

The Lutheran Church—Missouri Synod
The Office of the President

Report to the COP, BOD and the CTCR
September 2000

FROM THE WORD

ACTIVITY REPORT

April 2000

- 4/25 Administrators' Team meeting, IC.
- 4/25 Recruitment and Retention Action Group, IC.
- 4/26–28 MN North district convention, Alexandria, Minn.

May 2000

- 5/1 Meeting with Glenn O'Shoney, IC.
- 5/2 Tell the Good News About Jesus planning, IC.
- 5/3 Meeting with Mark Stuenkel, IC.
- 5/4–7 Southeastern District convention, Greensboro, North Car.
- 5/9 Administrators' Forum, IC.
- 5/11-12 Mission and Ministry Forum, IC.
- 5/16 Meeting with PLI leadership, IC.
- 5/16 Meeting re. seminary subsidy, IC.
- 5/19 Mark Stuenkel induction, IC.
- 5/19 Meeting with Brad Hewitt, IC.
- 5/20-21 CUS faculty gathering, Minneapolis, Minn.
- 5/22 Church Growth study committee, IC.
- 5/23 Administrative team, IC.
- 5/23 Human Resources meeting, IC.

June 2000

- 6/1–2 BOD meeting, IC.
- 6/7 Meeting with David Berner and David Mahsman, re. AAL www site.
- 6/8 Meeting with Foundation employees, 10733.
- 6/13 Administrators' Forum, IC.
- 6/13 Tell the Good News About Jesus planning, IC.
- 6/14 Meeting with Wallace Schultz, IC.
- 6/15 Meeting with Brad Hewitt, IC.

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- 6/15–17 Texas District convention, Houston.
- 6/18–19 South Wisconsin District convention.
- 6/21 Meeting with Merle Freitag, IC.
- 6/21 Meeting with Brad Hewitt, IC.
- 6/29 Meeting with Sam Nafzger, IC.
- 6/29 Meeting with President Karl Fry, IC.
- 6/29 Meeting with Bryant Clancy, IC.
- 6/29 Meeting with Board for Communication Services, IC.
- 6/30 Administrative Team meeting, IC.

July 2000

- 7/6 Convention planning meeting, IC.
- 7/10 Meeting with Jim Yagow, IC.
- 7/11 Administrators' Forum, IC.
- 7/11 BFMS Area Directors, Concordia Seminary, St. Louis.
- 7/12 LCMS Praesidium meeting, IC.
- 7/20 Meeting with Karl Barth, IC.
- 7/21 Recruitment and Retention planning meeting, IC.
- 7/22-23 LLL convention, Ontario, Calif.
- 7/26 Convention planning meeting, IC.
- 7/27 Missouri district president and officers installation, IC.

August 2000

- 8/1 President's staff retreat, Mercy Center, St. Louis.
- 8/2 Meeting with Brad Hewitt, IC.
- 8/7 Exploring church careers meeting, IC.
- 8/7 Unit exec. meetings: Mahsman, Meyer, O'Shoney, IC.
- 8/8 Church Relations Group meeting, IC.
- 8/9 Recruitment and Retention action group meeting, IC.
- 8/10 Unit exec. meetings: Wilke, Stuenkel, Freitag, IC.
- 8/10 Meeting with Brad Hewitt, IC.
- 8/14-15 New district president orientation meeting, IC.
- 8/16-17 Tell the Good News About Jesus coordinator gathering, IC.
- 8/18 Unit exec. Meetings: Miller, Clancy, IC.
- 8/21 Tell the Good News About Jesus planning, IC.
- 8/21 2001 convention planning meeting, IC.
- 8/22 Unit exec. meetings: Nafzger, Prybylski, Hempelmann, IC.
- 8/23 Administrative Team, IC.
- 8/23 Meeting with Bill Meyer, IC.
- 8/23 Meeting with Sam Nafzger and Robert Kuhn re. Lithuania, IC.

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- 8/25 Meeting re. mission policies and programs, IC.
- 8/26 Meeting with PALS group, St. Louis.
- 8/29 CUEnet visit with Lithuanian pastors, IC.

September 2000

- 9/7 Meeting with Bishop Kalvanas of Lithuania, IC.
- 9/10-11 Retreat speaker, Springfield, Ill.
- 9/11 Meeting with Lou Meinzen, IC.
- 9/12 Administrators' Forum, IC.
- 9/12 Convention planning committee meeting, IC.
- 9/13 Exempt staff forum, IC.
- 9/13 Church Relations Group meeting, IC.
- 9/14 Meeting with leaders from Hong Kong Synod, IC.
- 9/15 National District Task Force, IC.
- 9/15 Human Resources, IC.
- 9/15 Meeting with Howard Patton, IC.
- 9/15 Board for Human Care Board meeting, IC.
- 9/16–19 Council of President's meeting, IC.
- 9/18–20 Board of Directors' meeting, IC.

REPORT ITEMS

District Conventions in review: This summer was a busy one for our Synod as our districts all held their conventions. Looking back on all of them, as I review my notes from the ones I personally attended, and as I heard from our Synod vice presidents and my representatives to the others, I think we can say that there was much positive activity among our districts. I am thankful to God that so many of our districts have gotten behind the Tell the Good News About Jesus effort. District after district either made this the highlight of their convention, or endorsed the effort with very encouraging and positive statements underscoring both the importance and urgency of this great task our Lord has given us as His disciples, namely, to tell the Good News about Jesus! I certainly did enjoy the opportunity I had to be at a number of our district conventions. The thing I enjoy the most about being at these conventions is the time I have to be with a wide variety of pastors and laypeople and just visit and chat with them, hearing from them and learning of their hopes, their dreams and their concerns and observations about our Synod. I do not think I can adequately express my appreciation for the many kind words of support and encouragement that I heard. Time and again people indicated to me how very much they appreciate being a part of a strong, Christ-centered and Word-based church body. They are concerned by the trends they notice in both our society and in other Lutheran church

bodies and want us to keep moving forward with our strong commitment to faithfulness, genuine faithfulness, and then aggressive outreach with the Gospel. I was particularly impressed that so many of our districts, including our largest districts, passed words of encouragement and support for our Synod's reaction to the Joint Declaration on the Doctrine of Justification. Six new district presidents are now serving in our Synod as a result of our district conventions. I very much appreciated and enjoyed getting to know them a bit better during the new district president orientation that we held here in St. Louis on August 14-15.

Pastoral Leadership Institute: I had the chance to meet with the leadership of this organization and once again to hear of their plans and their hopes for their group. At the same time, I was able to express a number of concerns and perceptions that exist concerning PLI out in the church. Recently our Synod's Commission on Constitutional Matters issued their ruling on questions touching on both the organization and financing of groups such as the PLI. I have attached this ruling as part of this report. As synodical president, I have drawn these rulings to the attention of the entities involved. The Board for Higher Education is moving along with its careful analysis and study of the PLI. Hopefully, their suggestions will soon be shared with the whole Synod for its reaction and consideration.

Concordia University System faculty gathering: In May I was privileged to present a paper to the Concordia University System's faculty gathering. The paper underscored the need for our faculties to be very much involved in the task of recruiting future church workers for our Synod, spoke to their professional and personal lives as people of God, and featured comments about their duties as professors for The Lutheran Church—Missouri Synod. A copy of the speech is available on the Internet at: www.lcms.org/president/literature.asp. It is titled, "Professing the Faith."

Church Growth Study Committee: This committee is in the process of putting the finishing touch on their study of the Church Growth Movement and offering insight into how this movement has impacted our Missouri Synod and then offering direction about how best we as a Synod can move forward in outreach while retaining our strong Lutheran identity and enhancing the same. When the paper is released, I am planning on making it available to our Synod's pastors and then also placing it on the Internet for all to access and study it.

Meetings with Lutheran Church leaders: I have once again had the chance to visit with various church leaders over the past few months.

Bishop Kalvanas Representatives of our Synod attended the Lithuanian Church's convention. Here is what I have written about their convention in the forthcoming issue of "The President's Newsletter."

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A number of weeks ago, representatives of our Synod attended the Evangelical Lutheran Church of Lithuania's church convention. As a result of that convention, we are going to move ahead in formal fellowship talks. For this we truly thank and praise God. You may have read something of this in a recent issue of *Reporter*.

I wanted to provide you with more details about this remarkable and joyful news. You will find it both encouraging and inspiring. Over the past several years there have been increasing contacts between our Synod and the Lithuanian church. I have had the privilege of meeting with Bishop Kalvanas twice, and my respect for him and for his church continues to grow. He led a group of most of his pastors to an intensive theological seminar at Concordia Theological Seminary in Fort Wayne in recent weeks. They are yet another example of a church body that is coming to Missouri because of our stand for a genuine confessional Lutheranism.

The Lithuanians' courage was remarkably demonstrated at their convention when, in spite of open and intense pressure from representatives of the Lutheran World Federation, they adopted a statement in which they made clear their intentions when it comes to fellowship with other Christians. I would like here to quote from the resolution that was adopted by the Lithuanians.

The ELCL possesses and strives towards the preservation of the right and pure preaching and teaching of the apostolic Word of God and the correct administration of the Sacraments as they were instituted by our Lord Himself. This has been the goal of the confessors of the Augsburg Confession (AC VII) and the Formula of Concord (FC X, 31) However, we are faced with false doctrines which endanger the biblical and confessional identity of our Lutheran Church in Lithuania.

Rejecting these false doctrines, we confess the complete authority of the Bible and its teachings, as it is correctly and unchangingly stated in the Book of Concord. We can have full fellowship with those Churches who share with us the same faith and teachings, and which do not ordain or promote the ordination of women, do not defend homosexual behavior, do not make compromises on the doctrine of Justification, and who confess that each communicant in the Holy Communion under the sign of bread and wine is given and receives the Body and Blood of the Lord.

This is a remarkable act of courage from this relatively small Lutheran Church that endured so much under the dark years of Soviet persecution and now must endure the pressure of left-leaning Lutherans who demand that they compromise their strong confessional stance, even threats to stop sending them much-needed financial support.

I am struck by the irony of the fact that at precisely the same time that the Lithuanians take such a courageous stand, there are some Lutherans in our country, and yes,

even some within our own Synod, who would shy away from such a clear and open statement of truth and instead work to undermine the position of historic, confessional Lutheranism and the doctrines and practices of our beloved Synod.

There is much we can learn from these our new friends in Lithuania. May God strengthen and support them in their faithful confession and may He lead us always to the same bold, courageous witness to the truth of His Word!

China Evangelical Lutheran Church, Taiwan: I also recently had the chance to visit with the leaders of the CELC from Taiwan. They continue to face unique challenges in their culture as they seek to teach and preach the Gospel to the Chinese people. Let us remember them in our prayers.

Board for Mission Services area directors: You may have read and heard about the fact that our Synod's Board for Mission Services has now deployed personnel around the world to serve as "area directors." I am attaching to this my report a copy of the presentation I made to them in July, outlining for them their dual role as representing the Synodical President as well as their service representing of the Board for Missions. I would ask that you remember these individuals in your prayers.

Lutheran Laymen's League convention: Once again I had the opportunity to be with these brothers and sisters in Christ during their convention in Ontario, California. Those who have attended these conventions know how encouraging it is to be with so many fellow Missouri Synod Lutherans who share a love for their church and a passion for the work our Lord has given our Synod to do.

Exploring Church Careers meeting: In early August I had a chance to bring words of greeting and then answer questions from a group of over 150 high-school young people who were in St. Louis participating in a special conference on the subject of church careers. I very much enjoyed this time with these our young people. They asked many thoughtful and perceptive questions. A survey taken of the group after the conference was also very interesting as they commented on their plans, on their hopes, and on their fears as they serve the Lord and His church. Once again, this meeting highlighted for me the reality of how influential their own pastors are in their decision to become a pastor.

Salaries: I continue to hear from church workers all across our Synod who indicate that their salaries and living conditions are substandard. I hear this from pastors and teachers. If the situation that faces a goodly number of our pastors is of concern, then all the more so for our teachers. A congregation that does not adequately provide for their church workers thereby forfeits their right to have church workers. Now having said that, yes, I know there are situations where a congregation simply is not able to afford to pay more. That certainly is a reality in some situations. On the other hand, there are congregations

that have a tradition of paying substandard salaries when they could afford to do better. As one person put it, “Our congregations must not balance their budgets on the backs of their church workers.”

Tell the Good News About Jesus: This effort continues to move ahead very well. We had all the district coordinators here at the International Center on August 16-17, and I was very pleased to notice how they have really moved forward with their work. We are definitely now in the stage of action, rather than just planning, and this is very good to see. The Evangelism Outreach Through Congregations grant program has been very successful and we are looking forward to following up on this effort. I have been impressed to notice that the Southeastern District, and I believe also the Oklahoma District, have even undertaken their own EOC program, distributing grants and funds for projects within their districts among their congregations. That is really something that would be great to see in the rest of our Synod’s districts. During our district coordinator meeting there was an excellent suggestion made that our districts need to bring together all the congregational coordinators for encouragement and support.

The PALS program: I brought words of greetings to a gathering of the various individuals across our Synod involved with the Post-Seminary Applied Learning Seminar series. Their efforts to support new pastors in their first ministries is bearing much fruit, and this program surely continues to be a blessing to our Synod.

For the Sake of the Church: Here just a word of encouragement that you continue to hold this effort before the eyes of your district. You may obtain additional information from the Board for Higher Education here at the International Center. There is also a www site available that you may wish to make mention of in your district publications: <http://sake.lcms.org>.

2001 Convention planning: We have now held three convention planning meetings here at the International Center in anticipation of our Synod’s convention next summer. These meetings involve the key IC staff persons responsible for various aspects of the convention. As I look ahead, I realize once more that we are going to have a very, very full agenda for the next convention with many important issues requiring our attention. We will have as the major feature at the convention the Tell the Good News About Jesus emphasis. Key theological issues that will come before the next convention will include the matter of our doctrine and practice of church fellowship and issues concerning the growing pastoral shortage as we consider a position that for now I am calling “assisting pastors.” We will be hearing and reacting to reports and recommendations from various groups, including the National/District structure committee, the committee working on the revised Handbook, the Church Growth Study Committee and the Recognized Service Organization Task

Force. And to this, of course, we add all the necessary reports and overtures that we will be considering from members of the Synod and the various entities and agencies of the Synod.

Studying fellowship: I wanted here simply to mention once again the process that our Synod has chosen to follow in studying the issue of church fellowship. We are now past the stage where our district conventions have studied and discussed the CTCR fellowship document. Now the document is to be studied in pastoral conferences, circuit conferences, teacher conferences, and within the congregations of our Synod. The CTCR paper is available on the Internet and may be downloaded and copied by our church workers and congregations. It is available at: <http://www.lcms.org/ctcr>.

Speaking about public error in the church: A number of months Dr. Robert Kuhn requested from both of our seminaries their formal response to a question about how Matthew 18 and the Eighth Commandment relate to public error in the church. Concordia Theological Seminary, Fort Wayne, responded to this request and their response is included in the materials at the end of my report. Concordia Seminary, St. Louis, has not yet responded to Dr. Kuhn's request.

Contacts with the Roman Catholics: I was informed by the president of the National Conference of Catholic Bishops, the Most Reverend Joseph A. Fiorenza, that in response to my request, as well as the encouragement of the CTCR, the NCCB's Committee for Ecumenical and Interreligious Affairs has been asked to respond to our request to begin a dialogue between our two churches. Bishop Fiorenza has asked the Committee for its thoughts and he informed me that he will notify me of what he hears from them. The Committee's next meeting is scheduled for early October. When I hear more about this, I will inform you. Hopefully, we will have a chance to communicate directly with the Roman Catholic Church about a variety of issues.

From the Minutes of the August 2000 Commission on Constitutional Matters Meeting

160. Questions Re Actions of District and LCEF (00-2189)

A District President in a series of letters and communications with the Commission raised a series of questions regarding the rights of Districts and of the Lutheran Church Extension Fund over against a non-synodical entity and its leadership. After discussion that extended over a period of several meetings the Commission responds as follows.

Question 1: “Can a District of the Synod ‘call’ a pastor to serve as the executive of an independent corporation which is not a congregation or a recognized service organization of the Synod or an entity of the Synod?”

Opinion: The Constitution and Bylaws of the Synod do not specifically state that a District may issue a “call.” However, the Bylaws do give recognition to such calls. Bylaw 4.71, 3, speaks of ordained and commissioned ministers who are members of the Synod and are called or appointed to serve the Synod. Bylaw 2.15, f, specifically states, in the case of missionaries, “...including a call by a District.” Thus, a District may extend a call.

Having concluded that a District may extend a call, the question then is whether such a call may be made to a pastor to serve as the executive of an independent corporation which is not a congregation, nor a Recognized Service Organization (RSO) or an entity of the Synod. Article XII, 12, of the Constitution of the Synod states: “The Districts are independent in the administration of affairs which concern their District only, it being understood, however, that such administration shall always serve the interests of the Synod.” Thus the requirement is established that a District can take an independent action if: (1) the action relates to an activity which only affects that District, and (2) the activity serves the best interests of the Synod. Bylaw 4.07, e, states: “Jurisdiction with respect to everything which is administered by or for the entire Synod resides in the Synod itself,...” Whether or not the activity of the independent corporation only concerns the District which issued the call and whether the activity of the independent corporation serves the interests of the Synod are questions of fact which are beyond the authority of the Commission.

Question 2: “Can a man who has received and accepted such a call remain on the roster of the Synod?”

Opinion: (The Commission assumes that the question is whether the man can remain an active member of the Synod as that term is defined in Bylaw 2.15.) Bylaw 2.15 sets forth various positions which would qualify an ordained or commissioned minister of religion as an active member of the Synod. The only category which fits the position described in question #1 is found in Bylaw 2.15, h, namely, engaged in a “...specialized ministry endorsed by the Synod, including endorsement by one of its Districts.”

The words “or other specialized ministry” were added to Bylaw 2.15, h, by Resolution 5-11 (Overture 5-12) of the 1989 convention of the Synod, entitled “To Amend Miscellaneous Bylaws.” The “Resolved” of this resolution stated: “To amend Bylaw 2.15 h to allow for directors of Chris-

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tian education to serve in an official civil service position with the military and remain an “active member” of the Synod as well as to provide for active status for others involved in specialized ministries...” Neither the *Convention Workbook* nor the *Convention Proceedings* elaborate further on the term “specialized ministry.”

Bylaw 2.15, h, further requires the specialized ministry to be endorsed by the Synod and/or a District. The Council of Presidents addresses this issue in its Policy Manual where it states:

Consequently, the Council of Presidents has declared that the word “endorsement” as used in Bylaw 2.15, h, shall mean “an ecclesiastical statement that affirms that the person receiving the endorsement has been determined by the Synod to be fit for the ministry and that acknowledges that the position to be filled is a Word or Word/Sacrament ministry.”

The Commission accepts this definition. Therefore, to answer the question whether this man in question may remain on the roster of the Synod under Bylaw 2.15, h, it must be determined whether the independent corporation is a specialized ministry and whether the position qualifies for endorsement by a District. These are factual determinations beyond the authority of the Commission.

Question 3: “Can the Lutheran Church Extension Fund (LCEF) give grants and funds (not loans) to an independent organization which is not an RSO or an entity of the Synod, according to Bylaw 3.503 of the Synodical Handbook?”

Opinion: The issue placed before the Commission by this question is what limitations, if any, are placed upon LCEF in designating recipients of its financial resources and related services? Bylaw 3.503 states that such financial resources and related services are to provide for ministry, witness, and outreach of The Lutheran Church—Missouri Synod. Who then is to determine whether a recipient of LCEF resources and services provides ministry, witness, and outreach of The Lutheran Church—Missouri Synod? For example, Bylaw 3.503, a, indicates that one of the purposes of LCEF is to provide financing and services for professional church worker education. Does this mean that LCEF can evaluate, choose, and provide financial resources (including grants) to any provider of professional church worker education which it decides, in its sole discretion, qualifies as ministry, witness, and outreach of the LCMS?

If LCEF has sole discretion, without limitation, to determine appropriate providers of professional church worker education, it would thereby assume to itself the authority to judge the doctrinal content of the educational materials used by the provider. Nothing in the Constitution or Bylaws of the Synod gives any indication that LCEF is vested with such decision making. Bylaw 11.01, c, states that the primary responsibility for doctrinal supervision and review lies with the President of the Synod.

The bylaw provisions related to LCEF clearly indicate that the Synod created LCEF to be a financial vehicle. This is pointed out in Bylaw 3.501, c, which addresses membership on the Board of Directors of LCEF and provides that all Directors shall have an understanding of the church ex-

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tension program and/or demonstrate an expertise in fields or areas closely related to church-extension activities, such as knowledge of real estate, management, and financial planning.

It has been said that LCEF should be given wide latitude in deciding who shall be the recipients of its grants and financial resources. In this fashion it can provide seed money for new ministries which otherwise could not be created for lack of funding. This may be so. However, if there is no limitation on those to whom the LCEF can make funding available, the LCEF becomes a policy-making body by its ability to determine which ministries and activities should be given financial support and which should be denied, whether they be within or without The Lutheran Church—Missouri Synod.

Bylaw 3.501, a, provides that LCEF is operated “...to further the objectives and duties of the Church Extension Fund within the Synod (emphasis added).” The word “within” indicates an exclusiveness of recipients of the financial resources and related services of LCEF. Specifically, its financial resources and related services are restricted to those within the Synod. Who then is within the Synod? It is those identified in the Constitution and Bylaws of the Synod, namely, members of the Synod (Article V), the Synod itself and its component parts, auxiliaries (Bylaw 14.01) and recognized service organizations (Bylaw 14.03).

Bylaw 3.503, a, sets forth specific purposes for which LCEF can provide financial resources and related services. Other purposes qualify only if (a) they are approved by the governing board of LCEF; (b) they are consistent with the ministry and mission of the Synod; and (c) they qualify under policies approved by the Board of Directors of the Synod. Thus, Bylaw 3.503, a, relates only to the purposes for which LCEF can provide financial resources and related services. It does not address the appropriate recipients of such resources and services.

Thus, to summarize: (1) Eligible recipients of LCEF grants and funds are limited to those within The Lutheran Church—Missouri Synod, namely: members of the Synod, the Synod itself and its component parts, auxiliaries, and recognized service organizations. (2) The assets of LCEF must be used exclusively for: [a] acquisition of sites; [b] construction of facilities; [c] purchase of buildings and equipment; [d] operating expenses; [e] professional church worker education; [f] residential housing needs of professional church workers; and [g] other purposes only if approved by the governing board of LCEF consistent with the ministry and mission of the Synod under policies approved by the Board of Directors of the Synod.

Question 4: “Do the Articles of Incorporation of LCEF, prior to their amendment in 1998, permit the giving of grants or funds to a non-synodical agency or corporation?”

Opinion: Bylaw 3.905, d, authorizes the Commission to interpret the Constitution, Bylaws, and resolutions of the Synod. It does not have the authority to interpret the Articles of Incorporation of synodwide corporate entities.

Question 5: “Does the language of the 1997 Articles of Incorporation of LCEF, or the Bylaws of the Synod which govern the objectives of LCEF, permit the staff of LCEF to

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become involved with the creation of a non-synodical corporation for the purposes of training pastors of the LCMS?”

Opinion: The Commission only responds to the portion of the question related to the Bylaws of the Synod. Bylaws 3.501, 3.502, and 3.503 relate to LCEF but do not speak specifically of the duties and responsibilities of the staff of LCEF. Bylaw 1.07, e, states,

Each staff develops procedures, recommends and reviews programs and ministries, manages programs, and recommends policy and program modifications. It implements decisions of its respective board in accordance with approved policy. It is responsible to the Synod through its respective board or commission, which shall exercise supervision in accordance with the Constitution and Bylaws, resolutions of the respective convention, and the decisions of the respective board or commission.

The staff of LCEF, therefore, would be permitted to become involved in the above-described activity only by decision of its board.

Question 6: “Does Article III of the Constitution of the Synod restrict the training of pastors, teachers and other professional church workers of the Synod to the Synod itself, or does it permit the organization of extra-synodical corporations for such training?”

Opinion: Article III, 3, states, first of all, that the Synod shall “recruit and train pastors, teachers, and other professional church workers.” Bylaws 2.07 and 2.09 govern this process, setting forth the educational requirements for membership in the Synod. The Synod reserves this formal training leading to membership to itself and has made “the overall responsibility to provide for the education of ordained and commissioned ministers and other professional church workers for the Synod” a function of its Board for Higher Education (Bylaw 3.409).

Article III, 3, also requires the Synod to “provide opportunity for their continuing growth.” The Commission on Ministerial Growth and Support has been charged with the responsibility for “providing opportunities and settings for all professional church workers to continue growing in Christ and in the knowledge, attitudes, skills, and personal well-being they need to serve Him in His Church” (Bylaw 3.915, a). Continuing growth opportunities are also provided by official church worker conferences throughout the Synod, “conducted for the spiritual and professional growth of their members” (Bylaw 5.63). Article III does not, however, state that the Synod and its entities shall be the sole providers of post-graduate education opportunities. Additional opportunities may be otherwise offered. Nothing in the Constitution and Bylaws of the Synod requires pastors, teachers, and other professional church workers to obtain post-graduate education from the Synod or an educational institution approved by the Synod.

Question 7: “Are the members of the Board of Directors and the staff of LCEF officers of the Synod and therefore subject to the provision of the Constitution of the Synod,

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Article II (A) (1), ‘The officers of the Synod must assume only such rights as have been expressly conferred upon them by the Synod....?’”

Opinion: Article X and Bylaw 3.53 designate the officers of the Synod. The members of the Board of Directors and staff of LCEF are not officers of the Synod.

Question 8: “What authority has been given to LCEF to make the grant?”

Opinion: See the Opinion to Question #3 above.

Question 9: “If such action is a violation of the Articles of Incorporation of LCEF, must the State of Missouri be informed of such violation?”

Opinion: The answer to this question is beyond the function of the Commission as set forth in Bylaw 3.905.

Question 10: “If a corporation that is not a synodical agency or an RSO selects a pastor of LCMS to serve as their executive director and the pastor accepts this position with the corporation, can he remain on the roster of ordained ministers of the LCMS?”

Opinion: See the Opinion to Question #2 above. The Commission further notes that church workers, as a result of a recent bylaw change adopted by the Board of Directors of the Synod, may be continued on the roster of the Synod as “Inactive Members” according to Bylaw 2.17 with “all the rights, privileges, and responsibilities of advisory membership in the Synod as defined in the Constitution and Bylaws of the Synod.” A church worker as described above, who serves as the executive of an independent corporation which is not a congregation or a recognized service organization of the Synod or an entity of the Synod, may qualify as a “non-candidate” member, that is, “one who is eligible to perform the duties of any of the offices of ministry specified in Bylaw 2.15 but who is not currently an active member or an emeritus member and who chooses not to be a candidate member” (Bylaw 2.17, c).

Question 11: “Is an action by a District of the Synod ‘Accommodation Employment’ as defined in the Synod’s Board of Directors Policy Manual #5.6.4?”

Opinion: Interpretation of board policy is beyond the function of the Commission as set forth in Bylaw 3.905. In addition, the question requires a determination of facts which likewise is beyond the function of the Commission.

Question 12: “Can a District of the Synod ‘adopt’ a private entrepreneurial corporation as a ministry of the District and ‘call’ a pastor to serve as the executive director of such a corporation?”

Opinion: See the Opinion provided to Question #1 above.

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Question 13: “If the ‘temporary call’ extended is ‘Accommodation Employment’ as defined by the Policy of the Board of Directors of the Synod, can a pastor who accepts such a call remain on the roster of the Synod as an active pastor?”

Opinion: See the Opinions to Questions #2 and #11 above.

Question 14: “Can a ministry of a District apply to the Synod for RSO status?”

Opinion: Bylaw 14.03, a, states that “Recognized Service Organization status may be granted to a service organization (other than an auxiliary) that extends the mission and ministry of the Synod but is not a part of the Synod as defined by its Constitution and Bylaws.” A ministry of a District is the District and a District is part of the Synod. Since an RSO cannot be a part of the Synod, a ministry of a District cannot apply RSO to the Synod for RSO status.

Question 15: “If a grant made by LCEF is not authorized by the Articles of Incorporation of LCEF or the Bylaws of the Synod as these were written at the time when the grant was made, must LCEF seek a repayment of the funds which were given?”

Opinion: What action a synodwide corporate entity must take under its Articles of Incorporation if a prior action of such synodwide corporate entity was contrary to its Articles is a question beyond the function of the Commission under Bylaw 3.905. As to what action the Synod may or must take under the circumstance, Bylaw 3.101, B, 5, provides that the President shall call up for review any action by an agency (which includes a synodwide corporate entity under Bylaw 3.51) which, in his view, may be in violation of the Constitution, Bylaws, and resolutions of the Synod and, if he deems appropriate, request that such action be altered or reversed. If the matter cannot be resolved, the President shall refer it to the synodical Board of Directors, the Commission on Constitutional Matters, and/or the Synod in convention as he deems appropriate to the issues and the party/parties involved.

Bylaw 3.183, e, provides that the Board of Directors of the Synod shall exercise general oversight over the operations and activities of a synodwide corporate entity as required of it in the Constitution and Bylaws of the Synod.

Bylaw 3.195 provides that the governing board of a synodwide corporate entity shall reply to inquiries and suggestions from the Board of Directors of the Synod relative to its operations and activities. If the governing board and the Board of Directors of the Synod do not reach an accord on such suggestions, the matter may be brought by the Board of Directors of the Synod to the Synod in convention for a decision.

Finally, Bylaw 3.195, e, requires a governing board of a synodwide corporate entity to be accountable to the Synod in convention for the discharge of its assigned duties and shall submit a report thereto for inclusion in the *Convention Workbook*. The Commission observes that in its report to the 1998 convention of the Synod (*Convention Workbook*, p. 71), LCEF included in its “Future Plans” the following: “Continue to help the Pastoral Leadership Institute in its start-up phase. The

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goal of the institute is to implement an in-service training program for pastors desiring to develop leadership skills helpful in pastoring large and/or growing LCMS churches.”

Memorandum to Board for Mission Services Area Directors

July 11, 2000

To: BFMS Area Directors
From: President A. L. Barry

Dear Coworkers in Christ,

Grace, mercy and peace to you in the Master's Name.

I would like to share with you a number of thoughts and observations about how the BFMS area directors and the synodical president can work together to help and support one another in our common efforts to advance the cause of the Gospel of Jesus Christ around the world in faithfulness to our Lutheran confession.

Enormous Opportunities

As you all know, there are enormous opportunities for our Synod worldwide. The Lord is opening doors where our Synod can be instrumental in helping new and emerging churches, and in reaching out in areas where the Gospel has not previously been preached. The Word of the Lord is growing and going forth as never before, for which we thank and praise Almighty God. The fantastic good news of Christ, crucified and risen from the dead, is moving forth through the world, and we are blessed to be a part of this expansion of the Gospel.

Over the past seven-and-a-half years, I have had repeated contacts from all over the world. I have heard repeatedly from church leaders asking the LCMS for recognition and assistance. We already have several "working relationships" with these groups, as I like to call them. Where will such working relationships lead? That is in God's hands; but where we can, we will work with these churches. Perhaps such working relationships will lead to closer ties between ourselves and others, eventually leading to church fellowship.

I have heard from many, many church leaders who are coming to the Missouri Synod for assistance because they respect the Missouri Synod's adherence to historic, genuine Lutheranism. They are not content with the liberal theology in so many of the state churches in the world today. They are distressed by the degree to which even unbelief in the historic Christian faith has gripped many churches. They are distressed by the embrace of immorality in the form of abortion and homosexuality. They find in the LCMS a church that still retains the faith once given to the saints, and because of that they are reaching out to us.

I hear from church leaders in other areas of the world who are attempting to reach out into new territories and lands and people where the Gospel has not been proclaimed. Again, we find them turning to Missouri for assistance in this task. Indeed, I am sure together we would be able to identify many such opportunities for our church body around the world. The opportunities are enormous, and for this, we together sing a *Te Deum* to God for permitting us to be here, at this time, and play our part in this incredible expansion of the Gospel of our Lord Jesus Christ.

Great Responsibilities

With enormous opportunities come great responsibilities. I need here to be very clear. The responsibility of the Board for Mission Services and its staff and now particularly you, the area directors, is very significant. As you make contact with church leaders and church bodies, you become for them The Lutheran Church—Missouri Synod.

As Missouri Synod Lutherans, we have the great responsibility of working to spread the Gospel of Jesus Christ and to do so in faithfulness to historic, orthodox Christianity. We work hard to reach out boldly and aggressively with the saving Gospel of Jesus Christ, to tell the good

news of Jesus, and to help other churches prepare pastors who will take that good news out among their people.

We preach the Gospel as we know it purely from the Scriptures and according to the Lutheran Confessions, and thus, our mission is distinguished as a confessional Lutheran mission. Confessional Lutheranism holds the Scriptures as the actual, inspired Word of God and the Lutheran Confessions as a pure exposition of that Spirit-filled Word. Those who are coming to us realize, perhaps better than we do, that the difference between historic Lutheranism and liberal Lutheranism is extremely significant. The LCMS is in a position to provide aggressive mission leadership for confessional Lutheranism.

The Duties of the LCMS President and His Representatives for Church Relations

I certainly do not need here to deal with the responsibilities given to the Board for Missions by our Synod. But I would like to take just a moment to comment on the duties given to the president of the Synod, as that would relate to your role as an area director.

The Synod's bylaws indicate that the president is the "chief ecumenical officer of the Synod. He or his representative shall represent the Synod in official contacts with other church bodies" (Bylaw 3.101.A.5). The key word here for our purposes is the word "representative." As you now move into your new role as area directors for the LCMS Board for Missions, you have a dual role. Each of you will be responsible to the Board for Missions for the various specific BFMS duties and tasks you are given, but you will also be serving as the representative of the LCMS president.

When you make contact with others, you are, as far as they are concerned, representing the Missouri Synod. Particularly when you work with churches with whom we are not in fellowship, you are definitely moving into the role as representing not the Board for Missions, but rather the LCMS president, who is the Synod's chief ecumenical officer. I believe it would be helpful for me in this memorandum to lay out before you some observations and some expectations as to how best you can serve as my representatives in the various areas of the world where you will be serving.

Expectations of Partner Churches and Others

We need to recognize and be mindful of the fact that the Missouri Synod can no longer treat or regard our partner churches as "daughter churches." I know that we all understand this, but it is a point worth highlighting here. I know for a fact, from personal conversations and from correspondence and other contacts, that the leaders of our partner churches and the other churches with whom we are working actually are offended when they think that they must relate to the LCMS only through the Board for Missions.

They may not say it as such to you, but it is very obvious that they expect to be able to relate to the Missouri Synod on a church-to-church, president-to-president level. So, it will be very helpful for you to be able to help them understand your dual role of serving our Missions board, while also serving as the representative of the LCMS president. I recognize this is a delicate task and not altogether easy, but I believe it is a very necessary part of your duties.

Our Synod is relating to other church bodies not only through mission projects per se. We cannot consider a territory in the world a "mission area" where there is an established and functioning confessional Lutheran church body. We are working with other churches by sending seminary professors, and we help them by bringing their students over here. The face of "missions" is unique, depending on where in the world it is taking place, but in all these situations, where there is a leader of a church, or a partner church, they wish to be treated as equals, not as inferiors. And though we clearly understand this, it will be very important for that distinction to be made in your contacts with church leaders.

In fact, as you make contact with the heads of our partner churches and with other church bodies, it will be important that you clearly introduce yourself to them as the area director for our Board for Mission Services *and also* as the representative of the President of The Lutheran

Church—Missouri Synod. And then, clearly indicate to them and make it perfectly plain to church leaders that they should always feel free to write directly to me and be in direct contact with my office at any time they so desire. I would also ask that you always be very clear in your contacts that you are there to be a partner and an advocate for a real, genuine Lutheran mission effort for the sake of the Gospel.

The Dual Reporting Role of the Area Director

Clearly, the Board for Missions and your service as area director will consume most of your time, as you work to help the mission personnel on the field carry out their work, counseling them in policies and programs as they develop. This promotion of mission activities and support will be your primary duty. Along with that also comes your role in representing the Synod, and the Synod's president, in ecumenical relationships and contacts with leaders of Lutheran churches and other churches in your particular world area.

I would now like to share with you my expectations of how you should relate to my office as you go about your dual responsibility:

- *Quarterly reports:* I ask that each of you, every three months, share with me an update on the church relations aspect of your work, with specific comments, observations, suggestions and otherwise about the churches in your area of the world. I would like you to share with me any information about the status of the various Lutheran and non-Lutheran churches in your world area, discussing how perhaps the LCMS can be of help and how the president of the Synod could be of assistance to you in your contacts with other churches in your world area. Whatever would be of significance in terms of church relations, I would like to hear about and learn better what you are doing and how these activities relate to strengthening partnerships with the churches in your part of the world. I would also like to hear about developments among non-Christian religions in your area, and any other information that would provide me with a better understanding and grasp of the situation where you serve. I want to be clear that I do not expect, nor do I wish, to receive a comprehensive report on everything you are doing, I will receive copies of your report to the Board for Missions, so there is no need to duplicate efforts. What I am looking for is a brief—perhaps at times no more than two pages—report on your observations and activities touching on inter-church relations as well as the changing religious picture in your particular area. And by all means, if something comes up that I should be aware of between the time of your regular reports, please do not hesitate to send me an e-mail message to: president@lcms.org, or however you may wish to send it.
- *Significant developments, meetings and contacts:* I would appreciate receiving, in addition to quarterly reports, e-mail or faxes from you, when you will have a significant meeting with other church bodies and their leaders, and then a follow up message sharing the results of the meeting. I would also encourage you to let me know right away about any significant developments, rather than waiting until the next quarterly report.
- *Personal meetings with the synodical president:* When you return to the United States, I would request that you make sure to schedule a meeting with me to review church relationship issues in the particular world area to which you are assigned.
- *Alerting me to visits by church leaders:* Repeatedly over the past eight years, there have been times when church leaders have come to St. Louis and I was not adequately informed or alerted of their visit. Needless to say, this is simply unacceptable and reflects poorly on our Synod. Consequently, when you become aware that there is a church leader who will be visiting our Synod, coming to St. Louis, etc., please always be sure to alert my office so I can attempt to meet personally with them when they are here, or at the very least to send them greetings as the chief ecumenical officer of our Synod.

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- *Avoiding sowing seeds of discord:* I would strongly request that you do whatever you can to avoid sowing seeds of discord and tension between other church bodies and any entity of our Synod. Even when problems arise within our own Synodical family, I would ask that you do whatever you can to avoid “importing” these concerns into your world area. When problems do surface there is a right way and a wrong way of addressing these.

An Assurance of Support and a Word of Encouragement

Finally, I would like to conclude by offering you a genuine word of support and encouragement as you now find yourself moving into your new role as an area director, stationed in various parts of our world. I pray for God’s richest and continued blessings on you and your families as you serve in this unique way. I look forward to working with you in this dual role you now are assuming as you move into the future. God bless! God bless richly!

Dealing With Public Evil Including False Doctrine

The Department of Systematic Theology of Concordia Theological Seminary has been asked how public sins and false doctrine ought to be handled. At the heart of the concern is the question whether or not those who have engaged in or permitted aberrant doctrine or church practices in their churches must always be approached privately first, before such matters are brought to the attention of others, especially their colleagues in the ministerium of The Lutheran Church—Missouri Synod.

Our Lord Himself during His earthly ministry corrected the false views of Peter, Thomas, and Philip in the presence of their fellow apostles. Luther began the Reformation by calling attention publicly to errors in doctrine and practice that had become entrenched in the church of his day. In interpreting and applying the Eighth Commandment in the Large Catechism, the Reformer distinguished between private sins on the one hand, which must be handled discreetly, to avoid the detestable sins of slander and gossip, and public evil on the other, which requires public reproof. He wrote:

But where the sin is so public that the judge and the whole world are aware of it, you can without sin shun and avoid the person as one who has brought disgrace upon himself, and you may testify publicly concerning him. For when an affair is manifest to everybody there can be no question of slander or injustice or false witness. For example, we now censure the pope and his teaching, which is publicly set forth in books and shouted throughout the world. Where the sin is public, the punishment ought to be public so that everyone may know how to guard against it (Commandments, 284, Tappert, p. 403).

Since publicly taught false doctrine threatens faith and church with confusion and even destruction, it needs to be publicly removed and corrected as soon as possible. The so-called steps in St. Matthew 18 are misapplied in such cases, if they are taken to require lengthy negotiations, while the public error continues without public correction. The provisions of Mt. 18 do not constitute a legal code or procedure. Their context rather is that of personal conflicts of various kinds, which are to be resolved in love, with the least possible embarrassment to the brother. Unless the offender himself makes it necessary to draw in yet others, the conflict is to be confined to the smallest possible circle. Public evil is an entirely different matter and, requires public correction (I Tim. 5:20), especially if it is a matter of doctrine and therefore threatens to destroy the unity of the church (Tit. 3:10).

It goes without saying that no right exists to misconstrue and misrepresent anyone's public or private position. Public rebuke therefore requires and presupposes that all necessary

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steps have been taken accurately to establish the point or points at issue. Public accusations based on misunderstandings, innuendo, or mere appeal to popular prejudice are unworthy of proper churchly proceedings (I Tim. 5:19). When public accusations prove to be false or baseless, they must be publicly withdrawn, with due apologies to the person or persons wronged.

Finally, even though an error is public and may be publicly reprovved, love, which always seeks to win the brother, may well be impelled to make private, personal attempts to correct the matter first--if that approach seems to offer the best hope for a God-pleasing settlement in a given case, and there is no immediate threat to the church. However, the evangelical way of "speaking the truth in love" (Eph. 4:15) cannot be reduced to a juridical code of hard and fast regulations to fit all cases. Differences of judgment in "grey areas" can be expected to, arise, and must be borne. in love, without tyrannizing anyone's conscience.

— Department of Systematic Theology
Concordia Theological Seminary
Fort Wayne, Indiana
March 9, 2000