace Lutheran Church, Brenham, Texas. On September 26, 2009, I gave the essay for the Lutheran Heritage Series at Grace Lutheran Church, Columbus, Indiana. On October 17, 2009, I gave the essay to the Minnesota Confessional Lutherans meeting at Redeemer Lutheran Church, Saint Cloud, Minnesota. Many thanks to the conference organizers and hosts who helped along the way!

<sup>3</sup> Current information indicates that the proposals will be available at the synodical web-site on October 16, 2009. See [www.lcms.org](http://www.lcms.org) in the section on the Blue Ribbon Task Force on Synodical Structure and Governance.

<sup>4</sup> For an excellent introduction to Wycliffe's life and thought, see Stephen E. Lahey, *John Wycliffe*, in *Great Medieval Thinkers* (Oxford: Oxford University Press, 2008).

<sup>5</sup> See *Luther's Works* (hereafter AE), eds. Pelikan and Lehmann (Saint Louis and Philadelphia: Concordia Publishing House and Fortress Press), 44:115-217.

<sup>6</sup> AE 44:126.

<sup>7</sup> AE 44:127-129.

<sup>8</sup> FC SD, Rule and Norm, 9; see Tappert, p. 505.

<sup>9</sup> I need to acknowledge the research of Jobst Schoene, Bishop Emeritus of the SELK, who in his dissertation has stated that Georg Philip Eduard Huschke was more responsible for the structure and governance of the confessional Lutheran churches than Scheibel. I respect Schoene's scholarship and have not had a chance to read his dissertation, so I am willing to change my statement here about Scheibel after further research.

<sup>10</sup> Johann G. Scheibel, *Actenmässige Geschichte der neusten Unternehmung . . .* (Leipzig, 1834).

<sup>11</sup> Carl S. Munding, *Government in the Missouri Synod* (Saint Louis: Concordia Publishing House, 1947).

<sup>12</sup> Tr 60-72; see Tappert, 330-332.

<sup>13</sup> Tr 69-71; see Tappert, 331-332.

<sup>14</sup> The English translation currently in print is: C.F. W Walther, *Church and Ministry*, tr. J. T. Mueller (Saint Louis: Concordia Publishing House, 1987).

<sup>15</sup> Walther, 19-22.

<sup>16</sup> Erwin E. Prange, "Fisher's of Men," *First Things* No. 192 (April 2009): 46-47.

<sup>17</sup> *Report of the Synodical Survey Commission to the Forty-Fifth Regular Convention of the Lutheran Church-Missouri Synod* (Saint Louis, 1961), 7-9, under "Internal Relationships" of congregations and synod.

<sup>18</sup> These three elements may be considered the essence of the Missouri Synod's church law, namely, Scriptures, Confessions, and Constitution Article VI.

<sup>19</sup> See C. S. Meyer, *Moving Frontiers* (St Louis: Concordia Publishing House, 1964), 143.

<sup>20</sup> There is a history in the synod on the difference between doctrinal resolutions and doctrinal statements. The latter was defined as, practically speaking, an amendment to the Constitution of synod, thus it required two-thirds votes of all congregations. This is the only way that a doctrinal position passed at the convention could become legally binding on member congregations, due to Constitution Articles VII and XIV.

<sup>21</sup> As of this date, the LCMS web-site is at: [www.lcms.org](http://www.lcms.org); and the TCN web-site is at: <http://portal.tcnbackup.com>

<sup>22</sup> From Paul Borden's interview with John Mark Ministries. Found at: <http://jmm.aaa.net.au/articles/8752.htm> on 3/19/2009

<sup>23</sup> See for example, Guido A. Merckens, *Organized for Action: How to Build a Successful Parish and Its Program* (Saint Louis: Concordia Publishing House, 1959).

<sup>24</sup> FC SD, X, 9; see Tappert, p. 612. See also Martin Chemnitz's explanation of these criteria in his first volume of the *Examination of the Council of Trent*.

<sup>25</sup> David S. Luecke, *Evangelical Style and Lutheran Substance* (Saint Louis: Concordia Publishing House, 1988).

<sup>26</sup> A number of years ago, I wrote an article titled "What is Jesus First?" The organization was only about a year old at the time, and people were wondering who its leaders and members were, and what it was all about. I did extensive research and found that many of its members had been involved in a variety of organizations, including a pro-charismatic group, a pro-women's ordination group, a pro-Evangelical-worship group, and a more "middle of the road" group called *Lutherans Alive*. Some members of *Jesus First* had also been supportive of the people who were involved in "Seminex" and the AELC. But it was not evident at that time what ideas or attitudes would dominate the *Jesus First* group. Now ten years later, it appears to me that the ideas and attitudes of the Church Growth movement, combined with a tolerance toward the other groups, best explains the position of *Jesus First* and its leaders. I would not be surprised if some of its original supporters have since pulled back support, since their specific goals and ideas have not found resonance in the organization.

<sup>27</sup> At the 2007 convention, the *Jesus First* newsletter slandered Secretary Raymond Hartwig in order to unseat him. They were not successful, because their lies had no element of truth. This is just the most recent, and most public, of many cases of unethical behavior by this organization.

<sup>28</sup> See *Concordia Journal* (Winter 2009).

<sup>29</sup> See *Jesus First* (September 2009), at: [www.jesusfirst.net](http://www.jesusfirst.net) Specifically on this point, Luecke says, "[*Concordia*] *Journal* authors Erik Herrmann and David Schmitt worry that principles of self-interest are becoming too dominant. But that is how it has always been. Why would a congregation join and stay in a synod other than for reasons of self interest?"

<sup>30</sup> See also Romans 12:10, 14:19, 15:2; Galatians 5:13-14, and Philippians 2:1-5, among others.

<sup>31</sup> The memorial issue of *First Things* included Neuhaus' tribute to his mentor Piepkorn, see *First Things* No. 192 (April 2009): 94. Confirmation of Piepkorn's influence is seen in Jim Neuchterlein's tribute, *ibid.*, page 42; and of Neuhaus' connection to the ALPB, *Lutheran Forum*, *Forum Letter*, and other "evangelical-catholic" persons and institutions, in Saltzmann's tribute, *ibid.*, page 59-61.

<sup>32</sup> See Walther, 23, which is Ministry Thesis IX.C. The Missouri Synod's first doctrinal resolution also dealt with the matter of unilateral excommunication and firmly rejected that practice, in response to a case involving Pastor L.F.E. Krause of Wisconsin. See 1847 LCMS convention proceedings in *Synodal Berichte 1847*, pages 11-13. The text in German and English can be obtained in: *The Doctrinal Resolutions of the National Conventions of the LC-MS, 1847-2004* (Saint Louis: Concordia Historical Institute, 2006), CD-ROM.