

A Preliminary Evaluation of the Structure Proposals Put Forward by the President's Blue Ribbon Task Force on Synod Structure and Governance

November 2008

We are basing our thoughts in this paper on the document available on the Synod's Website, "Walking Together – The LCMS Future" at www.lcms.org. The document is included below in the boxes. My comments, included *outside* the boxes, **represent my opinion at the present time**. Certainly you are entitled to your opinion. At the outset, I must remind you that these are all proposals, often given in a very general fashion. They are subject to change as the proposals are made more specific – indeed, my opinions may change as well.

Walking Together – The LCMS Future *Proposals and Possibilities for Consideration and Discussion*

Presented by
Blue Ribbon Task Force on Synod Structure and Governance

August 20, 2008

"So if there is any encouragement in Christ, any comfort from love, any participation in the Spirit, any affection and sympathy, complete my joy by being of the same mind, having the same love, being in full accord and of one mind. Do nothing from rivalry or conceit, but in humility count others more significant than yourselves. Let each of you look not only to his own interests, but also to the interests of others" (Phil. 2:1-4 ESV).

The Blue Ribbon Task Force on Synod Structure and Governance offers the following proposals and possibilities for consideration and discussion. In so doing, the task force desires to be Christ-minded as together we strive to be like-minded, lowly minded, love-minded, and others-minded.

The following proposals/possibilities are not final by any means. The task force considers its work to be under construction. With the expectation of ongoing feedback, the Synod's members and leaders are participating as valued and active partners in this work-in-progress.

In order to advance Christ's mission, it has been the intent of the task force that all the proposals/possibilities be aligned with the Synod's theological principles, such as those discussed in the task force document *Congregation – Synod – Church* (April 2007). (See also the listing of theological principles in another task force document, "Who Is The Lutheran Church—Missouri Synod?")

As together we participate in Christ's mission, acting in support of and on behalf of local congregations, we present these proposals/possibilities with the attitude described by St. Paul, who urges, "...conduct yourselves in a manner worthy of the gospel of Christ" and "...stand firm in one spirit, contending as one man for the faith of the gospel" (Phil. 1:27).

Foundational

Aligned with the Synod's theological principles and to advance Christ's mission, these proposals/possibilities amplify, affirm, and clarify that the reason for the Synod's existence under Acts 15 and 1 Corinthians 12 is for congregations to walk together in God's mission and to serve one another for His purpose of saving all people through Jesus Christ. With God's mission as the very ground of our being, these proposals/possibilities affirm and clarify that Christ — His person and justifying work — is the center of our common confession. Our confessional basis remains unchanged (LCMS Constitution, Article II).

Please keep in mind that I am herein responding to the ideas presented in the document. **I am not commenting on any person positively or negatively.** I am seeking simply to give my own opinion regarding the relative worth of the proposals that have been put forward. There is nothing in these proposals that I could not “live with” should the Synod decide to adopt them. These are structural proposals. Synod is free to structure itself in a wide variety of ways. However, it is also true that I do believe some of these proposals are not helpful and that some of them will have the effect of changing the nature of the Synod, for good or ill. That's part of what we will discuss together. **We will not deal with persons or motivations here, but only with the ideas expressed.**

First, let me note the following: Synod is a fellowship of congregations that share the same confession of faith. Members of Synod are congregations, together with their ordained and commissioned ministers. Members of congregations are not members of Synod, but are members of congregations that have joined the Synod. The Synod is not the staff in the International Center. The Synod is congregations, together with their pastors and teachers. The Synod is us. The Southern Illinois District is the Synod in Southern Illinois. The Missouri District is the Synod in Missouri. Your circuit is the Synod in this area. We are mutually accountable to one another in the Synod. We have come together in our shared confession to do together what would be more difficult separately. It will be important to keep these basic facts in mind as we proceed. How do these proposals enhance or strengthen this basic sense of the Synod's nature and purpose? How might some of them prove to be a detriment to the Synod's nature and purpose?

Second, there have generally been three basic reasons put forward for this effort at restructuring.

- 1) Financial – can we afford the present structure?
- 2) Service – does the present structure serve the congregations effectively and efficiently? How would this or that proposal change that?
- 3) Unity – is there a structure that would help us to become more unified?

My plan for this presentation is two-fold. We will review and evaluate the basic proposals piece by piece – how does this help Synod serve congregations? How will this unite us? (But please recognize the difficulty of this evaluation because the material we have is still quite preliminary.) Then I will offer some thoughts on what I believe is the core of our problem, and how that might be addressed biblically and confessionally. For 50-60 years we have been seeking to fix theological and spiritual problems by voting – in other words, by political means.

I'm just as guilty of this as the next person. But it has not worked. It does not work. Suppose we adopt a good and godly position by 52% of the vote at a convention. We have won nothing. The only thing we have really accomplished is that 48% of the people go home angry, trying to organize against the opposition so they can do better next time.

But I digress... We need to get into the specifics.

Congregations and Districts

Relationship between Congregations and Districts: Congregations are the primary mission centers for reaching our communities and the world with the Gospel of Jesus Christ. Faced with ministry challenges in an ever-changing world, congregations are looking for encouragement, support, and resources. Since the districts are the closest source of resources to the congregation, the task force has been looking at ways to strengthen the relationship between congregations and districts.

Brought forward for consideration are the size and functions of the districts for more effective service to congregations. Here are some possibilities for discussion:

- Increase the number of districts from 35 to 100 with approximately 60 congregations in each district. This would allow district presidents to become well acquainted with each congregation, its staff, and its leadership, so that they could better support and encourage the mission.
- These smaller districts could be organized into regions for staffing and for resourcing congregations.
- Decrease the number of districts from 35 to 20 with approximately 300 to 350 congregations in each. These districts would then be large enough to provide staff and resources to support the congregations.
- Keep the district structure as is, but encourage districts to collaborate with neighboring districts and to organize their staffs and resources for the mutual strengthening of their congregations' mission.
- Instill flexibility so that congregations and groups of districts could reorganize as they feel best meets their missional needs.

To be quite honest, I am not sure how serious the Task Force really is about the proposals in the above section.

It might be a good idea to have 100 small districts with about five regional offices (but see below). The only staff each district would have would be a district president. Other support staff would come from the regional offices. Districts would have very little structure – just a president whose job it would be to provide ecclesiastical oversight. Finances, schools, evangelism, mission, stewardship, etc. would be handled by the staff in the regional offices, as I understand it. Here it all depends on what is expected of the district president as to whether he would be full time or part time, an administrative functionary or more a pastor to the pastors. Whether or not this might work, the transition from the old district structure to the new would be difficult and probably expensive, both in time and in money.

On the other hand, some would think that it would be more efficient to have 20 large districts – each district would have staff enough to carry out its work. This may make sense on a business level, but how would you get there? Which districts would you combine? What about barriers of culture or distance?

Actually, there is, in my mind, a problem with both proposals. They are both top down. The Synod divides itself into districts, but in the past, every proposal to change districts has come from the bottom up, from local proposals. Can you imagine the parades to microphone at the convention? “You can’t break up the great _____ District!” Or “you don’t understand the cultural barriers – we don’t want to be combined with _____ District!” My guess is that both proposals, whatever their merits, are non-starters. We have had the same structure for more than a generation, but (and here is the key) there is **no pressing reason coming from the congregations** to change the structure of districts. Our present district structure (members, size and geography) has evolved in response to the needs of congregations (other influences are involved as well, to be sure). The problem with the first two proposals is that the congregations have not asked for them. Both proposals are top down.

On the other hand, one could ask whether the last bullet point is any different from what we have now. Congregations and groups of districts are already free to organize according to need. There are various mission societies. Districts can share staff if they wish (SID and Missouri already do!), etc.

My evaluations? Changing the number and structure of districts will be difficult, if not impossible, without more compelling reasons to do so. In addition, creating five regional offices may have the unintended consequence of simply installing another layer of bureaucracy. The Synod could become even more divided if the regions each go their own way.

Congregations and Circuits

The task force has focused considerable attention on the role of electoral circuits, visitation circuits, and circuit counselors. In most cases, the concept of visitation circuit and electoral circuit has become synonymous. In order to empower circuits so that they can be seen as places where pastors and congregations are supported, encouraged, and resourced through the interaction of lay and professional leadership, the task force discussions have included the following:

- Restore visitation circuits to their primary purpose, which means omitting the action of electing convention delegates (eliminating “electoral” circuits).
- Since circuit counselors assist and are the representatives of the district presidents, involve the district president in the selection of circuit counselors.
- Allow flexibility in providing access of pastors one to another. For example, circuits could be formed geographically, by affinity group, by size of congregation, or by any other method deemed most appropriate by the congregations of the district.

One element of this section has merit, in my opinion. The election of delegates to the national convention in some way other than by circuit could have the effect of making the circuits less political in nature.

Will circuits then spend more time in mutual support and common mission and confession? That depends on the people involved.

I am not sure it is a good idea to insert the district president too much into the process of electing circuit counselors. Why not? Power and authority in the Synod have always been

spread around, shared by a number of groups and persons (see below). There is a tendency on the part of those in charge administratively to think that they know better than people on the local level who should be elected. But do they always? It depends on your perspective. How will this proposal help congregations, especially since it takes away on some level their ability to choose their circuit counselors?

Finally, I do not believe circuits should be organized on anything but a geographic basis. We already have too many “affinity groups” that tend to polarize and separate rather than unite. In a circuit, we are called to relate to those physically close by to us. That’s a good thing! That’s how the members of congregations most often relate – to those congregations close by physically. Pastors close by HAVE to relate to one another – that’s why circuits should remain geographic.

Congregations and the National Synod

Relationship between Congregations and the National Synod: With congregations as the primary mission centers, the key issue becomes how the national Synod can best serve congregations so as to enhance their mission and do for us all what we cannot do—or do as well—by ourselves.

So that we might be faithful to our mission and be good stewards of the resources God has given us, the task force has discussed a variety of possibilities, including the following:

- Determine which boards and commissions should be retained at the national level and which would more effectively resource congregations if located at the district level. Deploy staff and resources accordingly.
- Within such a restructuring, appoint task forces as necessary for such projects and initiatives as the National LCMS Youth Gathering, hymnal projects, transformation of congregations, urban ministry, and the like. Some national staff may be needed to accomplish these tasks, but not at an executive level.
- Regarding executive staff at the national level, follow the lead of our districts and allow for a minimal number of executives who report directly to the president of the Synod, with advisory boards to encourage and support the ministry. (Currently, all district executive staff report directly to and are evaluated by their respective district presidents.) In effect, this change would mean that all program boards, where needed, would function in an advisory rather than an administrative role.
- Standardize terms of office for all elected officials. (Currently some officials are elected to three-year terms and some to six-year terms.)

The proposals in this section are quite vague. I have heard various possibilities being discussed – for instance to replace the 10 program boards and commissions with their respective executive directors with 4 assistants to the president appointed by the president, advised by several advisory committees also appointed by the president. I have also heard that they might be reduced to two boards, one for work in the USA and one for work outside the USA.

But the statements here given only make hints at what might actually be proposed. There is nothing really concrete in what is said here. As these proposals are “fleshed out” we will have to be asking – how does this better serve the congregations? How does this help unite the Synod and bring greater harmony and peace? I have not yet heard compelling reasons to think that it would.

On the other hand, I do agree that we should be asking whether, to save money, the number of boards and commissions could be reduced. If services are moved closer to the congregations, do we need a North American Mission Department? Do we need a Board for District and Congregational Services? A Commission on Ministerial Growth and Support? Could these functions (or others) be carried out by districts without any staff at the national level? Certainly every board has its own constituency, but I believe we would do well to evaluate each board with a question as to how much it is needed and whether we can still afford it. **Having said that, however, I do not believe replacing boards elected by the convention and executives called by their boards, with committees and assistants appointed by the president, is a good idea at all.** The power and authority you give to a president you appreciate will also be held (and used!) by one you do not appreciate.

The argument is made that the president needs to see to it that the staff of the Synod is all aligned on one direction, and that this can best be accomplished by the president having more authority to appoint those who work for Synod. In my opinion, however, this places far too much power in the hands of the president, whoever he might be. In the past, our unity was thought to come from our common confession. This proposal seems to make unity at the national level more dependent on loyalty to the president instead.

We can look at those functions which might best be done at the district and congregational level (North American Missions, for instance), and those which need to be done at the national level. But we ought not adopt measures that will focus too much power and authority in the office of the president. Our unity comes from the Word of God and from our power to persuade and advise one another as brothers in Christ, not from loyalty to a person. Power and authority in the Synod have in the past been rather diffuse – that is, spread around. The proposals in this section would have the tendency of concentrating more power in the office of the president of Synod and in the resource staff loyal to him – one step further removed from the congregations, I believe.

Congregations, Membership and Conventions

(See next page)

Membership: In order to advance Christ's mission, the task force proposals/possibilities clarify who we are by underscoring the essentially congregational character of the Synod, the role of the ordained and commissioned members, and the participation of the laity in the life and work of the Synod.

- The task force brings forward for consideration and discussion as one such proposal that commissioned ministers of the Synod be eligible to be chosen as voting delegates to the conventions of the Synod and its districts. While the pastoral office is by divine right or arrangement (*de jure divino*), the ministers of religion-commissioned are recognized as associate members of the Synod to be in a service position by human right or arrangement (*de jure humano*) but certainly eligible to serve as a congregation's non-ordained delegate (as is the laity). (See Article V and Bylaws 1.2.1 (k); 1.3; 2.1ff.)

Congregations, District Conventions, and Representation: For purposes of representation, the task force brings forward the following for consideration and discussion:

- Establish at least two voting representatives—one who is the called pastor and the other who is a non-ordained person—for each congregation.
- Ensure that each congregation in a multi-parish is represented by its pastor and one non-ordained person.
- Ensure that vacant congregations are represented by the vacancy or interim pastor and one non-ordained person.
- Allow congregations with more than 750 confirmed members to be represented by two additional delegates for each additional unit of 750 confirmed members or majority thereof, with each pair of additional delegates to be one ministerial (ordained or commissioned) delegate and one non-ordained delegate.

I have four basic responses to this section:

- 1) You may disagree, but I do not believe commissioned ministers should be voting delegates to district and synod conventions. Why not? Congregations are the primary members of Synod. Congregations are represented by one of their pastors and one of their lay persons. Assistant pastors, professors, Synodical and district officials, and commissioned ministers are all advisory. Our task is to advise on the basis of the Word of God. Our task (I say, "our task," because District Presidents are also advisory members of Synod, unless they are also pastors of congregations) is to speak up from the Word. But the vote has for the Synod's entire history been exercised by one pastor, one lay person, from each congregation. The task force's proposal would allow congregations to elect commissioned ministers in place of a lay delegate – this would change the balance of pastor and lay voting at conventions. Not a good idea, in my opinion.
- 2) Allowing each congregation in a multi-parish situation to elect a lay delegate would not change things very much, though it might mean a few more lay delegates in a district convention than pastoral voting delegates.
- 3) I am not sure how it would work that the vacancy pastor or interim pastor is allowed to vote. There are so many variations in how congregations work with vacancy pastors. Where there is more than one pastor covering a vacancy, which one would vote? Who would determine this? The basic principle now is clear – the called pastor exercises the

pastoral vote of that congregation or parish. If there is no called pastor, there is no pastor voting.

- 4) I am not in favor of giving larger congregations more votes at a district convention. This would not have much effect in Southern Illinois (there are seven congregations at the moment that would have 4 votes instead of two, under the present proposal – not much change to any “balance of power”), but there are districts where this effect would be magnified. I do object to the implication here that larger congregations are more important and therefore should have a greater say in the direction of the Synod. This whole model stems from a conception of authority and power rather than our service to one another. We are not the first to ask this question. Check out this thought from CFW Walther’s 1879 essay, On the Duties of an Evangelical Lutheran Synod:

“Suppose someone thought, ‘now if the congregation is very large and there are many outstanding men in it, then I’ll be satisfied [to take a call there].’ But what kind of congregations do we have? Many of them consist of seven to ten families. Do they have great power like the congregation in Jerusalem, which had many thousands of members? Or the one at Rome, which also counted its members in the thousands? Yes, it makes no difference. For according to Matthew 18 our Lord adds, ‘Where two or three are gathered in My name, there I am in the midst of them.’ Accordingly, if only two or three Christians were present, the Lord would be present too, and He proves that the congregation has such great power by **this**, that *He is in their midst*. And when He is present, it is not a half- or a quarter-Christ, but the entire Savior. Yes, even a small rural congregation of seven families has as much power as all the congregations in America combined, because it also has Jesus in its midst, with all His grace and all the rights and merits He won for us on the tree of the cross.” (CFW Walther, “Duties of an Evangelical Lutheran Synod, 1879 Essay to the Iowa District,” in Walther, Essays for the Church, Volume 2, page 28).

But don’t the larger congregations contribute more financially to the work of synod and district? Often times, but not always. Should we then base the number of votes a congregation receives on their average gifts to district and synod per communicant? Some *smaller* congregations might get more votes that way, if they give a greater amount per communicant member. But don’t the larger congregations have more members of Synod? No... members of synod are congregations, together with their ordained and commissioned ministers. Every congregation is the same because every congregation has Christ. Our forefathers in the Synod faced these issues, too. There were large and small congregations in the 1800s as well. They could have organized the Synod differently so that the larger congregations received more votes – there is nothing in Scripture that prohibits this. Scripture gives great freedom in how the church organizes itself. **The principle that was followed was that Synod is a fellowship of congregations in which every congregation is equal because every congregation has Christ. We are free to change that, but we need to recognize that such a change does change the nature of the Synod.** Basically, I believe every alternative to our present system (congregations represented by one voting pastor and one voting lay person) will have unintended and unforeseen consequences in which the last state may be worse than the first.

Congregations, National Conventions and Representation

Congregations, National Conventions, and Representation: For purposes of representation, the task force brings forward the following for consideration and discussion:

- Determine whether a reduced number of voting delegates—either 625 or 850—would provide more effective representation.
- Determine each district's number of delegates according to that district's exact percentage of the total number of congregations and communicants in Synod.
- Elect national convention delegates at district conventions (where all congregations are represented) from a list of congregational delegates to the district convention that immediately precedes the national convention. Allow each district to determine how these candidates would be selected and elected, involving all congregations within the district and based upon criteria established by the national Synod.
- Whatever the system of election, maintain an equal number of ordained and non-ordained voting delegates.
- Discontinue the practice of designating advisory delegates and reduce the number of advisory representatives.
- Allow in subsequent conventions for fluctuation in the number of delegates from each district based upon the most recent percentage of congregations/communicants.

Note that as aligned with the theological principle of Christian stewardship (stewardship of resources), the Synod's mission and ministry would benefit from a savings of nearly \$1million in national-convention expenses by reducing the number of voting delegates to 625, eliminating advisory delegates, and reducing the number of advisory representatives.

Here I believe the proposals of the task force may have some merit.

It is clear to any close observer that the system of representation for national conventions needs to be overhauled. There is a wide variety of sizes of circuits (from 7 to 20 congregations, from 1500 to 10000 communicants). There are too few guidelines for the granting of exceptions when circuits fall outside those bylaw requirements. Read the recent "Joint Statement" by the Council of Presidents, the President of Synod and four pastors involved in a dispute over this very issue.

Many of the elements of the proposal given above were contained in an overture to the 2007 Synod that came out of SID – 2007 Overture 7-16. Based on a formula that would take into account both the number of congregations and number of communicant members in each district, each district would be assigned an exact number of delegates to be elected from that district. Then the district would decide how those delegates would be selected, but each district would receive exactly the number of delegates assigned to them by the formula. For instance, if we limited the number of voting delegates to 850 at the national convention, according to the formula proposed, Southern Illinois would have 7 pairs of delegates or 14 voting delegates to the Synod.

Frequency, Function and Overtures

Frequency, Function, and Overtures: For purposes of the frequency and function of the conventions, the task force brings forward the following for consideration and discussion:

- Hold a national convention every three years, alternating between a *focused* convention and a *general* convention in years three and six.
- Hold district conventions every three years, alternating between a *focused* district convention and a *general* district convention in years two and five.
- Features of a general convention:
 - ✓ Regular business and reports
 - ✓ Six-year, staggered terms of office, including officers
 - ✓ The Divine Call of the president, vice presidents, and secretary, and the election of the vice president—finance/treasurer
 - ✓ Overtures (see below)
 - ✓ Agenda determined according to current provisions
 - ✓ Communication with delegates in the interim via secure electronic communication technology
- Features of a focused convention:
 - ✓ Focus on theology, contemporary issues, common confession and mission, nurture, inspiration, and celebration
 - ✓ Limited business and reports
 - ✓ Overtures (see below)
 - ✓ Six year, staggered terms of office, including officers
 - ✓ Agenda is determined by the president in consultation with officers of the Synod and the Council of Presidents
 - ✓ Communication with delegates in the interim via secure electronic communication technology

For purposes of overtures to the conventions, the task force brings forward the following for consideration and discussion:

- Eligibility for the submission of overtures according to the current provisions with the addition of the officers of the Synod in relation to their responsibility for a national convention
- Eligibility for the submission of overtures according to the current provisions with the addition of the officers of the district in relation to their responsibility for a district convention
- For the sake of effective leadership and for broad, generative influence (persuasion), as well as broad participation and in-depth study, the individual member congregation is strongly encouraged to channel its overture(s) to the district convention (which is the assembled congregations of a district) through a circuit forum.

- For the sake of effective leadership and for broad and generative influence, as well as broad participation and in-depth study, the individual member congregation is strongly encouraged to channel its overture(s) to the national general convention through the district convention.
- Overtures to a district convention from individual member congregations that have been channeled through a circuit forum will receive priority consideration at the district convention.
- Overtures to a national convention from individual congregations that have been channeled through a district convention and any other overtures from a district convention will receive priority consideration at the national convention.

This section covers quite a lot of territory, but there are some elements here I seriously question. First, differentiating between a general convention and a “focused” convention seems to me to be a bit too idealistic. Events and needs have a way of overtaking such artificial constructs. Every convention needs to be focused on both theology and contemporary issues facing the Synod. Secondly, I understand the need for six year terms when it comes to boards. I do NOT understand the need for six year terms for officers (remember, district presidents would be included, for DPs are officers of Synod). Six years is a long time. I have lived and worked for nearly 15 years with the idea of facing re-election every three years. I don’t see why that is a problem. Every three years I am accountable to the district for the conduct of the office you have entrusted to me. That’s a good thing, in my opinion.

I do NOT understand what is meant by the Divine Call of the president, etc. I am an elected official serving in an office established by this fellowship of congregations. As district president I have been elected by the members of the Synod in SID under the guidance of the Spirit, but this does not mean I have a Divine Call in the same sense as a pastor of a congregation or even someone called by a group of congregations (e.g. a professor) has a Divine Call.

As to overtures to a convention, I do not believe it to be wise for the officers of the Synod or District to be able to present overtures to the convention. There was a time when any pastor could present an overture to Synod or district. That was changed when overtures seemed to proliferate. It was deemed wise for a pastor or anyone wishing to present an overture to convince a group of his fellow Christians (a congregation, circuit forum, district pastoral conference, board or commission) to support his or her idea before it could be presented as an overture. I see no reason to change that practice.

In addition, I do not see why we need to give higher importance to overtures coming from larger groups of people. That implies an assumption that the larger group is more likely to be right on an issue. That is not necessarily the case. Floor committees need to be able to examine every overture on the basis of its merits biblically and confessionally, not on the basis of how many people were involved in its preparation.

Doctrinal Resolutions and Statements

Doctrinal Resolutions and Statements: The current Bylaws provide excellent summary statements of the Synod's confession of faith, doctrinal resolutions and statements, and a dissent process.

The task force brings the following forward for discussion:

- Doctrinal resolutions of special significance (such as those initiating, modifying, or repealing specific positions or practices of the Synod) require a two-thirds vote for adoption.
- All adopted doctrinal resolutions are to be honored and upheld by the members of the Synod in accordance with each resolution's intended status until such time as the Synod amends or repeals them.
- Doctrinal statements (formal statements of belief) submitted by the Commission on Theology and Church Relations to the Synod in convention for further consideration and possible adoption require a two-thirds vote for adoption.
- Clarification of Constitution Article VIII to provide for the above.

The task force proposal clarifies and affirms that the Synod expects every member congregation of the Synod to respect its resolutions and to consider them of binding force on the assumption that they are in accordance with the Word of God and that they are applicable to the condition of the congregation.

This section needs further work, but it may be helpful to clarify and define the role of doctrinal resolutions. How do we determine which resolutions are doctrinal? How do we explain and understand the advisory nature of Synod? What is the nature of Synod's advice? Who is advising? Who is Synod? The original concept was that we are pastors and congregations who have come together to confess the truth and to help one another serve faithfully and extend the Kingdom of God. No one has any power over the other except the power of the Word of God and the power to advise and persuade one another. I believe one of our maladies is that we have forgotten how to do this. "...the church cannot be better governed and maintained than by having all of us live under one head, Christ, and by have all the bishops equal in office (however they may differ in gifts) and diligently joined together in unity of doctrine, faith sacraments, prayer, works of love, etc." (SA II, IV9, Tappert, p. 300).

However, simply to assume (as the last paragraph in the box above does) that the resolutions of Synod are in accord with the Word of God and applicable to a congregation and so are binding unless you can prove they are not in accord with the Word of God seems to me to have the tendency of subtly changing the advisory nature of the Synod. MUCH more work is needed here to clarify this section. (See below, under "Items for Further Attention," the need to clarify the advisory nature of the relationship of Synod to its members.)

Items for Further Attention

Other: For purposes of clarity, the task force brings forward for consideration and discussion the following addition to the constitution [There is no such current provision. Cf. Bylaw chapter 7, "Amendments to Bylaws" (2007 *Handbook*, page 201) and Articles of Incorporation, Article VII, "Bylaws" (2007 *Handbook*, page 204).]:

(see also next page)

- The Synod in convention may adopt Bylaws that are consistent with and do not contradict the Constitution of the Synod, which controls and supersedes the Bylaws and all other rules or regulations of the Synod. Bylaws, which may be adopted, revised, or eliminated by a simple majority vote of a Synod convention, are binding regulations for the Synod and its conduct and governance.

Items for Further Attention

In addition to the proposals/possibilities presented above, the task force has discussed many other items. However, they require additional time and extensive research. That said, the task force is very interested in what the people of the LCMS have to say concerning the following issues:

- Expanding responsibility for the certification of pastoral candidates to include district presidents and congregations being served by such candidates
- Changing the name of The Lutheran Church—Missouri Synod to better reflect who we are today, a church body that serves throughout North America and in partnership with 30 other Lutheran church bodies around the world
- Electing Synod vice presidents by region, thus enabling each region to be represented within the Praesidium
- Electing members of the Synod's Board of Directors by region so that each region is represented
- Amplifying, confirming, and clarifying the mission and purpose of the Synod (Article III).
- Clarifying the meaning of membership in the Synod, including the historic advisory relationship of the Synod to its members (Articles VI and VII).

Based on feedback received, the task force will determine whether or not to continue study on these issues. In the meantime, they inform the church of the topics the task force is wrestling with and the topics for which the task force seeks the comments of the church.

Simply put, more work needs to be done here. Of the bullet points above, I believe the first, fifth and sixth have merit and should be further explored. Clarifying the “historic advisory relationship of the Synod to its members” is much needed. Who is the Synod? (All of us!) Who are the members? (Each of us!) What does it mean to advise? (i.e., how do we help each other hear and confess the Word of God clearly?). However, changing the name of the Synod, in my opinion, only confuses people. But that’s just my opinion. Finally, electing boards or vice presidents by region, unless we resolve our doctrinal issues, many further “balkanize” us.

In summary, I have great regard for the people on the President’s Blue Ribbon Task Force on Synod Structure and Governance. I know many of them personally. I simply disagree with many (though not all) of their proposals.

At the theological convocation August 20, 2008, President Kieschnick stated that his hope and prayer is that the process leading up to these structural changes will lead to greater harmony and trust, and lasting peace among us. (He has since qualified that statement to some degree in a statement to the Council of Presidents.) I do believe the Task Force believes their proposals will help unite the Synod and enable the Synod serve congregations better. Fraternally and respectfully, but fundamentally, I disagree. While there may be elements of our structure that could be adjusted, doing so will not address our greater problems, which are theological and spiritual, not political or structural. Indeed, our arguments over structure may have the effect of pushing to the side the discussions over theology (which I believe are much more essential and foundational).

Following is a revision an earlier communication with the members of the Southern Illinois District expressing my thoughts on the restructuring process. I originally laid out the ideas that follow in a letter to the committee planning the process called for in 2007 Synod Resolution 4-01A. I also sent copies of that communication to the President's Blue Ribbon Task Force on Synod Structure and Governance immediately following the theological conference in August. The various proposals will stand or fall on their own merits. Some may be adopted. Others probably will not be adopted. The process outlined (presentations in turn to district boards of directors the Fall of 2008, district conventions the first half of 2009, district circuit counselor conferences the Fall of 2009, and regional caucuses of the 2010 delegates in December 2009 and January 2010) will have to be followed. Please remember that you have opportunity to comment as well – simply write an email to LCMSFuture@lcms.org. I am sending them a copy of this paper as well.

My own basic issue, however, is that even if there are elements of our life together that need to be restructured, that will not solve our problems. The issues that rub and cause friction are not structural, but they are theological and spiritual. They will not be resolved politically or structurally, but theologically and spiritually, as we help each other hear and confess the Word of God clearly.

Immediately after the theological convocation regarding Synod Structure and Governance in August, I wrote to the committee appointed by the Chairman of the Board of Directors and the Chairman of the Council of Presidents to implement Resolution 4-01A from the 2007 Synod. This committee has been given the task of designing “a specific plan to clarify for the sake of the whole church a strategy to restore harmony in our Synod” (2007 Resolution 4-01A). I had spoken with some passion in favor of this resolution when it was on the convention floor because it seeks to put in place a process to address the theological and spiritual issues we face in a theological and spiritual way – not politically or structurally. I sent a copy of this letter to the Blue Ribbon Task Force on Synod Structure and Governance because, in part as a result of the August convocation, I have become even more convinced that adjustments to the structure of Synod will not provide the unity we seek. Yes, we may well need to change aspects of our structure (for instance, how delegates to the national convention are selected). That's why it is important that the consensus building process outlined the last day of the convocation be attempted. However, I fear that we are actually expecting too much of this process of structural change if we think that restructuring will produce true harmony, increased trust and lasting peace among us.

The salient points from my letter in August follow. Harmony, trust and peace are gifts of God – and God does not give His gifts through restructuring efforts, as important as they may be. God gives His gifts through His Word, as together we help each other hear the Word clearly and confess it faithfully before the world. The Word alone gives the gifts. The Word alone exposes sin and brings forgiveness. The Word alone points to the cross and unites us in Christ, the living One.

How will the restructuring proposals (as well intentioned as they may be) truly help us come to greater unity in our communion practice, joint worship questions, nagging church and ministry issues, the contemporary vs. traditional “worship wars,” etc. just to name a few? How can restructuring help us with the “heart issues” of our broken relationships and refusal to repent of the ways we have treated one another for 50-60 years? The restructuring proposals cannot help – they may be able to adjust the scaffolding, but only the Word of God can change the heart.

That is why I believe the work of the *Resolution 4-01A Committee* is of paramount importance and why I am writing my thoughts about this process.

I do not believe, necessarily, that we need, as some might advocate, a “new confession.” But we do need a deeper understanding of the Scriptures and confessions as they apply to the issues that do trouble our unity and form the cause of so much political wrangling among us. What do I mean?

We have, for 60 years, been trying to solve theological and spiritual (relationship) problems through political means – adopt my resolution, vote my guy in, even if it’s only by a few percentage points, and we’ll change the Synod... No we don’t. We only make 48% go home angry, seeking to garner enough political support to “win” next time. Instead, we need a completely new (really quite old) approach. We need a representative group that will meet together to work on a basis for agreement that includes the following: 1) a clear statement of the controversy – what is the real point at issue? 2) clear statements of what we affirm together; 3) clear statements of what we reject; and then 4) an agreement of what we will therefore DO together. If that sounds like the same approach taken by those who wrote the Formula of Concord, that’s what I intended.

How might this be done? Let me offer some suggestions for what would be necessary.

- 1) Bring respected and capable people together in a non-political way, representing various groups and views.
- 2) Perhaps invite leaders to bring one or two others with them of their choosing.
- 3) Seminary representatives are essential – and quite possible, given the open and public good will between Dale Meyer and Dean Wenthe.
- 4) Those attending would need to be principled, respected, reasonable people of integrity who are also able to have influence with their constituencies.
- 5) The group should meet regularly for worship and study together.
- 6) They should take at least a year to identify the issues and to form a “statement of the controversy” (*status controversiae*). The group would have to agree on a wording that expresses clearly the question: what exactly is at issue in this matter?
- 7) To be sure they truly understand one another, the representatives of the various groups would have to learn how to state the issue and the concerns of the opposite viewpoint in a way that is comfortable for the opposite group.
- 8) That will enable the group to understand and to agree on what the issue actually is. What is really at stake in the controversy? How does this issue affect the Gospel?
- 9) In the second year we would begin to identify areas of agreement. What do we affirm together? What do we therefore reject? Where are we truly disagreed? How does the Word of God apply? How do we hear the Word of God on this topic? How do the confessions keep us focused on Christ and the Gospel at the center? How has the church of all places and times spoken on the matter? Where do we agree? Where do we disagree? How does it matter? How does it affect the church’s work of mission and mercy?

- 10) Then we need to clarify our statements of affirmation, and our statements of what we reject until all the participants agree: Here is how we will proceed together. Here is where the Word of God instructs us. Here is where we are given Christian freedom. Here is what we will agree to do together out of love for one another and for the common good. Here is where we disagree.
- 11) From there, we would have to design a process whereby such agreements would be studied by the rest of the Synod. Perhaps a good portion of the work could be done through the internet – there are many possibilities as to how we would take the necessary steps of broadening the base of agreement. But there would have to be a long term process of study to involve as many as possible in the agreement.

Does this sound impossible? Not for God! He raises the dead! His Word is “living and active, sharper than any two-edged sword, piercing to the division of soul and of spirit, of joints and marrow, and discerning the thoughts and intentions of the heart” (Hebrews 4:12). If we say – it will never work! THEY (whoever “they” are, for us) will never listen. If we say that, we are really saying – Yes, I believe the Word of God works for me, but I don’t think God’s Word can change HIM or HER. And such a position is really a position of unbelief, a position that says God’s Word lacks the power God says it has.

[My thoughts to the Resolution 4-01A Committee concluded:] Perhaps a process something like what I have outlined is what you are already discussing, what you are already doing. I don’t know. I simply wanted to encourage you and to give you an idea of my thoughts on the matter. I attempted an effort similar to the above in SID in 2002-2004. We made some progress on the issue of joint worship in civic events, at least in the understanding of the controversy, but were unable to finish because several of the participants moved to other districts. The two extremes still did not agree, but we held the center together in our district at least. And that was a gift of God, let me tell you! We have also, by God’s grace, come to greater agreement in SID on the issues of worship practices and communion practice through two study documents the circuit counselors and I prepared – which followed something of the same process I outline above (this is not to say we are completely agreed, but we are working towards greater agreement within our circuits). We plan to center our Spring 2009 District Pastoral Conference around the question of how this might be done on other issues.

My experience with this only illustrated for me how this work of seeking greater unity and harmony in the Word of God and our confession is absolutely essential, I believe, for our future as a Synod that confesses Christ clearly before the world. In other words, we seek unity in what we confess – precisely for the sake of the mission. May God bless you in the task before you. How will this be done? I am praying for you that God provide you with the wisdom and discernment necessary for the work. And I am praying that such a process can be put in place for the good of the whole Synod, that we might be more united for the sake of mission and mercy.

Yours in the peace of Christ,
+ Herbert Mueller
President, Southern Illinois District
November 15, 2008