



The following article was written by ND District President Arie Bertsch and appeared previously in the January 2024 issue of the ND District News and is used with permission

## Who is Israel?

Sadly, with the war between Israel and Hamas I hear that many are confused within our Lutheran Church—Missouri Synod congregations and the question has been asked: Who is “All Israel”? The answer is “You! You are ‘All Israel.’”

This article is a brief summary of the Scriptural meaning of Israel. I would encourage pastors to do a more in-depth Bible study on this.

Let’s start with Eph. 3:4-6, in which St. Paul states that we are “heirs together with Israel” and “members together of one body.” He is making the point that God has taken Jews and Gentiles and made them one in Christ. Also, John the Baptist preached:

“Do not begin to say to yourselves, ‘We have Abraham as our Father.’ For I tell you that out of these stones God can raise up children for Abraham.” Luke 3:8

Therefore, from the New Testament the true descendants of Abraham are not present-day Jews or Israelis, but rather believers in Jesus. Again, St. Paul writes in Gal. 3:29:

If you belong to Christ, then you are Abraham’s seed, and heirs according to the promise.

There are those who find support for some kind of mass conversion of the Jews prior to the day of judgment. This removes Paul’s meaning of Israel as the church or true believers in Jesus Christ. In Romans 11 we read about the grafting of the wild olive branches. Please read Romans 11 and especially take note of verse 26.

The following is from *The End Times* by the LCMS Commission on Theology and Church Relations:

All Israel in v. 26 consists of the group mentioned in v. 25, the believing part of the Jews and “the full number of the Gentiles.” “All Israel” is the whole olive tree consisting of the natural branches (Jews who believed), the wild olive branches (Gentiles who believe), and the regrafted branches (Jews who will believe). This consists of the “all” in verse 32. “All Israel” is made up of everyone who calls upon the name of the Lord (Romans 10:13), the elect of the Jews and Gentiles, the “New Israel.”

In Rom. 2:28-29 we read:

A man is not a Jew if he is only one outwardly, nor is circumcision merely outward and physical. No, a man is a Jew if he is one inwardly; and circumcision is circumcision of the heart, by the Spirit, not by the written code. Such a man’s praise is not from men, but from God.

Also, Rom. 9:6-8:

It is not as though God’s word had failed. For not all who are

*Continued on page 7, left column*

## Concordia University - Texas: Ongoing Defiance of Administrators and Board of Regents

### I. Introduction

Concordia University - Texas (CTX) boldly and presumptuously proclaims and trumpets on its website’s home page that “[W]e are proud to be Austin’s leading Christian university, where Christ is honored, and students of all backgrounds are welcome.”<sup>1</sup> Really? How can CTX top administrators and members of the Board of Regents (BOR) continue to make that claim as they attempt to “walk away with” CTX property and betray their duty to truthfully speak and act as fiduciaries in implementing The Lutheran Church—Missouri Synod (LCMS) Constitution, Bylaws, Synod resolutions, and policies of Synod’s Board of Directors (BOD)?<sup>2</sup> How can these administrators and regents maintain this pretense when their own conduct violates the Fourth, Seventh, Ninth, and Tenth Commandments?

We are at a crisis point. The CTX BOR has just announced that it is inviting “nominations and applications for an individual to become the university’s 10<sup>th</sup> president” when President Don Christian retires in June 2025. The prospectus for the next president is a radical departure from the requirements of the Handbook (2023), Bylaws 3.10.6.8 through 3.10.6.8.3. Notable is that the next president “will be a person of strong faith . . .”<sup>3</sup> He or she need not be on a roster of the Synod nor a member of an LCMS congregation.

The crisis also includes the aberrant, secular standards for student conduct implemented under the administration of President Don Christian and the current BOR. A useful primer on those conditions includes the “Student Code of Conduct - Sexual Misconduct” referenced in The Student Handbook.<sup>4</sup>

As Christians, we must make judgments after we learn the facts. Those judgments must then be expressed as Isaiah 5:20 warns us: “Woe to those who call evil good and good evil, who put darkness for light and light for darkness, who put bitter for sweet and sweet for bitter.” (NIV) There can be no passive tolerance for that which is manifestly evil.

The reality of CTX BOR’s actions and what is taught and practiced on the CTX campus contradict the claim that CTX is a university where “Christ is honored.”

*Continued on page 2, left column*

### In this issue of the *Lutheran Clarion*

Concordia University - Texas: Ongoing Defiance.....	1
Who is Israel?.....	1
Request for mailing list update.....	7

## Concordia University Texas: Ongoing Defiance of Administrators and Board of Regents Continued from page 1

### II. CTX BOR Admits LCMS, Inc. Owns CTX

The ongoing federal lawsuit that the LCMS filed on September 1, 2023 in Austin, and the related lawsuit that CTX filed against the LCMS in January, 2024, in a Texas state court, have exposed the deceit, duplicity and dishonesty of the actions of the CTX BOR in the past two years. On February 29, 2024, LCMS attorneys filed Plaintiff's First Amended Complaint<sup>5</sup> in the federal lawsuit. One of the documents LCMS attorneys attached to the First Amended Complaint is the "Board Policy Manual: Policy Based Leadership."

a. Exhibit K is the *CTX Board Policy Manual: Policy Based Leadership*, Revised September 16, 2022. Section 2.1, "Board Governance," states the following:

The Concordia University Texas Board of Regents accepts its authority and responsibilities from the Concordia University System (CUS) of the LCMS and acknowledges a relationship with the Concordia University System as defined in the Synod Handbook.

b. Section 2.5, "Connecting with Owners," states:

A primary responsibility of the Board of Regents is to represent the owners of Concordia University Texas. This is primarily done through the development of the definition of the Outcomes for the organization. The Board recognizes the legal owner of the Concordia University System (CUS) and the University as the Lutheran Church—Missouri Synod (LCMS, Inc.).

The two sections above are stunning. The CTX BOR previously admitted it is subject to the authority of the CUS as defined in the Synod Handbook and that the owner of CTX is the LCMS, Inc.

These two sections were approved by the CTX BOR a mere eight weeks before November 8, 2022. These paragraphs fundamentally contradict the actions that the CTX BOR subsequently took on November 8, 2022, when it approved rebellious governance changes by amending its charter with the Texas Secretary of State, its Bylaws, and the CTX Policy Manual. The CTX BOR reaffirmed these governance changes on April 5, 2023.

Sections 2.1 and 2.5 approved on September 16, 2022 acknowledged the facts that the LCMS, Inc. owns CTX and CUS. The CTX BOR accepted its authority and responsibilities from the CUS as defined in the Synod Handbook of 2019. The CTX BOR course of conduct beginning November 8, 2022, and continuing since then defies explanation. The CTX BOR cannot legitimize what it has perpetrated. Instead, it inexplicably stated on its website that the CTX Board vote that it was the sole governing body of CTX "allows for local control while ensuring that the university continues to be in alignment with the mission and ministry of the LCMS."<sup>6</sup> The webpage attempts to rationalize the BOR's actions as being beneficial to CTX and the LCMS:

What are the benefits to CTX and the LCMS of this governance change?

We believe that the best system of governance is one that is held by those closest to the institution while also being aligned theologically with the Church, as is the case for the governance of LCMS congregations.

- Matching authority with responsibility in the proper governing entity. The former system of shared governance created ambiguity, creating risk for both the school and the church.
- Providing the CTX Board with the capacity to articulate the mission and vision appropriate to the university's specific context.
- Empowering the CTX Board to shape itself and its membership in a way that is appropriate to the university's specific context.
- Placing the authority to select the president in the proper entity.
- Relieving the LCMS of responsibility for any possible legal liability, which can potentially occur with numerous potential incidents.
- Relieving the university of the effects of the ambiguities and vacillations in policy by changes at the LCMS conventions.<sup>7</sup>

The justifications immediately above are a masterpiece of dissimulation. The CTX BOR regents does not own CTX and does not get to decide on its own what is the best system of governance for CTX. Synod in convention decides governance of the CUS and member universities. A congregation that desires to be part of the LCMS must comply with the Synod Handbook.<sup>8</sup>

Perhaps the most outrageous supposed "benefit" to the LCMS is the reference to the "ambiguities and vacillations in policy by changes at the LCMS conventions." If that is the case, why did the regents not formulate a comprehensive overture to the recent Milwaukee convention that outlined any previous convention resolutions that had wreaked harm upon CTX, recommend the necessary corrections of "ambiguities and vacillations in policy," and obtain the approval of the Synod in convention. Instead, President Christian, BOR Chairman Christopher Bannwolf, and the BOR went rogue.

### III. Why? Why? Why?

Several simple questions keep surfacing the longer this controversy and the lawsuits continue. Why did the CTX BOR do what it did on November 8, 2022? What did LCMS, Inc. do to CTX in the recent past that harmed CTX?

President Christian provided his initial rationale in a memorandum on November 8, 2022.<sup>9</sup> Christian stated the following:

For over a year, the Concordia University Board of Regents has diligently worked and prayed about a decision to guard and guide the future of the University. Centered by our founding purpose and our vision to be the premier institution of higher education where the adventure of faith, learning, and life-changing experiences leads to meaningful work, the Board voted to adopt a structure whereby Concordia University Texas will be governed solely by its Board of Regents, rather than the historic governance directed by the Bylaws of Synod.

As you know, Concordia University Texas is in a strong position, with healthy enrollment, exciting academic programs, strong finances, robust community partnerships, and meaningful relationships.

As the news of this change begins to circulate, it is important that you understand that we are not leaving the LCMS. We

are committing to our alignment with the LCMS. This vote simply reframes the nature of that relationship so that governance will be directed solely by the Board of Regents rather than shared with Synod.

We are deeply thankful for our Lutheran theology, history, and practice, and we will continue to live out the mission of the church by remaining faithful to Scripture and the confessions; engaging with the broader culture and being a light to the world; continuing to train workers for the church; sharing the gospel with students; and partnering with LCMS entities to help them live out their mission.

Christian's explanations in the paragraphs above are profoundly misleading. Christian makes a cursory reference to being "[c]entered by our founding purpose" as one of the two driving forces for the BOR's governance change. So, just what is CTX's founding purpose? The original corporate charter for what was first called Lutheran Concordia College of Texas was filed with the Texas Secretary of State on April 28, 1950. The purpose was the "support and maintenance of an educational institution." The five founders, including former LCMS and Texas District president Oliver Harms, prescribed that the "business of this corporation shall be conducted and its affairs shall be controlled by a board of trustees to be elected in accordance with the Rules and Regulations of the Lutheran Church—Missouri Synod." The "founding purpose" did not contemplate anything resembling "alignment," whatever that means.

President Christian then spews more dishonest claptrap by claiming "we are not leaving the LCMS" and that the BOR vote "simply reframes the nature of that relationship so that governance will be directed solely by the BOR rather than shared with Synod." On that very same day of November 8, 2022, President Christian signed a Certificate of Amendment to the Certificate of Formation of CTX.<sup>10</sup> CTX filed the Amendment with the Texas Secretary of State. President Christian signed the document "subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument . . ." This amendment included the following new provision as to governance:

#### **Article V Board:**

The management of the affairs of the corporation is vested in its Board of Regents in accordance with the Bylaws. The number of Regents may be increased or decreased in accordance with the Bylaws; however, the number of Regents shall not be decreased to fewer than three (3). All determinations regarding the university's alignment with the Lutheran Church—Missouri Synod, including but not limited to, the university's subscription and adherence to the Confession of the LCMS as currently outlined in Article II of the LCMS Constitution, and qualifications for board members and the presidency, will be subject to and determined by the sole and exclusive discretion of the Board of Regents.

This new Article V makes it clear that the CTX BOR can exercise its "sole and absolute discretion" as to whether CTX will continue to subscribe and adhere to Article II, Confession, of the LCMS Constitution. What is more fundamental to our denomination than absolute and total agreement in belief and practice with Article II? We can fairly conclude that the change of governance of November 8 includes a doctrinal matter that Synodical

leadership must directly and immediately confront.

On November 23, 2022, Texas District President (DP) Michael Newman distributed a lengthy email in which he provided an update on the CTX BOR decision of November 8, 2022, and answers to questions he had received as to that decision.<sup>11</sup>

Here are three excerpts from that email:

#### **Why did the CTX Board of Regents vote to be the sole governing entity on November 8th?**

The Concordia University System (CUS) President, Rev. Dr. Dean Wenthe, disclosed that the CUS was bringing a resolution about CTX to the LCMS Board of Directors on November 18th. Neither the CUS President nor the CUS board chair would reveal what that resolution entailed. With no information revealed, and, understanding that the CUS might be recommending that CTX be closed or consolidated with another system university, the CTX Board of Regents wanted to prevent any possible demise of CTX. The only path forward was to vote for sole governance responsibility.

. . .

#### **Is this action permitted?**

The LCMS bylaws require each university's board of regents to govern the institution within the general policies and broad assignments of the Synod. The board of regents is required to define and fulfill the mission of each institution and to develop policies for the institution. It is the "governing body corporate of the institution" (see LCMS bylaws section 3.10.6). Failing to act would have violated the bylaws and the board of regents' fiduciary responsibility to the institution and to the church.

. . .

#### **Is this a doctrinal issue?**

The CTX Board of Regents and leadership team are committed to the confession of the LCMS. CTX is not leaving the LCMS. The CTX Board of Regents is seeking dialog about sound governance as the Synod reshapes its approach to its universities. This is a governance discussion.

. . .

President Newman's answers above must be challenged:

(1) The response as to why the CTX BOR voted as it did was discussed at the Milwaukee convention during the August 1 debate. It is clear that there was no credible evidence that the CUS was recommending that CTX be closed or consolidated with another CUS university. Critical background as to the actual reasons for the CTX BOR vote is found in the "CTX Board of Regents - Minority Report" of Rev. Alan Taylor, a former member of the BOR who voted against the governance change.<sup>12</sup> President Christian was given the opportunity to speak for two minutes during the debate on Resolution 7-03 on the morning of August 1.<sup>13</sup> President Christian gave three reasons for the BOR's decision. None of those three reasons included any reference to the Synod Handbook, though it is binding on CTX.

(2) LCMS Bylaws section 3.10.6 and following neither justify nor provide a basis for the BOR's governance decision. The fact is that Bylaws section 3.10.6 does not give the BOR authority to change its bylaws. It is crucial to note that CTX itself no longer makes this claim. CTX, as plaintiff, brought its own lawsuit against The Lutheran Church—Missouri Synod, a Missouri Corporation, and The Lutheran Church—Missouri Synod, an un-

incorporated association of Lutheran congregations (a fictitious characterization claimed by CTX) as defendants, in a Texas state District Court on January 19, 2024. CTX, in its Plaintiff's Original Petition, never once attempts to legitimize the governance change on the authority of any LCMS Bylaw, much less Bylaw section 3.10.6.<sup>14</sup>

(3) The CTX BOR change of governance appears to be motivated at least in part by doctrinal issues. The evidence has been outlined in numerous sections of the "Ecclesiastical Visitation of Concordia University Texas" by the Office of the President, LCMS.<sup>15</sup> This includes the lengthy discussions on the CTX website regarding "Lutheran Identity," DEI, the dismissal of faculty members due to their fidelity to the Lutheran Confessions, non-Lutheran faculty who regularly speak in chapel, and "[A] post on the CTX website from an administrator" that closed with a prayer from Richard Rohr, a Roman Catholic priest who denies that salvation is only through Christ. This prayer began and concluded, "O Great Love . . . we offer these prayers in all the holy names of God. Amen."<sup>16</sup>

(4) Perhaps most troubling of all is the CTX denial of Biblical standards governing sexuality. The "Student Code of Conduct - Sexual Misconduct" makes no reference to the Sixth Commandment. Instead, the preeminent, guiding principle is "Consent." "Consent means a clear, knowing, and voluntary agreement, by words or action, to engage in each instance of mutually agreed-upon sexual activity."<sup>17</sup> This is an aberrant standard that a culturally indoctrinated and sexually promiscuous CTX student would applaud.

#### IV. Time For Ecclesiastical Oversight Of CTX Rostered Church Workers

The lawsuit that the LCMS filed against CTX, CTX President Christian, and CTX BOR Chairman Bannwolf on September 1, 2023, in federal court in Austin, Texas continues unabated. Seven months have passed. Several truths stand out. The top CTX administrators and a majority of its Board of Regents (BOR) defy the will of the Milwaukee convention and its overwhelming approval of Resolution 7-03 on August 1, 2023, which includes the following:

*Resolved,* That the Synod in convention affirmatively conclude that the CTX BOR members who voted in favor of the April 4, 2023 action that affirmed the CTX BOR's purported separation have acted in direct conflict with the Constitution and Bylaws, as well as CCM Op. 23-3006; and be it further

*Resolved,* That the Synod in convention affirmatively conclude that the CTX president and those CTX administrators who have advocated for and supported separation have acted in direct conflict with the Constitution and Bylaws; and be it further

*Resolved,* That the Synod in convention encourage the appropriate ecclesiastical supervisors to investigate and to determine any appropriate disciplinary action that should be taken against the CTX president and any member of the CTX BOR who is a rostered church worker; and be it further

*Resolved,* That the Synod in convention encourage the President of the Synod LCMS BOD, the CUS and its board, and the appropriate district presidents to take all appropriate actions to address this situation; and be it further

*Resolved,* That the Synod in convention call upon the CTX

president, those CTX administrators who have advocated for and supported the purported separation, and the CTX BOR to submit to the governance of the Synod as laid out in the Constitution and Bylaws;<sup>18</sup>

This lawsuit, and a new lawsuit that the CTX BOR brought against the LCMS in a Texas state court, will generate astronomical attorneys' fee costs for both sides. Ordained and commissioned members serving on of the CTX BOR who continue to support the change of governance are involved in ongoing egregious violations of the LCMS Constitution, Article XIII, 1, and Bylaws.

Ordained and commissioned CTX regents who voted to change CTX governance on November 8, 2022 and subsequently affirmed that decision on April 4, 2023; who rejected the entreaties of the Synod President, BOD, and CUS BOD to reverse their illegal actions; and who rejected the Synodical Convention's approval of Resolution 7-03 should be subject to prompt disciplinary action, without delay, to include expulsion from Synod membership.

Since the passage of Resolution 7-03 on August 1, 2023, this writer is not aware that any then-member of the CTX BOR has resigned in opposition to the CTX BOR decision to separate from the LCMS. Instead, the BOR has refused to seat the four regents the convention elected on August 2, 2023.

The CTX BOR decision of November 8, 2022, and re-affirmed on April 4, 2023, has perpetrated a gross injustice on those CTX religious education majors who received bachelor degrees, beginning with the April, 2023 graduates and other earlier religious education majors who were engaged in internships required to receive a call to an LCMS congregation. There are at least eight CTX graduates involved in internships who enrolled at CTX in order to be called as directors of Christian education by LCMS congregations. Because of the governance change, CTX will not be able to certify graduates to receive church work calls. CTX has put these uncertified graduates in a lurch because they will now have to enter and complete a commissioned minister colloquy program in order to receive a call.

Many of these graduates grew up in LCMS congregations in the Texas District. Their pastors may have recommended that they enroll at CTX. As students, some will have received tuition assistance from their home congregations, the Texas District LWML, and the Texas District itself. Through no decision by or fault of these students, their ability to become certified will require additional financial outlays and they will incur delays in their careers as called professional church workers.

The CTX BOR's decision was unconscionable. CTX encouraged these high school graduates who wanted to become commissioned ministers to enroll at CTX. These prospective students relied on CTX's representation. The CTX graduates now have to deal with a substantial delay in receiving a call and expenditure of funds to complete a colloquy program at one of the other six CUS universities. The actions of CTX substantially undercuts the efforts of the Texas District to recruit future church workers at a time of critical shortages and undercuts the Synod's "Set Apart To Serve" recruitment efforts.

#### V. Overview of LCMS and CTX Lawsuits

The LCMS filed its initial lawsuit in an Austin, Texas federal

district court on September 1, 2023.<sup>19</sup> CTX, Christian, and Bannwolf filed their initial response to this lawsuit on January 23, 2024. CTX, Christian, and Bannwolf are collectively referred to in this paper as the CTX Defendants. The CTX Defendants asked the Court to dismiss the LCMS lawsuit claiming that the LCMS is only the Missouri nonprofit corporation formed by the Lutheran Church—Missouri Synod or the “Synod.” The CTX defendants claim that the Synod is actually an “unincorporated association with members throughout the United States, including Texas . . .” CTX claims that the latter is the real party in interest and so is an “indispensable party that must be joined;” that is, the LCMS must join the members of Synod as plaintiffs in the lawsuit.

The CTX defendants then expand their definition of the Synod by stating that Synod is a “union of independent Lutheran congregations . . . composed of nearly 6000 congregations and nearly 2 million baptized members.” The members of Synod include “congregations and individual ordained ministers. Synod divides its member congregations into districts, including a Texas District . . .”<sup>20</sup>

On January 19, 2024, CTX filed a new separate lawsuit in a Texas state district court in Travis County. This new lawsuit was essentially the reverse of the lawsuit that the LCMS had filed in federal court.<sup>21</sup> CTX expands upon its description of The Lutheran Church—Missouri Synod by stating that it is an “unincorporated association of Lutheran Congregations with members in Travis County, Texas, and other counties throughout the state of Texas.

The CTX Defendants, by stating that Synod is an unincorporated association of congregations and ordained ministers who are indispensable parties, is seemingly challenging the LCMS to join all Texas ordained ministers, congregations, and the Texas District itself as plaintiffs in the federal lawsuit. The logical extension of the CTX characterization of Synod in its Texas state lawsuit is, arguably, to challenge the Texas District, and Texas ministers and congregations, to intervene in the lawsuit to contest CTX’s change of governance if those ministers and congregations believe that the change of governance violated the LCMS’s rights as to CTX.

The LCMS has contested CTX’s characterization of it as an unincorporated association. Dr. John Sias, secretary of the LCMS, took issue with CTX in a sworn declaration filed in the LCMS federal lawsuit:

In the Petition, the Plaintiff asserts claims against LCMS and a previously unknown and in fact Plaintiff-created, fictitious entity called “The Lutheran Church—Missouri Synod, an unincorporated association of Lutheran congregations,” which appears to be the Plaintiff’s attempt at recasting and transforming the ecclesiastical denomination named the Lutheran Church—Missouri Synod (the “Synod”) into a separate civil law entity, alongside the actual civil law entity the Synod has definitively established for itself in LCMS, the eponymous Missouri nonprofit corporation.<sup>22</sup>

The LCMS also indicates that it will identify, name, and serve as additional defendants in the LCMS federal lawsuits the regents on the CTX BOR who voted to amend the CTX Charter, bylaws and policy manual in 2022. At that time, regents included three ordained ministers, including president of the Texas District Mi-

chael Newman, and two commissioned ministers.<sup>23</sup>

The CTX BOR voted to change its governance on November 8, 2022 and affirmed this decision on April 4, 2023. It is noteworthy that the individual votes of each regent, voting for or against, have never been publicly released. If the regents who voted for the governance change, as fiduciaries, are convinced of the rectitude of their votes, public disclosure should have been expected. “All you need to say is simply ‘Yes’ or ‘No’; anything beyond this comes from the evil one.” Matthew 5:37 (NIV)

There is another basic issue that the CTX BOR has never explained. What did the LCMS do to harm CTX? President Christian had an opportunity during the debate on Resolution 7-03 at the Convention on August 1, 2023 to explain. He did not mention a single, obvious wrong that the LCMS had perpetuated against CTX. The most obvious action that the CTX BOR could have taken would have been to prepare and submit to the 68th regular convention a detailed overture that requested the convention to change Synod bylaws and grant to CTX what the regents did illegally on November 8, 2022.

## VI. Issues Confronting Texas District

The two pending lawsuits, especially the federal lawsuit, may continue for years. Why do the CTX regents, all members of LCMS congregations in the Texas District, continue to betray the Synod by violating the democratic, overwhelmingly majority vote of the Convention supporting Resolution 7-03? Texas District officials, both administrators and directors, certainly expect Synod officials, the two seminaries, and Synod agencies to support the work of the Texas District. Speaking for myself as a director and voting delegate to the recent synodical convention, I have a duty to support the implementation of Resolution 7-03.<sup>24</sup>

Texas DP Michael Newman continues to serve on the CTX BOR. Why? He has served under the authority of Synodical Bylaw 3.10.6.2, 4 as an *ex officio* voting member of the CTX BOR.<sup>25</sup> Why do the CTX regents retain him as a regent when they have refused to seat the four regents elected at the 68th regular convention? More recently, did DP Newman approve the prospectus employed in the search for the next president of CTX?

## VII. Conclusion

The required ethical conduct of ordained ministers, commissioned ministers, and district directors is clear: comply with the Synod Constitution and Bylaws. This obedience and loyalty cannot tolerate any conflicts of interest. “No one can serve two masters. Either you will hate the one and love the other, or you will be devoted to the one and despise the other.” Matthew 6:24 (NIV)

“If anyone, then, knows the good they ought to do and doesn’t do it, it is sin for them.” James 4:17 (NIV) When will the CTX administrators and regents do the good they know they ought to do? If they do not, the appropriate ecclesiastical overseers need to act now.

CTX President Christian, BOR Chairman Bannwolf, and the CTX BOR have perpetrated a sordid saga of betrayal, disloyalty, rebellion, and deceit. Their course of conduct has harmed the LCMS, the Texas District, and students who were recently enrolled in church work and ministry programs expecting to be eligible for calls from LCMS congregations upon graduation.

Resolution 7-03 was approved overwhelmingly at the 68th

Regular Convention. Synod officials and district presidents have a fundamental duty to implement Synod Resolutions in Synod and the districts.<sup>26</sup>

It is time for our officials to fulfill their duty to correct the defiance of CTX!

<sup>1</sup> Concordia.edu: "Welcome To Concordia University Texas HIGHER LEARNING FOR A HIGHER CALLING;" downloaded on April 25, 2025.

<sup>2</sup> *Handbook: Constitution Bylaws Articles of Incorporation*; The Lutheran Church—Missouri Synod, 2023; specifically Bylaws 3.10.6 and 3.10.6.1.

<sup>3</sup> Downloaded May 27, 2024 from Concordia.edu, "Presidential Search".

<sup>4</sup> <https://www.concordia.edu/student-life/dean-of-students/the-student-handbook.html>

<sup>5</sup> United States District Court, Western District Of Texas, Austin Division, THE LUTHERAN CHURCH—MISSOURI SYNOD, a Missouri nonprofit corporation, Plaintiff, v. DONALD CHRISTIAN, CHRISTOPHER BANNWOLF, CONCORDIA UNIVERSITY TEXAS, INC., & JOHN DOES 1-12, Case 1:23-cv-01042-RP, Document 11, paragraph 30, Exhibits K and N.

<sup>6</sup> Downloaded from "Lutheran Identify" tab on Concordia.edu and extracted from section entitled "Why is this change necessary?"

<sup>7</sup> <https://www.concordia.edu/about/lutheran-identity.html>

<sup>8</sup> 2023 *LCMS Handbook*, Bylaws 2.2.2 and 2.4.1.

<sup>9</sup> MEMORANDUM; November 8, 2022; addressed to Constituents of Concordia University Texas; "An Independent Announcement Regarding the Board of Regents." Texas District President Michael Newman attached this memo in an email sent to the undersigned written on November 8, 2022 (6:03 PM).

<sup>10</sup> Certificate of Amendment, Form 424, Concordia University Texas, entity filing number 10277001,

[https://direct.sos.state.tx.us/corp\\_inquiry/corp\\_inquiry-find.asp](https://direct.sos.state.tx.us/corp_inquiry/corp_inquiry-find.asp).

<sup>11</sup> MEMORANDUM, *Op. cit.*

<sup>12</sup> <https://stjohngalveston.360unite.com/news>

<sup>13</sup> This session on the morning of August 1, 2022 can be accessed on the LCMS.org website, convention proceedings at the 1:29:39 time.

<sup>14</sup> Concordia University Texas, Plaintiff, v. The Lutheran Church—Missouri Synod, an unincorporated association of Lutheran congregations, And The Lutheran Church—Missouri Synod, A Missouri Corporation, Defendants; Cause No. D-1-GN-24-000358, 353rd District Court, Travis County, Texas.

<sup>15</sup> *Convention Workbook Reports And Overtures 2023*, 68th Regular Convention, The Lutheran Church—Missouri Synod, pages 173-179.

<sup>15</sup> *Convention Workbook Reports And Overtures 2023*, 68th Regular Convention, The Lutheran Church—Missouri Synod, pages 173-179.

<sup>17</sup> <https://www.concordia.edu/student-life/dean-of-students/the-student-handbook.html>

<sup>18</sup> 2023 *Today's Business*, 1st Edition - Proposed Resolutions, 7. University Education, pages 140, 141.

<sup>19</sup> This lawsuit is identified as The Lutheran Church—Missouri Synod, a Missouri Nonprofit Corporation, Plaintiff, v. Donald Christian, Christopher Bannwolf, Concordia University Texas, Inc., & John Does 1-12; Case No. 1:23-cv-1042-RP; U.S. District Court, Western District of Texas, Austin Division. This original lawsuit will be referred to as the LCMS federal lawsuit.

<sup>20</sup> LCMS lawsuit, Defendants' Motion To Dismiss For Lack of Subject Matter Jurisdiction And Failure To Join Indispensable Parties, filed January 22, 2024, paragraphs 6 and 7.

<sup>21</sup> See Plaintiff's Original Petition, Case No. D-1-GN-24-000358; Concordia University Texas, Plaintiff, v. The Lutheran Church— Missouri Synod, An Unincorporated Association Of Lutheran Congregations, And The Lutheran Church—Missouri Synod, A Missouri Corporation, Defendants. This case will be referred to as the CTX Texas lawsuit.

<sup>22</sup> Declaration of Rev. Dr. John W. Sias, paragraph 4, attached as Exhibit A to Advisory To The Court, filed February 26, 2024 in LCMS federal lawsuit.

<sup>23</sup> Plaintiff's First Amended Complaint, page two, paragraph five, filed on February 29, 2024 in LCMS federal lawsuit. See CTX website (Concordia.edu), "President's Office" tab.

<sup>24</sup> 2023 *Synod Handbook*, Bylaws 3.1.2.2 and 4.5.1(d).

<sup>25</sup> 2023 *Synod Handbook*; Bylaw 3.10.6.2, 4; page 174.

<sup>26</sup> See 2023 *Synod Handbook*, and the respective pages 112-121 and 198.

*James Runzheimer is the lay director at large for the Texas District of the LCMS. He was elected to a six-year term at the June 2021 convention of the Texas District. Runzheimer was also a voting delegate to the 65<sup>th</sup> regular convention (St. Louis), the 67<sup>th</sup> regular convention (Tampa), and the 68<sup>th</sup> regular convention (Milwaukee). He is a practicing attorney and CPA in Arlington, Texas.*

### Disclaimers

*Runzheimer's opinions and observations in this article are solely his own as an individual director and do not represent the position of the Texas District, nor do they necessarily reflect the views of the LCA or the editors of the Clarion. Nothing in this article should be taken as legal advice to any person(s) and/or entity(ies) involved in the lawsuits referred to and any related legal matters.*

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**Who is Israel?***Continued from page 1*

descended from Israel are Israel. Nor because they are his descendants are they all Abraham's children. On the contrary, it is through Isaac that your offspring will be reckoned. In other words, it is not the natural children who are God's children, but it is the children of the promise who are regarded as Abraham's offspring.

Again, St. Paul says in Rom. 9:27:

Isaiah cries out concerning Israel: "Though the number of the Israelites be like the sand by the sea, only the remnant will be saved."

And then in Gal. 3:7:

Understand, then, that those who believe are children of Abraham.

If this concept of Israel—that being believers in the promise, Jesus Christ—is lost, then it becomes a political issue rather than spiritual. Otherwise, God would have two plans of salvation: One being for the Old Testament believers and the other for the New Testament believers in Jesus Christ. This would totally void Jesus' words in John 14:6:

I am the way and the truth and the life. No one comes to the Father except through me.

The error of there being two distinct peoples of God (Jewish and Christian) causes two evils. First it becomes political in that unconditional support for the state of Israel becomes a commandment of God. Such a commandment would justify every fanatical backing for every military and expansionist move directed against the Arabs by the Israelis. It then becomes necessary that the state of Israel be defended to the last drop of American blood. Second, such a view causes a callous hatred of Arabs, who are Gentiles like us.

Rev. Nabil Nour, LCMS fourth vice-president and pastor of Trinity, Hartford, S.D., writes:

It is important to note: Both the Jews and the Muslims fight for the land because they believe if they don't possess the land their relationship with God is in danger. There is a true zealotry among them that has religious over and under tones. The fighting between them will not stop until one is extinct. Each believes God promised to them a land, a nation, and a Messiah (in the concocted manner they have concluded). Paradise is directly connected to their possession of that land. ... Remember that the Gaza Strip was returned in 2005 by Israel to the Palestinians in exchange for peace between the two people.

The promise has never been about the land. Israel is a country like any other country, but it is not the church nor the Old Testament Israel. The center of their worship is not the promised Son of God, Jesus Christ. If Israelis want eternal life, they need Jesus as we do. Jesus said in John 5:39:

You search the Scriptures because you think that in them you have eternal life; and it is they that bear witness about Me.

Take note: Jesus is holding up and pointing to the Old Testament because the New Testament has not yet been written.

As a side note, allow me to say that this war is so sad because of the death of many souls. Most of the people who are dying on

both sides are not the church with faith in Jesus Christ, and these souls are lost.

I pray this has helped all to better understand that "All Israel" is you.

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**Concordia University - Texas:**

**Ongoing Defiance of**

**Administrators and Board of Regents**

**Who is Israel?**

Published regularly to support issues and causes in the Lutheran Church—Missouri Synod which build faithfulness to the 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.

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