

August 14, 2007

The Commission on Theology and Church Relations  
The Lutheran Church – Missouri Synod  
1333 South Kirkwood Road  
St. Louis, MO 63122-7295

Dear Commission:

Thank you for your letter of February 15, 2007 and the copy of “CTCR Response to Expressions of Dissent (2004-2006).” Our congregation studied these thoroughly for 12 weeks during our Sunday morning Bible class time. A response should be forthcoming from the congregation. What follows is my response.

You declined to address our concern about open communion and revivalistic worship saying that you did not believe these fell into the category of dissent from Synod’s position. Perhaps our concerns are not part of the Synod’s official position, but they were part of President Kieschnick’s official report to the Synod, and the Synod in convention officially accepted them.

The convention officially accepted President Kieschnick styling open communion as a difference in practice not doctrine (“The President’s Report” *Convention Workbook*, pp. 4-5). Also in his official report and accepted by the Synod in convention was his calling “contemporary worship...even in place of traditional liturgies and hymnody...God-pleasing” (*Convention Workbook*, p. 5.). When the treasurer gives his report to my congregation, it is not officially accepted by the voters unless it is deemed correct. The same is supposed to be true of the Synodical President’s report. The convention accepted his reports thereby validating his remarks. Furthermore, Resolution 2-04 did call for “the development of diverse worship resources” (*Convention Proceedings*, p. 124). While our Confessions admit that worship practices will be different from place to place, they don’t encourage diversity but unity wherever possible. Furthermore, our official position is that close(d) communion is our doctrine, not merely a practice. Even if it were only a “practice,” the 7<sup>th</sup> objective listed in our constitution is that the Synod “shall...Encourage congregations to strive for uniformity in church practice.” President Kieschnick officially encouraged the opposite and Resolution 2-04 called for the opposite. Therefore, I continue to dissent in these two matters.

I found your lengthy introduction regarding “The Right and Responsibility of Expressing Dissent” unhelpful. You quote our Bylaws, but leave out this salient point in 1.6.2. A doctrinal statement “shall be...resubmitted to the congregation for ratification in its final form.” This was added by the 1977 convention. There have been no official doctrinal statements since. What has happened is that lengthy statements on doctrine like “Guidelines for Participation in Civic Events,” “Ecclesiastical Supervision and Dispute Resolution,” “The Service of Women in Congregational and Synodical Offices,” and “The Lay Worker Study Committee Report” are subsumed in doctrinal resolutions that are much easier to enact. Therefore, doctrinal resolutions which have behind them lengthy doctrinal statements are passed at the Synodical convention where only about 11% of parish pastors and congregations are represented but virtually 100% of District and Synod bureaucrats are represented. Since they are resolutions and not statements they don’t have to be ratified by the 6000 plus congregations to go into ‘law.’ A Synod

that prides itself in its congregational polity has established a system that sounds democratic but in reality is oligarchic. The power to set the agenda, enact the agenda, and enforce the agenda is in the hands of the few who maintain the legitimacy of what they do by saying, "The Synod decided this in convention." In reality less than 11% of the Synod made the decision.

In regard to participation in civic events the CTCR says: "the commission agrees with the dissenters that 'joint prayer and worship' with non-Christians must not in any way or under any circumstances be condoned or encouraged in the Synod. It does not believe, however, that the dissenters have provided evidence to show that this is what the Synod has done with the adoption of Res. 3-06A and/ or 2001 Res. 3-07A." Resolution 3-06A commended GPCE "for study to help pastors, teachers, and church workers make decisions about participation in civic events." This document says that the majority of the CTCR believes that there are some circumstances where an LCMS pastor may engage in serial prayer in a civic setting without compromising our position regarding unionism. I agree with the minority of the CTCR which believes that serial prayer is joint worship under any circumstances. The Synod in convention accepted both views. This is a change from what we have concluded in the past, so my dissent remains valid.

In regard to Ecclesiastical Supervision and Dispute Resolution, your response doesn't even address our concern that only District Presidents and the Synodical President can ultimately bring charges. All a layman can do is appeal to these officers of Synod. He cannot bring charges that have to be formally answered. The sheep no longer have the right to judge doctrine; they only have the right to appeal to an officer of Synod who doesn't even have to answer them with the Word of God. He can simply say, "I disagree." You say on page 19 that the distinction must be made between humanly instituted ecclesiastical procedures that may draw upon scriptural wisdom and divinely mandated instructions that are required by God. What your response does is use a humanly instituted procedure to nullify a divinely proscribed right. You state on page 20, "All Christian – pastors, laypersons, other rostered church workers – retain the right and responsibility of 'judging doctrine' whether or not they serve on a specific panel or committee, and they carry out this responsibility in a wide variety of ways." Under Res. 8-01A, the layman can only appeal to District President or the Synodical President, and it is up to him to decide whether a person's doctrine ought to be judged. This too is a change from what we have done before. Therefore, I continue to dissent.

In regard to Service of Women in Congregational and Synodical Offices, your own response validates our dissent. You refuse to address both aspects of 2 Timothy 2. You regard the "and" in 2 Timothy 2:15 expegetically. Paul does not permit a women to teach, *that is*, have authority over a man." However, Paul doesn't say "and," which could be taken expegetically, but 'or.' You say that unless we have an express 'thus says the Lord' about the implications of the order for creation for service in these offices we can only apply the order of creation to the pastoral office. You seem to forget about 1 Corinthians 11 ("The head of every man is Christ and the head of the woman is the man."), the analogy of faith, and legitimate inferences from Scripture having the same force as an express statement from Scripture. I quote Dr. Robert Preus, "[A]ccording to historic Lutheran hermeneutics, a legitimate consequence, or inference, drawn from Scripture is as binding and authoritative as an express statement of Scripture" (*The Theology of Post-Reformation Lutheranism*, Vo1. 1, 341-342).

Your repeated appeal to there being no express ‘thus says the Lord’ is reminiscent of how the Reformed do theology. We have no express “thus says the Lord” for baptizing Babies, every Sunday Communion, and not ordaining women. These are legitimate deductions from Scripture that take into consideration the whole of Scripture. Your casting about for a “thus says the Lord” is of a piece with your appeal to ‘sanctified common sense’ (How many times has a Reformed person or pastor made this appeal to me!). Sanctified common sense has given us women on the Synod’s Board of Directors (whose decisions direct pastors), women on the CTCR (whose words bind pastors), and women on the seminaries Board of Regents (who determine how pastors are trained). Now the Synod seeks to extend its “sanctified common sense” into the local congregation where it is sure to affect the home and how husbands and wives relate to each other. The simple issue the Synod is pussyfooting around is this: Is patriarchy an invention of men, as the feminist claim, or is it God’s order of creation? If it’s of God, then men ought not to order their congregations or synods, contrary to it. I continue to dissent from decisions which sidestep this issue.

Leaving aside that you simply assume that I Cor. 14 and I Tim. 2 do “not mean that women are bound by the very structure of God’s creation to refrain from *any and every* kind of teaching, speaking, or exercising authority over men – in society or in the church” (25), your response clearly supports going beyond 2004 Res. 3-08. The only criterion you know of to evaluate the service of women in the church is whether or not an office requires them to *carry out* the distinctive functions of the pastoral office. But the resolution itself says, “That women may serve in humanly established offices in the church as long as the functions of these offices do not make them eligible to carry out ‘official functions [that] would involve public accountability for the function of the pastoral office.’” It’s not just a matter of *carrying out* the distinctive function of the pastoral office but *being accountable for* the function of the pastoral office. I would submit that the Board of Directors, seminary Boards of Regents, and even the CTCR are accountable if they expect pastors to follow their decisions, opinions, or policies.

You attempt to claim the high ground in your closing remarks saying, “The CTCR also believes, however, that we are bound to *Scripture alone* as the norm when it comes to making *doctrinal* judgments about the specific implications of the order of creation for the service of women in the church” (28). This smacks of Biblicism. You believe you are bound only by specific passages, not the analogy of faith. In effect, you believe you are supporting the order of all creation when you deny its reality in any place but the home and the pastoral office.

You begin your treatment of Laymen Performing Functions of the Pastoral Office by referring to a 1989 resolution which appeals to “the absence of specific Scriptural directives.” Again, your argument is that where there is no “thus says the Lord,” we are free. From the prophets to the apostles to pastors, no one is the Scripture is to preach without being called, and we have agreed in our Confessions that “called” includes election, call, and ordination.

I find your use of Treatise 67-68 (p.31) to assert “-that there may be situations where those who are not called and ordained may carry out pastoral functions” to be disingenuous at best. The point of this section is that the German Church has the keys so She retains the right to call, elect, and ordain. 2004 Resolution 5-09 doesn’t call

anyone into an office but says they can function as a pastor without ordination. Even the example the Treatise cites of a Christian baptizing and absolving in an emergency, doesn't support your point. Emergencies don't establish new rules; they prove established ones. The fact that we think that there are not enough ordained pastors doesn't constitute an emergency. Based on the words of our Lord, it is the perpetual condition of the Church in the world (Luke 10:1). In any case, while the Treatise recognizes that there could be a need for an emergency celebration of Baptism or Absolution, it doesn't admit the existence of an emergency celebration of Communion.

In my opinion, while you have responded to our dissent, you have not answered it. In fact, more often than not you are addressing someone else's dissent. In such important matters, it would have been helpful if you had actually responded to what we wrote. In the meantime, my position remains the same. The Synod has officially accepted open communion as a different practice; encouraged diversity in worship; permitted prayer with pagans; allowed only certain clergymen to judge doctrine; decided the order of creation applies in the church only in regard to the pastoral office, and affirmed that laymen may preach and teach in some circumstances without being ordained. From all of these positions, I continue to dissent.

Respectfully,

Reverend Paul R. Harris,  
Pastor