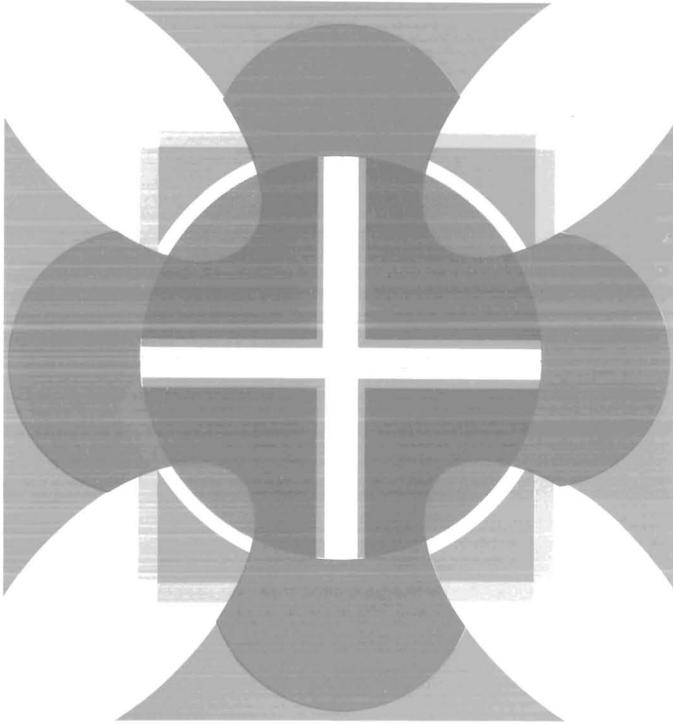


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# CTM



**ARCHIVES**

**Volume XLIV**

**November**

**Number 5**

# DOCUMENTATION

## Authority in the Church

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[*Ed. note.* In 1879 Dr. Walther delivered a long essay to Iowa Lutheran congregations who were reluctant to join the Synod because they feared the Synod would arrogate to itself excessive authority over them. With extensive citations from Scripture, Luther, the Lutheran Confessions, and the Lutheran fathers, Walther developed his concept of the proper relationship between Synod and congregations. The following excerpts from Thesis II contain the meat of his view. The translation is by Dr. Arnold Krugler, Concordia Teachers College, Seward, Nebraska.]

### THESIS II

A second key principle of an Evangelical Lutheran Synod is that it truly embraces its congregations in an evangelical fashion and as a result . . . will not arrogate a mastery over them, but rather will stand at their sides as their counselor.

Many good congregations are skittish at the thought of joining a Synod. This certainly is the case here in Iowa. Many congregations, in fact, have permitted a great deal of time to pass before they finally resolved to join one, doing so only after they had a chance to become acquainted with their pastors and learned that there was no danger involved. . . .

This attitude of these Synods is un-Lutheran. Why? It is clearly un-Biblical. We read in Matt. 18 that when dealing with a matter of church discipline, the matter finally goes to the congregation. Once the congregation has decided the matter, the sinner is to be regarded as a heathen and tax collector. In this way Christ makes it quite clear that the congregation is the final and ultimate authority beyond which there is no appeal. When a matter has been decided in this procedure on the basis of God's Word, the affair has been settled. No one may rebel against this decision. That is the teaching of the Scriptures. . . .

We would now determine whether our beloved Lutheran Church says the same, since our Synod here in America has been deserted by so many precisely because we have yielded this freedom to the congregations and have con-

stantly reminded the preachers that they are not the lords but are servants and must recognize themselves as such, or else the Lord Christ will not recognize them. Because we have defended the position that the congregation is the highest authority, we have been viewed with utmost suspicion. It is charged that we are erecting a confused, wild structure. In Germany many assert that our preachers are wretched slaves while the congregations treat them any way they like. They condemn our position as being un-Lutheran, Anabaptist, Independent. . . .

Our beloved Lutheran Church is a liberal church. In it we do not have a community under the rule of priests. Rather we have a community of the members of Christ who are bound together through an evangelical, gentle, loving bond.

The Smalcald Articles assert: "Christ gave the highest and final judgment to the church when He said 'Tell it to the church.'" (Of the Power and Primacy of the Pope, paragraph 25) . . .

Every truly Lutheran preacher will exert great pains to assist the congregation in the exercise of this freedom. The false preacher will conceal this freedom. Ever since the Missouri Synod was organized, we have had to wage a strenuous battle to preserve the freedom of the congregation. Therefore we will stand united in order to defend your freedom. But we dare not feel secure because things are currently in good shape. Many Synods

have had this freedom for a lengthy period before they fell. . . .

Heshusius speaks of the congregation having the authority to judge doctrine. As a result the preacher cannot claim that because he has studied for nine or twelve years he is better able to decide what is correct and what is not. In this, also, all are equal. Since each person is to be judged by Christ for his actions, no man can dictate what he is to believe. Only Christ has this authority.

For that same reason none is to be permitted to exercise tyranny over another in doctrinal matters. Each of us must ask the question: "Show us where it is written." The proverb certainly has proven itself which says: "The more learned, the more perverted." When an individual boasts of his learning, we have no need to listen to him. Rather we can respond that it is truly risky to be so learned. Great learning is similar to great wealth. Christ said that it is scarcely possible for a wealthy man to be saved. One has gold, and that is his wealth. Another has learning, and that is his wealth. Accordingly one who has great learning is to exert great effort so that he may as a child learn from the Word of God or else he cannot be saved. . . .

The truth that the preacher cannot give any orders to a congregation was the subject of a letter Luther wrote from Coburg to Melanchthon while the latter was at Augsburg. Melanchthon was deeply disturbed because the papal scholars assaulted him with the accusation that if the bishops had no other authority in the church except the right to preach the Gospel chaos would prevail. They claimed that the bishops must have the right to preserve order so long as they would not contradict God's Word. Yet were they granted their full desires they would have clearly revealed themselves as servants of the devil. They claimed that the bishops are also princes and

that it would be revolutionary to speak against the power they claimed. Melanchthon was distressed, not knowing how to reply. As a result he appealed to Luther. Luther's response impressed on him one key word, the word "as." As bishops, Luther asserted, they had no power.

Luther declared: "A bishop as bishop has no power to establish one ordinance or ceremony without the consent being given by the church either explicitly or tacitly. Because the church is free and sovereign (Latin: *domina*, that is, householder), the bishop may not rule or trouble the faith of that church. They are only servants and stewards, not masters over the church. But when the congregation speaks in unison with the bishop, they can establish any regulations they may desire, so long as piety does not suffer as a result. Accordingly we can neither in churchly nor in secular affairs grant to bishops the right to give any commands to the church, regardless of how good and pious these commands may be. . . .

Oh the golden freedom that the Lutheran Church ascribes to its congregations! We should thank our dear God daily for it and for the fact that we are Lutherans and that no tyranny will be permitted in our church as is the case with all other churches. . . .

While we previously have demonstrated that no preacher can give any commands to his congregation, how does this apply to the Synod? A Synod is not only composed of pastors, but it includes lay representatives of the congregation. Thus the Synod is also a representative of the church. Doesn't it then follow that the Synod has the power to give orders and commands to the congregation that it must, to be faithful to God's will, obey? By no means!

Just as little as a preacher can give orders to a congregation, so is it the case with a crowd of preachers together with an equal number of the

laity. It simply is the case that not even the church has the power to issue one command which could bind the conscience of one solitary Christian—let alone of an entire congregation. . . .

Were the Synod, however, to claim that because they had decided a matter, and since they are the ultimate authority, it is to be obeyed or we are to be disciplined, our congregations must respond: *Lebe wohl, Synode. We have seen you! You put yourself in the place of Christ, and thus are a noisy collection of Papists! We will be free and will remain free! That is Lutheran! . . .*

At the present time German theologians who believe that the state churches can function only through a strong ecclesiastical government criticize us by claiming that the Lutheran Church during its long history has always been under the authority of a consistory. The pastors there receive "*Rescripte*" that they must read to their congregations. New orders and new duties are established. The consistory writes new books for both church and school, and these are to be utilized.

We respond to these charges by acknowledging that this certainly is the way things have developed within the Lutheran churches of Germany. But these developments are not derived from the teaching of the Reformation. They rather are diametrically opposed to that teaching. Certainly Luther helped to establish the consistory, but not in this godless, autocratic sense. He rather established the consistory in exactly the same way that we have established our Synod—that is, the consistory was only to be a society to which a person could turn for counsel and advice while confronting perplexing matters or difficult questions. Thus, in brief, the consistory Luther established was only an advisory body. . . .

Thus we observe that in 1543, when the last consistory was established

during Luther's lifetime, it had no "jurisdiction," that is, it had no power to assume any authority. The consistory could not in the slightest degree issue orders. Each one who might receive an order from it could return the document and respond that in this instance he was under no obligation to the consistory. "If you desire to speak with me, please be so kind as to wait until I ask for your advice. You cannot give me orders, only advice when I desire it." These were Luther's thoughts on the subject. . . .

But isn't it the case that at a later time the consistory was given such authority? Certainly! But that fact doesn't mean that this action was a proper one. It rather is a demonstration that many kinds of imperfections and abuses can be found in an orthodox (*rechtglaubigen*) church. And when honored men tolerate these abuses, they become extremely difficult to remove. Now it is the case that many faithless pastors and theologians have received the princely power to regulate all sorts of indifferent matters (*adiaphora*). On their own authority they are able to establish ordinances for the church as well as for the state. They even can arbitrarily install and remove preachers. It is horrible to see how even good theologians have submitted. These often yield only because they fear that to do otherwise would lead the entire land into rebellion. Yet the pure teaching regarding the power of the church is still held, even in the most autocratic of the state churches. . . .

Were a Synod to act that way it would be a horrible tyranny and, as we have already heard from Luther, a Christian should rather die than submit to it. To such a tyranny a person must assert: "Were you a king or a Kaiser or even an angel or an archangel, I would not listen to you! Shoot me! Hang me! But I will not obey you!" Were a person however to say: "I have authority by human right; a person

cannot turn everything upside down," then I will respond that for the sake of peace I will follow his lead. When one appeals to my love I am prepared for anything. . . .

The Constitution of the Missouri Synod in Article IV, section 9 declares: "The Synod in its relation with its autonomous individual congregations is only an advisory body. No resolution of the Synod that would obligate an individual congregation has any binding force on that congregation. It can bind the congregations only when such a synodical resolution is freely received and confirmed by the congregation through a formal resolution of the congregation. Should a congregation find a synodical resolution to be in opposition to the Word of God or unsuitable to its circumstances, it has the right to disregard and to reject it." . . .

According to our Constitution no synodical resolution has binding force upon any congregation. Note well: no resolution! The things we decide here in this convention must be reported back home by the preachers and the lay delegates. They must say that the Synod has decided a certain thing. But they dare not add that therefore the local congregation must obey it. Rather the congregation is to recognize that it is such a matter that they as a congregation are free to ignore without any official reprisal. . . .

We have always asserted that the beloved congregations should not declare in their constitutions that they would perpetually hold membership in the Missouri Synod. We have no desire for that. Actually, the name of the Missouri Synod should not appear anywhere in the constitution of the

congregations. It is not sinful if it does. But if it does appear, it will be acceptable only so long as it also declares that the congregation will retain its membership in the Synod only so long as the Synod remains with the unmixed teaching that it currently possesses. Without this declaration it would be wrong.

No person should be bound to any other individual. Rather we are to retain our freedom so that at any moment were we to withdraw from the same, none would accuse us of being traitors. Each congregation has the freedom at any given moment of joining a Synod today and of withdrawing tomorrow, and no person dare make it a matter of conscience. Our beloved God has not given a commandment that at least three, five, or ten congregations should constitute an entity that can send its representatives who are authorized to formulate congregational resolutions. . . .

We do not desire to capture the people through cunning. We have no desire to create something great when it means that many congregations are neither satisfied nor pleased to be members.

Our only desire is that we have established something that will lead the congregations to recognize that we are engaged in a sacred work of God. Our beloved pastors realize that it is not our practice to assail the congregations. We rather desire that we reveal to men the advantages of such an organization in which there is no threat to their freedom. When they are satisfied that this is the case and as a result desire to join, we will most sincerely and earnestly welcome them.