

The **LUTHERAN** **CLARION**



Lutheran Concerns Association
149 Glenview Drive, New Kensington, PA 15068-4921

July 2017
Volume 9, Issue 6

The LCMS District Presidents and their Powers

The below article, by Dr. Martin Noland, concludes the May 2017 Clarion discussion of the Dispute Resolution Process: the Process adopted in 1992 and the resulting mischief, the changes in 2004 and 2016 Convention Resolution 12-14 (Regarding the Right of an Accuser to Appeal when a District President or President of the Synod Fails to Act or Declines to Suspend), and its impact on Bylaws 2.14-2.17 (the Synod expulsion process). You can read the May 2017 Clarion at www.lutheranclarion.org.

Although the new Dispute Resolution Process, adopted in July 1992, claimed to be less costly and more biblical, the decisions of the Reconcilers were actually controlled by the *ex parte*¹² rulings of the Commission on Theology and Church Relations (CTCR) and the Commission on Constitutional Matters (CCM). Ever since 1992, if the CTCR or CCM¹³ were consulted in a judicial case, the rulings of the CTCR or CCM were binding.¹⁴ It should be noted that, prior to 1992, CCM and CTCR only gave “advisory opinions,” not binding rulings.¹⁵ Ever since 1992, CTCR judicial rulings may not be appealed, so its judicial rulings are absolute. Unlike the CTCR rulings, CCM judicial rulings may be appealed through a convention of synod, though such actions are rare.¹⁶ Thus, after 1992, any expulsion decision could at various times during the process be controlled by the CCM, whose members are appointed by the synodical president from a list of nominees created by the Council of Presidents,¹⁷ or by the CTCR, whose members are appointed by several different parties including the synodical president and Council of Presidents.¹⁸

When it later became evident that expulsion cases were an entirely different matter than “dispute resolution,” the synod again revised its judicial system in 2004 to separate the two processes. It then gave the powers of judging expulsion cases to the district presidents. “Reconcilers” then dealt primarily with “dispute resolution” cases, unless they were called to serve on an expulsion case with two district presidents. The power of the CCM and CTCR to make binding decisions in judicial cases was not changed in 2004. The result is that the LCMS now has a type of “episcopal polity” in its judicial department, in that judicial decisions are made by district presidents—who are the LCMS equivalent of bishops, and by CCM and CTCR members when they are consulted.

Three other issues stick out “like a sore thumb” with respect to the powers of district presidents. First, there are

Textual and Literary Judgments on the Biblical Text—What Happens to the Lutheran Commitment to Scriptural Inerrancy?¹

Below is Part 3 of Dr. John Warwick Montgomery’s opening statement at the debate on October 15, 2016, at Concordia University Chicago. Parts I and II are posted at the LCA web site at www.lutheranclarion.org (January and May 2017 Clarion). Additionally, the entire paper (with all appendices, without which this paper is really incomplete) is also posted at the web site in one document.

We left off where Dr. Montgomery was discussing J. Keith Elliott, Dr. Kloha’s doctoral mentor at the University of Leeds (England).

A Cautionary Tale in Conclusion (continued)

Plainly, Professor Elliott does not suffer gladly those whom he considers fools, and that deviation from the thoroughgoing eclectic textual theory for which he has become the major spokesman would be difficult to tolerate. Success in obtaining the English doctorate requires the wholehearted support of one’s major professor. I am myself acquainted with sad cases of students’ ruffling the feathers of their doctoral advisors at English and commonwealth universities and never receiving their degree.²⁹

Is it too much to suppose that, with so much at stake academically, Dr. Jeffery Kloha moved inexorably into the orbit of his mentor’s textual theory—even though there is no possible way to make it compatible with the classic Lutheran view of Scripture (or any understanding of the Bible as inerrant revelation, for that matter)?

If so, it would hardly be a unique phenomenon. American seminary graduates—especially those from theological faculties of in-grown denominations where the student has spent virtually his entire academic life in the institutions of that church body—arrive in Europe and are blown-out-of-the-water by a professorial atmosphere where, all too often, you either become a disciple of your major professor or return home with no doctorate and nothing to show for all

Continued on page 6

In this Issue of the Lutheran Clarion	
LCMS District Presidents and their Powers	1
Textual and Literary Judgments on the Biblical Text	1
Synod BoD Acts on Ecclesiastical Supervision	5

cases where a district president has undue control over the call process of congregations.¹⁹ Most of the time this is due to the ignorance of a call committee regarding their rights under the synodical constitution and bylaws, but it is the job of the district president to inform them of those rights, not to take advantage of their ignorance. Second, neither the synodical president nor the synodical convention had a process by which it may discipline an erring district president.²⁰ In its May 2017 meeting, Synod's Board of Directors made bylaw changes under the authority of 2016 Milwaukee Resolution 12-14. Third, the Council of Presidents has an excessive number of appointment powers, which should be reviewed as soon as possible.²¹

How did the LCMS, which began with a thoroughgoing "congregational-synodical polity,"²² end up in this state of affairs? One of our most astute church historians, the Rev. Dr. John C. Wohlrabe, Jr.—also the LCMS 2nd Vice-President, has recently authored an article titled "Distractions and Repercussions of the Liturgical Movement in Mid-20th Century Missouri Synod"²³ that suggests some of the origins for our "episcopal drift"—this is my term, not his.

Wohlrabe observes that two publications supported episcopal polity as early as 1936: the *American Lutheran*—published by the American Lutheran Publicity Bureau (ALPB) and *Una Sancta*—edited by the Rev. Berthold von Schenk from 1954.²⁴ Authors who supported episcopal polity in those journals included: Harry Hodges, Howard Kunkle, the Rev. Berthold von Schenk, and the Rev. Dr. Arthur Carl Piepkorn. Piepkorn stated that the episcopate is part of the *bene esse* (i.e., good) of the church, but is not necessary for the church's essence or the validity of its sacraments.²⁵ In spite of this qualification, no one could miss Piepkorn's contention that the Lutheran church would be better served with bishops.

Prior to these theological developments, the eastern districts of the LCMS began to exert a measure of independence from the national body of the LCMS. Wohlrabe notes that during World War I, several of the men associated with the ALPB, particularly the Rev. Paul Lindemann, editor of the ALPB *American Lutheran*, reacted strongly against the actions of the LCMS Army and Navy Board when it refused to cooperate with the pan-Lutheran "National Lutheran Commission for Soldier and Sailor Welfare" (NLCSSW; organized October 1917).²⁶ In January 1918, the New York Pastoral Conference of the LCMS held a "mass meeting" to protest the synod board's action, with the result that the eastern Missouri Synod Lutherans appointed *their own* Army and Navy Board to call their own camp pastors and cooperate independently with the NLCSSW.²⁷

This incident bears closer study. The LCMS Army and Navy Board was simply applying the long-standing rule, found in LCMS Constitution VI.2c, that synod and its members would not participate in "heterodox missionary activities," and in fact even renounce such activities. The NLCSSW work, though well-intentioned, was missionary activity. Its members included the synods that were soon

thereafter associated with the "National Lutheran Council" (founded September 1918). These synods were the General Synod, the General Council, the United Synod of the South, the Ohio Synod, the Iowa Synod, the Augustana Synod, the Norwegian Lutheran Church, the Lutheran Free Church, and the Danish Ev. Lutheran Church in America.

How could the eastern Missouri Synod Lutherans justify this blatant disregard of the synodical will and the synodical constitution? In my opinion, the elevation of the status of the district president in the LCMS coincided with the greater independence of the eastern districts, because the former phenomenon justified the latter. Where district presidents were viewed as *de facto* bishops, their district members increasingly looked to them for doctrinal and practical guidance, instead of to the synod as a whole. The synod was then increasingly viewed by such people as a federation of districts, instead of as a doctrinally-cohesive-synod administered by district representatives of the synodical convention and its officers. The "federation" view was sure to cause mischief, as indeed it has.

One example of such mischief was the situation that faced the synod when John Tietjen was installed as president of the Concordia Seminary in Saint Louis in September 1969. He had been a member of the English District since his ordination in 1953 and remained in that district when he accepted the seminary call to be president. In his memoirs, Tietjen admits that:

Not only did I identify with the progressive direction of the English District but I also assumed, based on experience during my parish ministry when a neighboring pastor tried to remove me from office, that I could count on the leaders of the English District to assure me fair treatment in the event of any trouble.²⁸

In other words, in those days, the English District was a "safe haven" for those with "progressive" (i.e., liberal) views.

Another example of mischief was the LCMS adoption of altar and pulpit fellowship with the American Lutheran Church in 1969. Though the declaration of fellowship between the LCMS and ALC is common knowledge, there are few folks who know its cause and impetus. This is seen clearly, however, in 1969 Resolution 3-15 which quotes the "Recommendation of President [Oliver Harms] and Council of [District] Presidents on ALC Fellowship" stating:

Our prolonged study and discussion has pro-

"...the districts now are the 'gatekeepers' for synodical operating revenues..."

...So where is the national synod supposed to get the funds to operate its seminaries, universities, and international missions?"

Thank You Balance-Concord, Inc.

Balance-Concord, Inc., has been a most faithful contributor to *The Lutheran Clarion* in honor of the sainted **Rev. Raymond Mueller** and the sainted **Rev. Edgar Rehwaldt**, both of whom faithfully served the Synod and Balance-Concord, Inc., for many years.

The Clarion is most appreciative of such continued support from Balance-Concord, Inc., as well as the wonderful support of our readers. These contributions make it possible to bring you substantive articles by respected and qualified authors on issues affecting YOUR Synod. Please continue your support. It is both appreciated and needed.

duced the conviction that we [i.e., the LCMS and ALC] agree in the preaching of the Gospel 'in conformity with a pure understanding of it' and in the administration of the sacraments 'according to the divine Word.'²⁹

What business did these district presidents have in reviewing the theological stance and practices of these two church-bodies and making fellowship recommendations to the LCMS? It would have been proper for a commission, such as the CTCR, or the joint faculties of the seminaries, but not for district presidents, whose job is to administer the doctrine of the synod, not to create or revise it. In my opinion, the district presidents were chosen for this task by the advocates of ALC fellowship because, as said previously, "district members increasingly looked to [district presidents] for doctrinal and practical guidance, instead of to the synod as a whole."

A third example of such mischief was the ordination of Seminex seminary graduates, beginning in summer 1974, by eight district presidents, contrary to the synod bylaws. When the 1975 Anaheim convention of the LCMS censured the eight district presidents and authorized their removal from office, President J.A.O. Preus followed up with a process of discipline, resulting in the removal of these district presidents: Herman Frincke of the Eastern District, Harold Hecht of the English District, Rudolph Ressmeyer of the Atlantic District, and Robert Riedel of the New England District.³⁰ It is no accident that three of the four districts affected were the same districts involved in the 1918 "Eastern Department" Army and Navy Board, almost sixty years previous.

A fourth example of such mischief is in the creation of the Council of Presidents in the 1960s and its gradual acquisition of more and more authority in the synod.³¹ According to the present bylaws, the synodical president and the Council of Presidents "advise and counsel" each other in matters of the doctrine and administration of the synod.³² This means in practice that we have two competing executive powers at the synod level: 1) the synod president, elected by the national convention; 2) the district presidents as a corporate body, elected severally by the district conventions. This weakens the unity of the synod, though that may not have been the intention of the creators of this Council.

A fifth example of such mischief is how the districts now are the "gatekeepers" for synodical operating reve-

nues. In fiscal year 2016, the synod received, for unrestricted use, only 12.8% of the congregational offerings that were received by all of its districts.³³ The other 87.2% of those offerings were kept by the districts for district staff and district programs. So where is the national synod supposed to get the funds to operate its seminaries, universities, and international missions?

All of this should not be taken as disregard for the necessary and God-pleasing work of district presidents in the LCMS. In many and various ways, they serve the congregations and church-workers of the synod. Most of our district presidents serve diligently, tirelessly, with distinction, and with genuine concern for the doctrine and the mission of the church. We thank God for such faithful laborers, even as we keep an eye on the necessary limits to their powers!

Rev. Dr. Martin R. Noland

Pastor, Grace Lutheran Church, San Mateo, California

- 12 On the matter of *ex parte*, see the letter from Springfield, Illinois attorney Harold M. Olsen to Ralph Bohlmann, April 5, 1990, with regard to "The Presidency/Adjudication/Supervision." Mr. Olsen served on the Board of Directors for The Lutheran Church—Missouri Synod in St. Louis from 1977-1992. He was a lawyer for the Central Illinois District of The Lutheran Church—Missouri Synod and the Central Illinois District Church Extension Fund and served many congregations in the Central Illinois District.
- 13 My criticisms of the 1992 revisions to the LCMS judicial system may be found in: Martin R. Noland, "Law and Due Process in the Kingdom of the Left and the Kingdom of the Right," in John R. Stephenson, ed., *God and Caesar Revisited: Luther Academy Conference Papers No. 1* (Shorewood, MN: The Luther Academy, 1995). I also analyzed how the dispute resolution system pertained to the powers of district presidents in: Martin R. Noland, "District Presidents and their Council: Biblical and Confessional Limitations," in John R. Fehrmann and Daniel Preus, eds., *Church Polity and Politics: Papers presented at the Congress on the Lutheran Confessions, Itasca, Illinois, April 3-5, 1997* (Crestwood, MO: Luther Academy, 1997), 156-172.
- 14 See Bylaw 8.21i, in *Handbook of The Lutheran Church—Missouri Synod, 1992 Edition* (Saint Louis: LCMS, 1992), 130 (hereafter "1992 Handbook"). The binding character of CCM and CTCR rulings, which are called "opinions," continues in the current bylaws throughout the sections on Dispute Resolution and Expulsion. See the *2013 Handbook*: Bylaw 1.10.5b (p.43), Bylaw 1.10.8 (p. 46), Bylaw 1.10.18.1h (p.

The Lutheran Clarion—Please Help!



We sure could use your help with publishing the *Clarion* on a bi-monthly basis as we strive to present and uphold the truth of God's Holy Word.

If you would like to help with the cost of publishing a solid, confessional Lutheran periodical, there's an enclosed envelope so you can mail your check to Lutheran Concerns Association, 149 Glenview Drive, New Kensington PA 15068-4921. Do it now. **Thank you!!**

- 54), Bylaw 2.14.3a (p. 72), Bylaw 2.14.7.8l (p. 76), Bylaw 2.14.9b (p. 80), Bylaw 2.15.3a (p. 81), Bylaw 2.15.7.9c (pp. 85-86), Bylaw 2.15.9b (p. 88), Bylaw 2.16.3a (p. 89-90), Bylaw 2.16.8b (p. 94), Bylaw 2.17.4.1c (p. 97), Bylaw 2.17.7.9c (pp. 99-100), and Bylaw 2.17.9b (p. 102). These 2013 bylaws are the same as the bylaws in the February 2017 edition of the *2016 Handbook*, except Bylaw 2.14.7.8l is now renumbered as Bylaw 2.14.7.8k.
- 15 The matter of the authority of the “advisory opinions” of the CCM and CTCR was greatly debated within the synodical organs of government in the period of 1989 to 1992. The bylaw giving this advisory authority to the CCM and CTCR was Bylaw 8.51f (see *Handbook of The Lutheran Church—Missouri Synod, 1989 Edition* [Saint Louis: LCMS, 1989], 133-134). The CCM and the Commission on Appeals had polar opposite ideas as to what the term “advisory opinion” meant. The Commission on Appeals unanimously asserted that “advisory” meant precisely that and cited court cases, etc., buttressing their position. At the time, the Commission on Appeals included the membership of four practicing attorneys and one former attorney who became ordained. The CCM took the position that an “advisory opinion” by it was binding and had to be followed. The CCM position became synodical “law” with the new bylaws for dispute resolution adopted in 1992.
 - 16 On the process for overturning a CCM ruling, see Bylaw 3.9.2.2c (*2013 Handbook*, p. 146). The only occasion since 1992 in which a CCM ruling has been overturned is, to my knowledge, 2010 Resolution 7-02 (see LCMS, *Convention Proceedings: 64th Regular Convention of the Lutheran Church—Missouri Synod, Houston, TX, July 10-17, 2010* [St. Louis: LCMS, 2010], 145-148). This resolution pertained to the CCM rulings which granted immunity to a member of synod when his ecclesiastical supervisor approved an action that might be construed, or was actually, contrary to the Scriptures, Lutheran Confessions, Constitution or Bylaws of the synod
 - 17 See *1992 Handbook*, Bylaw 3.903, pp. 67-68. The Commission on Constitutional Matters members were nominated by district boards of directors, which nominees were then presented to the Council of Presidents for selection, who then presented their slate of five final nominees to the President of Synod for appointment to the open position.
 - 18 See *1992 Handbook*, Bylaw 3.921, pp. 70-71. The Commission on Theology and Church Relations was selected as follows: five members from the synod convention; four members from the Council of Presidents; two seminary faculty members from each seminary, elected by their respective faculties; two members appointed by the president of the synod; one member from one of the synodical universities appointed by the president of the synod; with these advisory members: president and 1st vice-president of the synod, and both seminary presidents.
 - 19 For example, see Martin R. Noland, “Reforming LCMS Polity and Practice,” *Lutheran Clarion* 8 no. 2 (November 2015): 2-3; this issue is available for free in electronic form here: <http://lutheranclarion.org/images/NewsletterNov2015.pdf> ; accessed March 3, 2017.
 - 20 See Martin R. Noland, “A Primer on Doctrinal Supervision in the LCMS,” *Lutheran Clarion* 8 no. 6 (May 2016): 9; this issue is available for free in electronic form here: <http://lutheranclarion.org/images/NewsletterMay2016.pdf> ; accessed March 3, 2017.
 - 21 On the appointment powers of the Council of Presidents, see Martin R. Noland, “District Presidents and their Council: Biblical and Confessional Limitations,” in John R. Fehrmann and Daniel Preus, eds., *Church Polity and Politics*, 170.
 - 22 On the history of the origins of LCMS congregational polity, see Carl S. Munding, *Government in the Missouri Synod: The Genesis of Decentralized Government in the Missouri Synod* (St. Louis: CPH, 1947).
 - 23 See John C. Wohlrabe, “Distractions and Repercussions of the Liturgical Movement in Mid-20th Century Missouri Synod,” *Concordia Historical Institute Quarterly* 89 no. 3 (Fall 2016): 45-65. Similar work by Dr. Wohlrabe can be found in his abridged dissertation, published as: *Ministry in Missouri until 1962: An Historical Analysis of the Doctrine of the Ministry in the Lutheran Church—Missouri Synod* (n.p., 1992); and John C. Wohlrabe, “On The Way to Episcopé: Resolution 8-01A of the 2004 LCMS Convention in the Light of Synodical History,” which is available for free in electronic form here: <https://web.archive.org/web/20041204103522/http://www.consensuslutheran.org/downloads/wohlabemelrosepark2004.pdf>; accessed March 3, 2017.
 - 24 The journal *Una Sancta* was published from 1940 to 1970. The journal *American Lutheran* was published from 1918 to 1967, when it was replaced by the present ALPB journal *Lutheran Forum*. For a bit of history on the relationship between the ALPB and these journals, see Richard O. Johnson, “*Lutheran Forum*: Advocating an Evangelical Catholic Lutheranism,” *Currents in Theology and Mission* 43 no. 1 (January 2016): 12-13; available for free in electronic form here: <http://www.currentsjournal.org/index.php/currents/article/download/5/28>; accessed March 3, 2017.
 - 25 Wohlrabe, “Distractions and Repercussions of the Liturgical Movement...,” 59.
 - 26 Wohlrabe, “Distractions and Repercussions of the Liturgical Movement...,” 47.
 - 27 Wohlrabe, “Distractions and Repercussions of the Liturgical Movement...,” 47; on the independent eastern military chaplains’ board, called “The Lutheran Church Board for Army and Navy—Eastern Department,” see Karl Kretzmann, *The Atlantic District of the Evangelical Lutheran Synod of Missouri, Ohio, and Other States* (Erie, PA: Erie Printing, 1932), 104-105.
 - 28 John H. Tietjen, *Memoirs in Exile: Confessional Hope and Institutional Conflict* (Minneapolis: Fortress Press, 1990), 21.
 - 29 August R. Suelflow, *Heritage in Motion: Readings in the History of The Lutheran Church—Missouri Synod* (Saint Louis: Concordia Publishing House, 1998), 119; quoted from LCMS Convention Proceedings, 1969, Resolution 3-15, pages 96-99.
 - 30 Tietjen, *Memoirs in Exile*, 268; on the full story of the eight district presidents and the disciplining process administered by J.A.O. Preus, see Tietjen, *Memoirs in Exile*, 244-268.
 - 31 In regard to the Council of Presidents, see my essay: “District Presidents and their Council: Biblical and Confessional Limitations,” in John R. Fehrmann and Daniel Preus, eds., *Church Polity and Politics*, 156-172.
 - 32 Bylaw 3.10.1.2, *2013 Handbook*, 154.
 - 33 See Jerald C. Wulf, “Nervous & Cautious,” *The Lutheran Witness* 135 no. 11 (November 2016): 8.

The LCA has placed the entire text of this article (from the May and July 2017 issues of the *Clarion*) by Dr. Noland at www.lutheranclarion.org.

Synod Board of Directors Acts on Ecclesiastical Supervision

Synod's Board of Directors (BoD), at its meeting in May 2017, acted pursuant to 2016 Milwaukee Convention Board Resolution 12-14 regarding the right of an accuser to appeal when a District President or President of the Synod fails to act or declines to suspend. The *Clarion* applauds the Synod's BoD. The *Clarion* urges you to reflect on Synod's Constitution, "Article III Objectives, 1. Conserve and promote the unity of the true faith (Eph. 4:3-6; 1 Cor. 1:10) ... and provide a united defense against schism, sectarianism (Rom.16:17), and heresy."

It is crystal clear that the Synod needs unity of doctrine and that such unity may well at times require the ability of an accuser to appeal. That was evident in a case that resulted in considerable publicity not long before the 2016 Synodical Convention.

2016 Milwaukee Convention Floor Committee 12 beautifully set forth the rationale for action in the preamble to Resolution 12-01A, which was postponed indefinitely. Resolution 12-14 passed and this resolution directed the BoD of Synod to act in the matter and to use a consultation process designed by mutual agreement of the Chairman of the Council of Presidents (COP) and the President of the Synod by which the COP had an opportunity to offer the Secretary of the Synod input as set out in the resolution. The consultation was to be accomplished within six months of the close of the 2016 Convention unless extended by agreement of the Chairman of the COP and Synodical President, and the bylaw changes became effective IMMEDIATELY upon adoption by a two-thirds majority of the Synod's Board of Directors.

Following is the rationale that Committee 12 set forth in Resolution 12-01A, as quoted from page 215 of *LCMS Convention Proceedings 2016*, which you can find at <https://www.lcms.org/convention>. We urge you to read the entire resolution.

Membership in the Synod is and always has been a privilege that is either granted or terminated by the Synod. In the earliest period of its history, the Synod retained the authority to make decisions regarding membership for itself, to be made by its conventions. Over time, the Synod adopted bylaw processes for making such decisions. In the matter of expulsions from the Synod, such processes were to be fair and impartial.

Initially, the President of the Synod as ecclesiastical supervisor was entrusted with the authority to suspend members prior to their expulsion. Not long after, district presidents as the President's agents were given the authority to suspend, with final decisions regarding expulsion to be made by a convention of the Synod or district. In time, Synod bylaw changes provided opportunity for appeals of suspensions to commissions and boards of the Synod or districts prior to expulsion.

“The history of the suspension/expulsion process supports a return to past practice which existed from 1956 to 1989, leaving the responsibility for suspension in the hands of those charged with ecclesiastical supervision.”

The 1992 convention of the Synod, which created the Synod's dispute resolution process, retained district presidents' authority to suspend but delegated the authority for final decisions regarding expulsion from membership to dispute resolution panels. When the 2004 convention created new processes solely for suspension and expulsion, panels of three district presidents were given responsibility for expulsion decisions. The 2010 convention replaced one of the three presidents on such panels with a lay reconciler.

As the removal from membership process evolved over nearly 170 years, of particular note was the decision by the 1956 convention to empower the President of the Synod to act when a district president failed to act on an accusation brought against a member of the Synod. This presidential authorization to act was then given to the Praesidium of the Synod in 1989 (Bylaw 2.27ff) and retained as part of the overhaul of the suspension/expulsion processes in 1992.

The 2004 convention's major overhaul of the process removed the right of an accuser to appeal to the Praesidium of the Synod when the district president failed to act within 60 days. In its place, the accuser could now request that the matter be presented to a Referral Panel of three circuit visitors if the district president failed to act, this panel then making the decision regarding the suspension, thereby reducing the opportunity for a full and objective hearing and placing an ecclesiastical supervisory decision in the hands of circuit visitors which constitutionally is entrusted to the President of Synod and district presidents. The 2004 Bylaws 2.14.5ff also gave a district president the option to form a Referral Panel to make a suspension decision (or not) in his stead.

The history of the suspension/expulsion process supports a return to past practice which existed from 1956 to 1989, leaving the responsibility for suspension in the hands of those charged with ecclesiastical supervision. When a district president fails or declines to act, this will allow an appeal by the accuser to the President of the Synod, who will decide when an accusation warrants suspension and, if requested by the accused, a hearing before a panel.

ACELC Conference Christ for Us: Order of Creation

The Seventh Annual ACELC (Association of Confessing Evangelical Lutheran Congregations) Free Conference will be held August 29-30, 2017, at Good Shepherd Lutheran Church in Lincoln, NE. The theme of this year's Conference could not be more timely as our Synod is grappling with this very issue: the Order of Creation.



Following is a partial list of speakers: **Rev. Jeffrey Hemmer** (author of *Man Up!*) will present at the conference and will be the banquet speaker; **Rev. Christian Preus** (Casper, WY) will talk about the exegetical aspects of the Order of Creation passages; **Rev. Rolf Preus** (Sydney, MT) will discuss the Order of Creation and marriage; **Rev. Andrew Preus** (Guttenberg, Iowa) will speak on the Order of Creation and patriarchy.

Watch our web site (www.ancelc.net) for updates. All are invited and encouraged to attend. See www.ancelc.net for the schedule and hotel information.

(Textual and Literary Judgments...Continued from page 1)

the time and money expended. Example: Daniel Fuller (son of the famed radio evangelist Charles Fuller) whose doctrine of biblical inerrancy disappeared as he studied for the theological doctorate under the aegis of Karl Barth at the University of Basel.³⁰

Those American theology students who do proudly return to the U.S. with European doctorates often receive teaching positions at conservative theological seminaries, colleges, and bible schools. The institutional administrators are so impressed with the newly-crowned doctors that their beliefs are seldom questioned—as long as they use the proper creedal and denominational lingo (without being asked to define their terms, of course). For a while, the professors continue to use the old language of biblical “infallibility” or “inerrancy,” but eventually that goes by the board—and the institutions move to a “moderate” or “quasi-liberal” theological stance (Princeton Seminary, Fuller Theological Seminary, and a host of others).

“Professor” is, etymologically, “one who professes” something. A seminary professor, above all, should be presenting, stressing, and reinforcing his students’ confidence in Holy Scripture—not offering new and original viewpoints that do exactly the opposite. Our entire culture pressures the church and its clergy to give up confidence in God’s inerrant Word. Sadly, our Lutheran seminaries offer little or no meaningful answers and

little, if any, serious apologetics for the truth of the faith once delivered to the saints. This is scandalous, and declining church membership is often but a reflection of inadequate seminary instruction.

One of the major themes of J. R. R. Tolkien’s novels *The Hobbit* and *The Lord of the Rings* is the ease with which we come to believe that, if evil is decisively conquered on one occasion, we shall have nothing to fear in the future. But, in fact, Middle Earth—and our earth—is never free of the dangers of the old Dragon’s return. Only Christ’s coming will end the struggle.

In The Lutheran Church—Missouri Synod, many have believed that, with the purification of the church (and especially the St Louis seminary) from the Seminex contamination, the church body became immune to scriptural and doctrinal problems. “Now, all we need to worry about are the church growth movement and increased administrative centralism.” Nonsense.

If I were C. S. Lewis’s demonic Uncle Screwtape, I would not bother with liberal denominations: they aren’t saving people anyway. I would focus my efforts on destroying the few church bodies that still hold to the entire truth of God’s Word (Scripture and Gospel). They are the ones to corrupt—and the best place to start is the faculties of theology, and the best place in the seminaries to do devilish work is the exegetical department. Why? Because a corrupt view of Scripture will—as the night follows the day—inevitably result in the corruption of systematic and practical theology—and thus impact what will be

preached from the pulpit by the seminary graduates. And I would always push any viewpoint that stresses subjective decision-making, since, at all costs, the demonic strategy is to downplay the fundamental truth that God’s Word is always *extra nos*.

For Uncle Screwtape to succeed, all it takes is naïve seminary and church administrators: seminary presidents, deans, and department heads who value “scholarship” or “academic reputation” above doctrine; church presidents who want peace at any price, and value, above doctrinal truth, good ecumenical relations with sister denominations or with wider ecclesiastical life.

“The secret of freedom is courage” (Thucydides). But in church and seminary bureaucracies today, courage is the virtue encountered the least. Why do theological seminaries and churches go liberal—as virtually all have done? Answer: the pusillanimous attitude that refuses courageously to root out whatever is incompatible with the formal or material principles of any truly confessional theology.

“For [C.S. Lewis’s demonic] Uncle Screwtape to succeed, all it takes is naïve seminary and church administrators: seminary presidents, deans, and department heads who value ‘scholarship’ or ‘academic reputation’ above doctrine; church presidents who want peace at any price, and value, above doctrinal truth, good ecumenical relations with sister denominations or with wider ecclesiastical life.”

Our Concluding Recommendations

- (1) Refuse to tolerate textual philosophies that employ internal (stylistic) criteria as the preferred standard for the choice of readings—just as we have refused to tolerate higher critical theories that employ internal (stylistic) criteria to determine the origin and authorship of the biblical books.³¹
- (2) Insist upon a serious commitment to biblical inerrancy—which necessarily means that scriptural material purporting to present historical facts (e.g., Luke's Gospel) be treated as objective history and not transformed into literary productions where the content depends upon stylistic considerations as theorized by critics or interpreters.
- (3) Continue to oppose all varieties of gospel reductionism—all positions that maintain, in one fashion or another, that biblical revelation consists of nothing more than expressions of the gospel and that whatever else is there can be treated as the product of human fallibility.
- (4) Maintain and present to a dying world the objective, factual, evidential work of God as exemplified by a totally trustworthy Bible and a historical Christ whose human life and divine ministry are precisely as described in the biblical records.³²

Coda

Debates tend to harden the positions of the debaters. This is unfortunate. I believe that Dr. Kloha wants to be a truly Lutheran professor of theology, faithful to its beliefs and to those of the historic church.

May I therefore suggest that

- he rethink the eclectic position and move in the direction of a more objective textual philosophy, such as that of the Coherence Based Genealogical Method;
- he realize that the authority of the NT rests with its *apostolic character*, objectively guaranteed by Jesus' promise to the apostles that the Holy Spirit would cause them to remember accurately exactly what he had told them (and their subsequent approval of Paul as a genuine apostle);
- he accept the necessary consequence of this promise, that a divinely guaranteed inspiration establishes the truth of the NT writings, not just in a narrow theological sense ("gospel reductionism") but in everything they present as historical fact;
- he agree that these writings, *not created but confirmed by the church*, can and should function as the standard "by which all teachers and writings must be judged" (Formula of Concord, Epitome);
- he undertake a serious study of apologetics—to see how this factually true biblical revelation can be successfully proclaimed and defended in a world where the number of Lutheran church members continues to diminish but where the growing number of unbelievers must be presented with a religion of truth, not just a religion of personal faith;
- he clearly and explicitly convey these essentials to his students and future pastors, as well as to the scholarly,

ecclesiastical, and general public—and that he publish in the same media as have publicized his earlier views his re-orientation of perspective in these several areas of critical doctrinal concern.³³

Dr. John Warwick Montgomery

Professor Emeritus of Law and Humanities, University of Bedfordshire, England

- 1 Professor of Law and Humanities, University of Bedfordshire, England; Ph.D. (Chicago), D.Théol. (Strasbourg, France), LL.D. (Cardiff, Wales, U.K.). Member of the California, D.C., Virginia, Washington State and U.S. Supreme Court bars; Barrister-at-Law, England and Wales; Avocat à la Cour, Paris. Websites: www.jwm.christendom.co.uk; www.apologeticsacademy.eu This essay was presented, in debate with Dr. Kloha, at Concordia University Chicago on 15 October 2016.
- 29 Since I possess two earned European doctorates (as well as an American one), this evaluation can hardly be dismissed as "sour grapes." See my article, "On Taking a European Theological Doctorate," in Montgomery, *The Suicide of Christian Theology* (Minneapolis: Bethany, 1970), pp. 174-80.
- 30 As told me by Daniel Fuller in personal conversation. Daniel Fuller became subsequently one of the main influences in the Fuller Theological Seminary's jettisoning of its doctrinal commitment to biblical inerrancy.
- 31 Cf. Kurt E. Marquart, "The Incompatibility between Historical-Critical Theology and the Lutheran Confessions," in: *Studies in Lutheran Hermeneutics*, ed. John Reumann (Philadelphia: Fortress Press, 1979), pp. 313-33.
- 32 For a summary of the serious difficulties in Dr. Kloha's approach, see Appendix C (*infra*). N.B. I had suspected that a good part of Dr. Kloha's problem was a tacit commitment to a presuppositionalist stance, comparable to that present in much Calvinist/Reformed epistemology (Cornelius Van Til, *et al.*). This is confirmed in Kloha's recent essay, "Manuscripts and Misquoting, Inspiration and Apologetics," presented at the Lutheran Concerns Association Annual Conference, 19 January 2015: "In the end, we either trust the promises of Christ, or we do not. . . . 'But when the Comforter comes, whom I will send to you from the Father, the Spirit of truth who proceeds from the Father, he will testify to me' (John 15:26). . . . We cannot *make* the Scriptures authoritative, we cannot prove them to be authoritative; any foundation or method which depends on our interpretation or reconstruction is, by definition, self-referential, self-serving, and ultimately uncertain. Only one based on Christ and his promises, which we know through his Word, is certain" (p. 16). Three comments: (1) If the text is not factually certain, how do we "know Christ and his promises through his Word"? The gospel will be uncertain if the text of Scripture is uncertain. (2) As we have pointed out earlier, John 15:26 and the other passages in John dealing with Jesus' gift of truth and recall through the Spirit are directed specifically to the apostolic company, *not* to the church across the centuries—unless we commit ourselves to some kind of "apostolic succession" as does Roman Catholic theology (see *supra*, our 22; also our Appendix D, *infra*). (3) The presentation of factual evidence for the correctness of a viewpoint is *not* "self-referential" or "self-serving." Without such evidence for biblical truth, the unbeliever in a secular age is left without an effective witness. Dr. Kloha's presuppositionalism may be a comfort to those already Lutheran; it is a hopeless fideism in a pluralistic world of unbelief crying out for Christians who will "be ready always to give an answer [Gk *apologia*] to everyone that asks you a reason for the hope that is in you" (1 Peter 3:15). (See my numerous apologetics publications in this area, and especially "Christian Apologetics in the Light of the Lutheran Confessions," in: Montgomery, *Christ As Centre and Circumference* [Bonn, Germany: Verlag fuer Kultur und Wissenschaft, 2012], pp. 147-63.)
- 33 Dr. Kloha might also consider joining the Evangelical Theological Society, the doctrinal basis of which states: "The Bible alone, and the Bible in its entirety, is the Word of God written and is therefore inerrant in the autographs."

As noted above, Dr. Montgomery's entire paper is posted as one document at the LCA web site: www.lutheranclarion.org.

The Lutheran Clarion

The official publication of the Lutheran Concerns Association, a non-profit 501(c)(3) organization.
Circulation: 6,000



Published regularly to support issues and causes in The Lutheran Church—Missouri Synod which build faithfulness to true Confessional Lutheranism and to be a clear voice of Christian concern against actions and causes which conflict with faithfulness to the One True Faith. LCA consents to readers reproducing articles provided the entire article, plus footnotes, is included in the reproduction and full attribution given.

The address for all matters pertaining to the LCA is:
149 Glenview Drive
New Kensington, PA 15068-4921

Editorial Board: Mr. Walter Dissen (Chairman)
Rev. Jerome Panzigrau
Dr. John F. Lang

Mrs. Ginny Valleau: Layout, Printing & Mailing

Faithful Lutherans who are members of LCMS congregations are invited to submit articles of approximately 500 words for consideration. Inquiries are welcome. Manuscripts will be edited. Views and judgments expressed in articles are the author's own and do not necessarily represent those of LCA. Please email articles to Mr. Walter Dissen (wdissen@aol.com; 757-436-2049).

The Board of Directors for the LCA:

Mr. Walter Dissen (Chairman)
Mr. Mark Franke (Vice-Chairman)
Rev. Jerome Panzigrau (Secretary-Treasurer)

Rev. Dr. Kristian Kincaid	Dr. John Rahe
Dr. John F. Lang	Rev. David Ramirez
Rev. Dr. Martin Noland	Mr. Leon L. Rausch
Rev. Andrew Preus	Mr. Winfried K. Strieter

<http://www.lutheranclarion.org>

Lutheran Concerns Association
July 2017



Lutheran Concerns Association
149 Glenview Drive
New Kensington, PA 15068-4921