

Congregational Self-Governance Versus Heirarchialism

History, Theology and Practice in the LCMS

When it comes to congregational self-governance and the tendency toward heirarchialism in the Missouri Synod, after 500 years it would be a good exercise to begin at the beginning of our movement. Uber-founder Martin Luther, having burned the bull *Exurge Domino* in December, 1520, was punted out of the Western division of Christianity by its hierarch, Leo X, on January 3, 1521.

From that day on, Luther entered the downside hierarchy, carrying the title “Heresiarch,” the football’s football in the pigskin parade. Having been punted, and while sailing through the air, he and his teacher friend Melanchthon came up with the leanest, meanest definition of “Church” ever in first part of the Seventh Article of the Augsburg Confession, dividing out of necessity the frameworks of divine and human order to present purely God’s realm of grace in these words:

“The Church is the congregation of saints, in which the Gospel is rightly taught and the Sacraments are rightly administered.”

What’s missing in this definition is the encumbrance, crust and baggage of physical and ontological apostolic succession, the hierarchy divinely instituted. Instead, the connective ecclesial tissue for Luther, and for Lutherans globally is made through the apostolic teaching, not the hands that touched the heads and the mouths that breathed the words of the hands that touched the heads and the mouths that breathed the words down to the umpteenth generation and our Lord Himself. (*Interestingly this pertains even those such as the Scandinavians, who possess apostolic succession, having avoided the excommunication of the Teutons.*) How Lutherans arrange themselves and order themselves inside apostolic teaching, preaching and local congregational alignment ecclesiologically *without* ontologically determined authorization has proven over time a tough-ish proposition, for example in the migration to extra-European ports of call like the United States.

There we head to Missouri, Ohio and Other States. Under-the uber-bus founder Martin Stephan, it turned out, was a much too-hands-on Hierarch who row, row, rowed his boat to oblivion on the Red Bud side of the Mississippi. That left the remnant in our tiny vessel to be helmed, held and stitched together by the inimitable C.F.W. Walther as conceived in his book *Kirche Und Amt*. In terms of governance and order, the Missouri Synod has throughout its history pushed its ecclesiological organization through the narrow passage of transfer between the baptized and the ordained, and made its decisions at conventions through votes mediated by an equal representation of clergy and laity. Even those votes were to be viewed not as the consistory votes were viewed on the other side of the pond, that is as mandates, but as carefully crafted and thoroughly dialogued advice.

The national framework was proposed always as advisory, and the structure as visitational, exhortational and encouraging toward the bonds of unity from firm and loving connection to the Word of God. The relation of the Synod to its members is described as cleanly and clearly in its constitution, article seven, as the Augsburg Confession describes the Church in its Article Seven:

"In its relation to its members the Synod is not an ecclesiastical government exercising legislative or coercive powers, and with respect to the individual congregation's right of self-government it is but an advisory body. Accordingly, no resolution of Synod imposing anything upon the individual congregation is of binding force if it is not in accordance with the Word of God or if it appears to be inexpedient as far as the condition of a congregation is concerned."

And no property rights to boot.

Walther had to steer between the poles of the more hierarchically and clerically deterministic Loehe and Grabau in Iowa and Buffalo (one of whom, although back in Neuendettelsau, came around a bit and the other of whom shuffled off to, well, Buffalo) and the congregational posturings of Vehse and Marbach (who petered out in the "Back to Germany" movement), a vestige and version of which is imbedded in Constitution Article VII. We're left with the mediating solution of our other "Uber," the "Ubertragungs Lehre," the doctrine of transference of power and authority, which briefly stated is:

The Keys (Churchly Authority) belong to the Church. The Priesthood of all believers holds the keys corporately; the clergy are viewed as called out of and yet part of that priesthood, as being granted authority and yet being held accountable by the priesthood. The sheep judge the shepherds, and yet the sheep are taught by the shepherds. And oversight is at its heart advisory, at its most severe a function of reproof and admonishing.

Does this sound like both a mishmash and a recipe for disaster? OK – a little bit, maybe periodically a lot. But the basic congregationalist position of the Missouri Synod as inked in the Constitution and theologically coupled with the Ubertragungslehre is linked lock, stock and barrel to Article VII of the Augsburg Confession and what others have called the Axis Mundi. **That is, the local pulpit, font and altar are the spatial location on earth of the inbreaking of the Kingdom of Heaven for God's people, through the Means of Grace.** These means are what Christians receive in divine goodness and mercy as the center of the universe, the Axis Mundi. And that reality is to be held sacred, protected and guarded in teaching and practice by ordinance humanly posited. Note the word "Congregation" as pre-eminent in both Article VII's.

This focus in the Missouri Synod has enabled the priesthood to be sustained and ennobled, the clergy to serve, to teach and to empower, and the joined-together groupings locally, regionally and nationally to come up with value-added advice and encouragement in conclaves of all kinds.

Ecclesiologically and structurally, what has sustained Missouri is what uber-founder Luther described, namely the crust of traditions accruing over time. Over time these traditions encoded through convention resolutions and constitutional bylaws morphed into a highly complex system of checks and balances. This was accomplished to protect the fundamental doctrine as well as to protect the members of the denomination, congregations and rostered workers. Appointments and elections, selections and determinations as to magisterial and ruling authority were parceled out just so the general direction toward congregational centrality could be maintained while giving everyone at least the appearance of prioritized input. There is both beauty and inherent danger in this system: it works because it's intricate. And if the intricacy is disturbed, if balance is lost, the results can be disastrous. The weight of that crust of tradition can also fall on itself.

The results of imbalance can be seen at various ecclesial levels. First, supervision. Supervision is the arbitrated result of answering the second question after who judges the shepherd (the sheep), which is who then judges the sheep, and if necessary the shepherds when the sheep aren't sufficient to the task. (This is the churchly version of Juvenal's original "*Quis custodiet ipsos custodes?*", i.e. "Who guards the guards?") Who further assists in holding the regional affiliative congregations and pastors together through visitation, exhortation and encouragement? The answer for the past many decades, given the size of the denomination, has been regional district presidents. They also gather together for the sake of mutual counsel and advice, and to add counsel and advice to the national leadership. This labor of love has been best when the district presidents are intimately acquainted and connected to their constituency, and have authority granted from below and above to act.

The question is then who supervises the supervisors? That person/office naturally would be the national leader. A form of this authority is imbedded in Missouri's history and practice, and most recently in the bylaws. The various parties of the opposing part through the decades have either had their day or lost their way when it comes to a more hierarchical view of presidential authority, depending on perspective.

In truth, the more enacted or perceived it becomes that the court of last resort for workers and congregations is at the national level and not first locally and then at the regional level, different revelations will emanate:

- a) The court of last resort will be pushed as a first resort.
- b) The shape of the denomination will become less oriented toward the local congregation and more toward the structure itself and its needs, which is the definition of hierarchy.

NOTE: Pushback against that kind of hierarchical centralization through the 19th and 20th centuries has been fierce and emotional. Better lights have always shone a beam on the advisory nature of the Synod, on the necessity of local determinations, and on the Scriptural and Confessional weight centered in God's

Realm of Grace. A compendium has recently been prepared of the various to and froing in the 19th century that led to the direct congregational and worker supervision of the hierarchically-appearing national president that appears in the newly minted bylaw. Of course, what's not mentioned is that this way of governing was held in distaste as unusable and unused by worthies such as Schwan and Walther (viz. his speech to the Loehe-leaning Iowa Synod), and disallowed for a whole other era, and all of this when the Missouri Synod was differently sized and aged.

- c) Currently, bylaw changes that allow for direct intervention at the congregational and local worker level by the national President seem to demand pushback by congregations and their pastors down to the level of the Synod's Constitution and its bedrock Article VII. Dependence on the crust and politicization of bylaw mandates, in other words, accomplish at least one helpful direction, and that is to drive people of faith and mission back to the foundational Lutheran and Missouri Synod Lutheran focus.

NOTE: What is desired is a free, independent, evangelical advisory Missouri Synod. In the words of Speaker Paul Ryan very recently in a slightly different context, "Government closest to the people governs best."

- d) The new bylaw is skewed in a substantial way toward the accuser and away from the accused. The bylaw does NOT allow for the accused to exercise an appeal to the denominational president should things not go his/her way, but DOES allow for the accuser to continue with an appeal if the accused is not suspended for whatever doctrine or practice infraction has driven the accuser to press the case. This weird wrinkle effectively overtops the local supervisor, the district president, as he examines and determines a course of action which include ongoing conversation, more face to face meetings, and restricted roster status, all of which take both time and sagacity. There is a palpable push down the tracks to judgment against the accused imbedded in the new bylaw, under a perceived subtext that "justice delayed is justice denied." However, railroaded justice is not justice at all. Why would the denomination want to work on that railroad all the livelong day?

Related to the supervisory predicament, it turns out that the predominant promoters of a more hierarchically-conceived national involvement and intervention come from the primary practitioners, the ordained rostered worker grouping. In a denomination shrinking in size, with thousands of congregations no longer able to afford the compensation of a full-time pastor, a segment of the besieged clergy huddle for warmth around intramural rubrics and rules, disengaged from the more difficult task of heading out into what is for them the chilly breeze of

neighborhood outreach. What results from all of this is the perception of a minoritarian overlay in the Synod, where a more traditional and hierarchical clerical group fiercely promotes a tunnel-visioned and internal-focused array of rubrics for the proper conduct of the pastoral office as well as for oversight. In many ways it is an external manifestation of the theological insight called "*incurvatus se*," that is the inward turn away from God's world.

When it comes to hierarchical and congregational orientation and direction in the Missouri Synod, and in the way ecclesiological governance decisions are being made, fundamental questions must be asked to be true to our heritage and founders:

Do the bylaws of the organization blur or obliterate the clear directive of Constitution Article VII when it comes to the ***appearance of expediency***, and thereby implicate the Missouri Synod as a de facto hierarchical structure, as the member congregation's autonomy is impeded or dispossessed in the bylaws through convention resolutions? To the point of foundational doctrine, does the structure get in the way of the proclamation and teaching of the Gospel? Does the structure encourage both the nurture of the saints and mission to the world? How? Does the structure inappropriately impinge the Gospel and the local congregation and pastor called to exercise the ministry of the Gospel? Does the structure in effect call the question on the need for or desirability of the chosen alliance, the Lutheran Church-Missouri Synod? Can a more effective and God-pleasing consortium of congregations be formed? Should it be constituted?

Finally, in terms less theological and more strategic, what is the perceived desired effect of the bylaw change toward more hierarchical oversight? It may be that the effect is that such oversight not need to be used at all, but is instead an intimidating club held over both local practitioners and regional overseers. If so, what strategies might reveal the true intentions of hierarchy less subtly and more overtly? What actions might a congregation take to authenticate its Lutheran destiny in LCMS/Augsburg Confession Article VII and not in the dynamics of hierarchical power and control?

In the end, it's back to the beginnings five hundred years ago:

"The Church is the congregation of saints, in which the Gospel is rightly taught and the Sacraments are rightly administered."

May it be so among us.