

Synod and Congregation

[Presented to the Southern Conference at First Evangelical Lutheran Church in Lake Geneva, WI, September 13, 1994.]

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A district is a subdivision of the synod (Const. Art. X), but a congregation is not. A congregation is a component of the synod. This means that in our ecclesiastical structure we follow a congregational polity. The congregation is an integral unit in itself, and the synod is formed by these units combining for a common purpose. As far as the authority of the synod over the congregation is concerned, it has always been purely advisory. How the congregation arranges its affairs, whom it calls, what it does with its finances are its own business, with the only proviso that it act in harmony with other congregations in promoting the purposes of the synod.

However, any organization is bound to exercise any authority it does have to the extreme limit, and its tendency is to continue to grow. The Roman Catholic Church in its history is an example of that, as is also our own federal government. Even children continue to press to determine the limits of their independence. Thus the fear arises that the servant will soon become the master. The CPR in its report to the convention stated that there is a “widespread perception among our membership that WELS is administratively top-heavy” (BoRaM, 366). A layman in the Missouri Synod wrote even more scathingly of his synod’s administration, saying, “More than ever I am convinced that the Missouri Synod has become an overripe bureaucracy run by organization men who are only marginally Lutheran. They enjoy a comfortable life with perks and benefits at the expense of a Lutheran laity whose faith they more than likely despise. Al Barry, a pious, confessional Lutheran, loyal to orthodoxy, is sitting in the treetop all by himself, and the rest of the crowd is trying to shake him off his perch.” This is a view and certainly a situation which we would not want to see develop in our own synod. Accordingly then we want to consider again the nature of the congregation, of the synod, and the tension which may arise between the two.

The Congregation

Our catechism says on page 209: “We call a group of people who come together to hear the gospel a church because we know the Holy Spirit will use the gospel to bring people in that group to faith.” Its activity is described in Question 246: “We join in fellowship by worshiping and studying God’s Word together...by praying with each other and for each other...by working together to help parents teach God’s Word to their children...by working together to help spread the gospel to all people.”

Habeck and Schuetze in *The Shepherd Under Christ* (306), define it in this way: “The congregation is a confessional fellowship of God’s confessing people. In it are gathered such who are priests and kings before God through faith. It is rightfully called a church, for it recognizes the Lord Jesus as its head. It acknowledges his Word, the holy Scriptures, normative in all matters of faith and life. It knows that the Lord Jesus dwells in its midst, that he sends his Spirit to guide and direct it. It functions not only under the general providence of God, as does every organization in the world, it enjoys the special care of its head, who in grace uses such a gathering of Christians to accomplish his saving purpose.”

In his dogmatics notes, page 97, J.P. Meyer says,

Scripture often refers to local gatherings of Christians. It calls them churches ...because they are gatherings of Christians “in the name of Jesus,” not simply gatherings of Christians for any purpose, but gatherings in the interest of Christ’s kingdom... The local congregation is generally organized along geographic and language lines.

There was a time when there were those who wanted to see a doctrinal difference between the Wisconsin and Missouri Synods on this subject, because the latter insisted that the term *ecclesia* was to be applied only to the local congregation as a divinely instituted group. But finally in the *Thiensville Theses* of 1932 Wisconsin and Missouri representatives agreed that this was not a difference in doctrine, but rather one of application. But every now and then a Missourian appears who proceeds to beat the dead horse anew.

These definitions make clear that a local congregation is *ecclesia* only because of the believers in its midst, but unfortunately these believers are only known to God. When organizing a congregation we can only proceed on the basis of confession. And then it is the presence of the means of grace which assures us that such a congregation does indeed have believers in its midst. That means further that such a group is empowered with the ministry of the keys and can carry on all the activities which this grant implies. But in this arrangement we are always confronted with a caveat which Meyer expresses this way: “The local congregation must not be confused with the legal corporation.”

Actually, however, in studying the relationship between congregation and synod we must take into account the external, legal associations. Our congregations, after they are organized, are usually also incorporated. This gives them a status at law and means that they have the right to arrange their own local affairs, to spend their funds as they wish, even to seek further associations of their choice. They have the sole right to determine their membership. They hold the title to their property.

The Synod

The ministry of the keys does not only confer authority upon the congregation but also lays on certain obligations. This includes making disciples of all nations, as well as the outfitting of workers to carry on this work. It is of course possible for a very large congregation to train its own workers for church and school, as well as to send out missionaries to preach the gospel beyond its own confines. In the beginning of our synod’s history we hear of men with pastoral ambitions being assigned to some pastor who would educate that person in theological studies. A large sectarian church in the city of Racine supports a half dozen foreign missionaries at its own expense.

Yet it is easy to see how this can be done by every congregation, large or small, by combining into a larger church affiliation, so that the training of workers and the preaching of the gospel can be done with their pooled resources. Thus we come to the emergence of a synod. Habeck and Schuetze give this obvious definition: “A synod, like a congregation, is essentially a gathering of Christians. Those who through the gospel have been brought to faith in the Lord Jesus will seek the fellowship of those who are of like faith and mind” (353). This indicates that the formation of a synod is not just the result of practical needs. This is the positive side of “not giving up meeting together.”

While the synod is thus in some respects an extension of the congregation, it must also be considered *ecclesia*, because it possesses the marks of the church. A synod is engaged with the Word and the sacraments, and thus also empowered with the keys. So the synod calls officials, professors, missionaries, and whatever other workers may be needed for its work. But all of this is carried on eventually by the decisions and resolutions of the congregations who collectively make up the synod. When the synod was still small, it was possible for these Christians to get together as a whole and do their business. With the present size of the synod this is no longer possible, and it must be done by representation. This is the establishment of the convention. When the convention meets, this is the synod as visibly and as completely as it is possible to be. The convention system is not perfect, since to some extent it obliterates the participation of the congregation. It is difficult in this situation for the congregation to make its desires and will known. We do not have instructed delegates, and in addition the delegates change from convention to convention – partly from the difficulty of getting delegates, and partly because of the need to rotate the representation.

Habeck and Schuetze point out the dilemma which we had also with the congregation, when they say,

This essential nature of the synod [as a body of Christians which is recognized as a church by its interest and confession to the gospel] needs to be distinguished from the synod as a corporate body, even as these two must be distinguished in the case of the local congregation. (354)

This means that the synod is a legal organization which is recognized by the government, which owns property administered by its trustees, and has assets, officers, and a constitution.

That legal position, of both congregation and synod, must be considered, when we study the relationship between them. In a loose way we speak of the people of the Wisconsin Synod, or, as the Missions and Objectives does, “As men, women, and children united in faith and worship by the Word of God, the Wisconsin Evangelical Lutheran Synod exists, etc.” From a constitutional standpoint, lay men, women, and children are not members of the WELS. A lay person does not join the WELS, but rather a congregation belonging to WELS. For the constitution states in Article III: “The synod shall consist of all congregations, pastors, professors and male teachers who shall have joined said body through their respective districts.” This has been the legal makeup of our synod from its beginning.

The Tension Between Congregation and Synod

According to the compositional structure of the synod, it would appear that the synodical convention is the highest authority in this arrangement. Here we have the *ecclesia representiva*. But this is only a assumption. There is nothing in the constitution to indicate this authority. Beginning on page 17, the constitution devotes a full page to the convention, detailing the time, the choosing of delegates, the committees, the reports and memorials, the duties of delegates to attend, the standard of *Robert's Rules of Order*, the place of the next convention. But it says nothing of the authority of the convention. It does not say what the convention does or is supposed to do. Yet we have been having conventions for years and years, assuming what it must do.

There is a similar anomalous situation with regard to districts. Article X states that the synod shall be divided into districts, and that the respective districts shall have the right and duty

to exercise supervision over the doctrine and practice of their members. The constitution for the districts again restricts membership to congregations, pastors and male teachers. Considering the size of the synod, it surely is a wise thing to have districts, so that attention can be given to local concerns, and so that every congregation can have some input and participation in decisions, rather than merely by representation.

Here the constitution is a little more specific when it states what the convention does, namely to consider reports from committees, boards, and commissions of the district. From this it would appear that the chief reason for a district convention is informational. From time to time a synodical convention will refer matters to the districts for study – the constitution even assigns amendments to the constitution for district study and recommendations – but there is no way of knowing what weight the opinion of the districts has in determining the policies and decisions of the synod.

Today the synod in convention completes its work of hearing reports and setting the agenda for the coming biennium in five days – every two years. In the not too distant past the convention met for eight days, but it was becoming increasingly difficult to get delegates who could afford the financial sacrifice of taking off so much time from their jobs, or else the synod would have to depend upon superannuated delegates. Those long conventions also dealt with a much smaller volume of business. But in both cases, once the convention is over, the synod has to depend upon individuals and boards to conduct the synod's business for what amounts to the bulk of the biennium. For a long time this meant part-time, unpaid service. This is still true to a great extent today. The standing committees and boards of the synod are composed of pastors, teachers, and laymen whose principal activity is in a different field.

It soon became apparent that the amount of paperwork, field activity, etc. could not be done this way. Back in the 70s, this writer served as chairman of the district mission board, and soon discovered that this work of dealing with individual missions and missionaries, making reports and budgets, filling out requisitions, and attending meetings consumed almost a week out of every month. Though the Annual for 1930 disclosed only one full-time worker in the synod – the treasurer – it was becoming apparent that full-time assistance would be needed in other fields as well. Thus began the calling of full-time board and commission managers, titled successively executive chairmen, associate chairmen, executive secretaries, and administrators. Beginning in 1975 the Yearbook lists the full-time personnel in the WELS Administration Building. The number is fourteen. The number in the 1994 Yearbook is thirty-seven. In addition there are ten at the Northwestern Publishing House, whose positions may be considered to be self-funding. Each district president is also supplied with a full-time vicar.

This has led to questions brought up in the 1991 convention as to whether the synod is administratively top-heavy and called for a study of staffing needs. A Program Planning Analyst was also called to study the staffing needs of the synod's administration. The Committee on Program Review concluded that from the standpoint of staffing needs, WELS is not top-heavy, and that the number of paid staff is appropriate and necessary, but that WELS is top-heavy from the standpoint of organizational structure. Throughout its report the CPR seemed concerned about the widespread perception throughout the synod of the top-heaviness of the synod's structure and the subsequent lack of trust and credibility in the administration. Some of the CPR's recommendations to sunset certain positions and to rotate a review of all the administrative positions may do much to allay this distrust, and also prevent the growth and power of a synod bureaucracy. So also the ideas of a chain of command can improve the carrying out of the synod's agenda. It has served to clear up our troika of BOT, CC, and COP. Ordinarily

such an arrangement might serve to provide checks and balances on one another, but there is no evidence to support the idea that this ever occurred, except that the BOT had the final word as to funding. Making the COP the eventual authority should help to streamline the work of the synod.

The disturbing part of the report is that which suggests a lesser role for the convention and greater centralization in the administration. The report is couched in questions which may concede that the congregations are not yet ready to surrender this much power to its paid staff. On page 371 of the BoRaM are these restructuring considerations:

Long-Term Recommendations

8. Synodical Restructuring

Direct the Conference of Presidents, with the assistance of the Board of Trustees, to complete a study and make recommendations to the 1995 synod convention regarding a complete restructuring of our synod's corporate organization. This study shall include, but is not limited to, a review of the following questions:

- a. Could the existing three leadership bodies of the synod (the Board of Trustees, the Conference of Presidents, and the Coordinating Council) be replaced effectively and efficiently by a single executive council or some other combination of governing functions?
- b. Could certain decisions and functions currently made or performed only by the synod in convention be made or performed more efficiently and effectively by creation of a single executive council or some other combination of governing functions, and by restructuring the nature and purpose of the synod convention as a policy-making body only?
- c. Could a single executive council or some other combination of governing functions, constituted with a mix of members from WELS's laity and public ministry, effectively perform its duties without compromising purity of doctrine in administering WELS affairs?

Recommendations of COP shall be submitted in such form that a new WELS constitution could be adopted and put into effect by the 1997 synod convention.

Dealing with the convention is certainly a knotty matter. Already alluded to is the fact that each convention is a new mix of delegates. Fairness demands that there be a rotation of congregations represented, and one set of delegates may see things differently than another. But new projects, the budget, the elections, the agenda for the next biennium should never be surrendered to a central body. This would be the surest way to increase distrust of the administration and cause a lack of support for a project in which the congregation had had no hand. The whole idea of a congregational polity would go by the boards, and we would be saddled with a new kind of Protestant hierarchy. No matter how imperfect the convention arrangement is, we need to keep it as the final authority as a decision-making body, if we mean to remain a synod.

Now, as mentioned, a convention is in session for five days every two years, The various divisions, committees, and boards of the synod will meet periodically according to the ability that these people have to get away from their normal pursuits. But the staff people continue at their work day in and day out. Therefore, we cannot emphasize too much that these people are

not the synod. They are the servants of the synod. Under ideal conditions the delegates to the convention would decide upon the program, give directions for carrying them out, or give orders to study them and develop them. To be blunt, the full-time personnel are to execute the will of the convention. But it is also possible for these staff people to do their own formulating, and then seek to have them accepted and funded by their committees or boards and then finally by the delegates. If these people are too bored with the routine of their office, or do not have enough to take up their time, it is conceivably possible that the tail will then begin to wag the dog.

Thus it is not always possible to nail down exactly how some projects or developments are born. Consider this example: Years ago, the various boards of control for our worker training schools all operated independently. For liaison, representatives of the boards and the faculties began to meet under the form of the Advisory Committee for Education. Then it became the Commission on Higher Education. Then it became the Board for Worker Training. Today it is the Board for Ministerial Education. Beginning as an "advisory" body, it is now a board which has overall supervision of our education programs, coordinates curricula, and coordinates programs for the erection of physical facilities, among other things, and has an administrator.

Other activities of the synod also began as voluntary committees: Parish Services, Evangelism, Youth Discipleship, Adult Discipleship, Special Ministries, Communication for Financial Support, Worship. Each of these is now a commission with its own administrator and staff support, although some of them are vacant at the present time.

The CPR estimates that the administration building should have a ceiling of 56.5 full-time-equivalent, budgetary-paid positions. How this figure was arrived at is not clear. If it was decided on the basis of the administration's own assessment, the recommendation would be suspect. If it was decided by criteria from the business world, the congregations would certainly feel used. According to those standards most congregations would feel that they are understaffed. How many would not like to have an associate pastor, a secretary, a parish worker, maybe a deaconess, or more teachers? But they are too financially strapped to be able to afford the kind of help that they really need. It would certainly lead to a lot of grumbling, if not rebellion, then to have to support the required level of staffing in the synod administration.

A problem with the convention system, brought out by the CPR and referred to above, is that each convention consists of different people. While we expect that all conventions would be in agreement on our doctrinal confession, this need not necessarily be so in practical matters. Thus when a certain project or position was desired, it has happened that when the convention has turned down the appeal, the same measure has been brought up again and again to succeeding conventions, and finally there is one which approves. This has happened with requests for administrators and professors, for manpower for missions. This has also been the case of the worker training policies. This matter particularly shows an erratic progress. First, we closed Northwestern Lutheran Academy. Then Martin Luther Academy was moved to Prairie du Chien. Now it has been decided to amalgamate Martin Luther Prep School with Northwestern Prep School, and Northwestern College with Dr. Martin Luther College. It makes a person ask: Does the Synod know where it is going? In 1959 the synod voted to open a normal school in the Milwaukee area. This would have been convenient especially for students from Michigan. It actually resulted in a junior college, which was then later closed down. None of these proposals for new positions or changes, it is safe to say, arose from a push by the congregations. So there have been suggestions to curtail these overtures, but they have been rejected as being undemocratic. Possibly this procedure could be controlled by providing the reasons why previous conventions have rejected any proposals when they are reintroduced.

An additional problem which is being worked on is the presence of a great number of advisory delegates at the conventions. Their number has certainly been drastically reduced in recent years but the 1993 convention recorded a total of 102 advisory delegates as opposed to 388 voters. Advisory delegates need to be present only to give reports and provide resource material. Thus the current number still seems to be high, and the danger is always present that the advisory delegates, with their superior experience and knowledge – the synod’s machinery, can eventually manage a convention at will.

When a decision has been made by a convention which is not acceptable to a congregation, conference, district, or divisions, there is no provision in the constitution to appeal such action, except to the next convention. The constitutions, both for the synod and districts, contain provisions for appeals, but these are in the area of discipline. We do not have the equivalent of a Supreme Court in our synod to adjudicate other matters. At a convention the constitutionality of any measure is determined by one person – the parliamentarian. Thus any grievance or protest or disagreement may have to wait up to two years for any settlement.

When the Restructuring Committee presents its report in 1995 we will have to examine it carefully to see how the concerns and authority of the congregation are safeguarded, and whether these studies represent a drift into a more centrally controlled church body, whether even “the men, women, and children of the WELS” are in democratic control of their church.

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