

# *TRANSCRIPT*

*Rev. Todd Wilken, Host*

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## **"President Gerald Kieschnick's Proposed Restructuring of the Lutheran Church Missouri Synod, Part 5"**

**Guest:  
Rev. Dr. Ken Schurb  
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**WILKEN:** Whether it's the United States, a state, any kind of corporation, a constitution exists to be the framework, the common self-understanding of any kind of human institution. The same is true for Christian congregations or, writ large, Christian denominations. Now as part of restructuring any kind of institution you go back to that basic framework and you say, "Does this framework need to be changed, modified? Can it bear the new things that we're bringing into the institution? Are there parts that need to be taken away or completely redesigned?"

Of course, President Gerald Kieschnick's Blue Ribbon Task Force on Synod Structure and Governance has proposed many changes, among them some constitutional changes for the Lutheran Church—Missouri Synod. We're going to spend the next hour of *Issues, Etc.* talking with Dr. Ken Schurb. I believe this is part 5 of an ongoing conversation with him on the changes in structure and governance being proposed for the Lutheran Church—Missouri Synod. Dr. Ken Schurb is pastor of Zion Lutheran Church in Moberly, Missouri. He formerly served as an assistant to the president of the Lutheran Church—Missouri Synod and as a theology professor at Concordia University, Ann Arbor, Michigan. Ken, welcome back.

**SCHURB:** Hi, Todd. How are you today?

**WILKEN:** Very well. And you?

**SCHURB:** Not too bad.

**WILKEN:** Let's talk about the constitution of the Lutheran Church—Missouri Synod as a basic framework for how the denomination understands itself. It's been written and rewritten and amended many times, but is there something fundamentally wrong with it that it needs the changes being proposed, or outdated about it that it needs to be updated the way the task force on structure and governance suggests?

**SCHURB:** I think you've laid your finger on a key question, Todd, and I think that that's the kind of question that people need to bear, really, uppermost in mind when considering any proposal to change the constitution. It's not that change is out of the question or that change is always completely out of order. But the burden of proof really needs to lie on the shoulders of those who say that the constitution needs to be changed. Now we've talked in a previous conversation about the fact that if you want to go to a four-year convention cycle, and not a three-year convention cycle, that would require constitutional amendment. That is a relatively small matter and it's not quite what I have in mind when I talk about really needing to shoulder the burden of proof. Obviously, anybody making a suggestion, even a suggestion to change to a four-year convention cycle, needs to give reasons why, but even more fundamentally, when you would change things that would strike deeper at the basic constitution. A lot of this is being put forward in the name of simple clarification. I wonder if it's really all that much more clarifying. One of the goals of the task force to begin with has been to make congregations more efficient or more effective in their mission and frankly there's very little that's being suggested in terms of constitutional change that, as far as I can see, would make congregations more efficient or more effective in their mission at the local level.

**WILKEN:** So in essence, if it's not broken, don't attempt to fix it. In fact, you may break it in your attempt to fix what isn't broken.

**SCHURB:** It's a good axiom in the military, right? "If it aint broke, don't fix it." And it could be good to bear that in mind here.

**WILKEN:** How sweeping are the changes, constitutionally, being suggested, if taken as a whole, coming out of President Kieschnick's Blue Ribbon Task Force on structure and governance?

**SCHURB:** Well, again, there are several changes that are being suggested. Some are

relatively small, like going from a three-year to a four-year convention cycle. Others are really significant, and I think maybe we ought to talk about those, right at the first.

For example, there is right now in the constitution a set of objectives of the synod. That is being reworded to be called now “Mission and Purpose” of the synod, and there are two subsections: “Mission and Purpose” and then “Carrying Out the Mission and Purpose.” One of the items under “Carrying Out the Mission and Purpose” has been significantly reworded. Right now we say that one of the objectives of the synod, listed in the constitution, is to encourage congregations to strive for uniformity in church practice, but also to develop an appreciation of a variety of responsible practices and customs which are in common, in harmony, rather, with our common profession of faith. The new wording being suggested says nothing about uniformity in church practice, which was already one of the objectives of the original constitution of the synod. Instead, the new wording simply says, “encouraging a common understanding and appreciation of a variety of responsible practices and customs which are in harmony with our common confession of faith.” So this would not only be to appreciate this variety of practices, but to have a common understanding of what this variety of practices is. Now this, as I say, is a significant change, especially from the original constitution of the synod.

**WILKEN:** Okay. What did the framers of the original constitution of the Lutheran Church—Missouri Synod have in mind when they made as one of the objectives uniformity in practice?

**SCHURB:** The idea was to try, not necessarily to have a stifling kind of sameness, but to make sure that there wasn't going to be any kind of surreptitious, conscious or unconscious, changing of church teaching through introduction of new, novel, and perhaps variant practice. And so the idea of having a uniformity was really just one more way of shoring up the basic thrust of a united confession of the true faith.

**WILKEN:** Wasn't, in fact, also—were they not also mindful of language drawn from the Lutheran Confessions themselves at the time of the 16<sup>th</sup> century that extol the virtue of a uniform practice while always approaching it in an evangelical manner, that is, a manner that allowed for a certain latitude within a proper confession? It strikes me that the original framers wanted to echo the value that the Confessions place on uniformity.

**SCHURB:** Well, certainly they were mindful of the important teaching role that church customs and church practices have, and that's why I say this gets you finally into the realm of doctrine.

**WILKEN:** So how significant, if you're going to put this on the scale of 1 to 10, one being not a significant change, an innocuous change, ten being a pretty radical change of what synod may be in the future, if it's adopted, where on that scale would this particular change being called for by the president's Blue Ribbon Task Force on structure and governance, where would it fall?

**SCHURB:** Eight or a nine.

**WILKEN:** Wow! What do you think, what do you envision it could bring about if the change were adopted?

**SCHURB:** Well, it's hard to know exactly where some of these things might go in the future. Conceivably, taking the idea of striving for uniformity in church practice out of the constitution altogether could be construed in the future as meaning that we're just not that interested in that at all, and that any effort to try to bring that about, even by the most benign of means and by friendly persuasion, could be held to be, well, unconstitutional.

**WILKEN:** This really goes to kind of the tension that exists in a church body like the Lutheran Church—Missouri Synod that has a constitution that needs to be upheld but continues to be a voluntary organization of congregations walking together. It highlights how the constitution can become a club in the hands of any agenda, doesn't it?

**SCHURB:** Yeah, and that's one of the reasons why it's generally good, especially in matters like this, not so much frequency of synodical conventions and things of that nature, to change the constitution as little as is absolutely necessary.

**WILKEN:** How do you think that this change—we've only got a minute here before our break—how does this change that we've discussed so far play into what appears to be the overall thrust of the task force's desire for a change in structure and governance? How does it meet their goal?

**SCHURB:** I don't know. That's why I say it's hard for me to envision how this particular change would do much, if anything, to address the efficiency and effectiveness of congregations at meeting their own local ministry challenges. And you really kind of scratch your head. We will be, I think, later on this hour too as the conversation unfolds and we talk about other things, wondering how in the world this really plays into the mission work of a given congregation.

**WILKEN:** When we come back from this break, we continue our conversation with Dr. Ken Schurb, pastor of Zion Lutheran Church in Moberly, Missouri, formerly an assistant to the president of the Lutheran Church—Missouri Synod and a theology professor at Concordia University in Ann Arbor, Michigan. Talking about President Gerald Kieschnick's Blue Ribbon Task Force on Synod Structure and Governance, proposals therein for the Lutheran Church—Missouri Synod. The task force has called for open and honest conversation, give and take, disagreement, suggestions, and that's part of what we're trying to do here on *Issues, Etc.* in these ongoing conversations with Dr. Schurb. When we come back, what other constitutional changes are being called for by the task force? And do these other changes themselves appear to fit within the stated goal of a restructuring effort in the Lutheran Church—Missouri Synod? In other words, if the goal is to restructure that we might do what we're called to do as a church body better, how do these changes fit within that goal? Or do they at all? I'm Todd Wilken. Stay tuned.

[Break]

**WILKEN:** Welcome back to *Issues, Etc.* I'm Todd Wilken. Dr. Ken Schurb is our guest. Our ongoing conversation on President Gerald Kieschnick's Blue Ribbon Task Force on Synod Structure and Governance in the Lutheran Church—Missouri Synod. So far in our conversation a pretty remarkable change being proposed for the constitution, at least in terms of one of the objectives or purposes of the Lutheran Church—Missouri Synod. We move on to some other changes as well. The next concern that you have with regard to constitutional change has to do with an issue of subscription and the confessional basis, the so-called confessional basis, for the Lutheran Church—Missouri Synod. Explain this to us.

**SCHURB:** Well, there is a paragraph in the constitution on the confessional basis. There's also a paragraph on the conditions, now it's being called in the new proposal "requirements," for membership. You asked me before the break, Todd, what could be the significance of taking that objective of the synod, or purpose of the synod, and taking out that clause about striving for uniformity in church practice. When you look at the requirements for membership, you also notice that the term "exclusive use" of doctrinally pure agenda, hymnbooks, and catechisms in church and school is absent. Now it just says "use of worship and catechetical resources that are in harmony with the confessional basis of the synod." It doesn't say exclusive. That is the kind of thing that, when taken in combination with an elimination of the language of striving for uniformity in church practice, could be very bad.

Add that to the thing that you're asking about now, and that is this new language which instead of simply saying that the first condition of membership is acceptance of the confessional basis, which is simply subscription to Scripture and the Lutheran

Confessions, now the proposed wording is “subscription to the confessional basis of the synod,” Article II, “and to its constitution.” This strikes me as really novel. Nobody to my knowledge as ever in the history of the Missouri Synod has suggested that we need to subscribe to the synod’s constitution as a constitutional requirement. For one thing the language, I think on the face of it, is open to possible misunderstanding. Would you be subscribing to the constitution in the same sense that you would be subscribing to Scripture?

**WILKEN:** Okay, you need to explain something here, because the term “subscribe,” while a bit archaic in common parlance, is a technical term, especially within confessing Lutheranism that has since the 16<sup>th</sup> century had some rather hefty weight and it’s also been a real bone of contention between Lutherans on what it means to subscribe to the Confessions. So explain that context to us and then, if you would, explain why this language here with regard to the constitution of the Lutheran Church—Missouri Synod, subscription to it, is problematic.

**SCHURB:** Well, as you say, the term “confessional subscription” has a kind of a rich history in Lutheranism. It has two points to it. Number one, that one places oneself under the Scripture as the sole rule, norm, and judge of all teaching, and that one also accepts the Lutheran Confessions *because* they are an accurate and adequate explanation of what Scripture teaches. Subscription to the Lutheran Confessions is to their doctrinal content, not necessarily to all the historical judgments that are made in them, etc., but to the doctrinal content of the Confessions. And generally speaking in Lutheran circles the term “subscription” is really reserved for Scripture and the Lutheran Confessions. This is the first place I think I’ve ever seen anybody talking about subscribing something like a constitution. And the question comes up, as I said a moment ago, would that mean you’re using the term “subscribe” in the same sense? Presumably the task force would not say that. I’m guessing that they would not say that. But the language here simply says “subscription to the confessional basis of the [synod] and to its constitution.” It doesn’t make any kind of differentiation of what subscription may mean in the one case or what it may mean in the other case.

**WILKEN:** Ken, I cannot imagine—I don’t know the caliber of the task force, I don’t want to call that into question, the members of the task force—but I can hardly imagine that people chosen for a task force of this magnitude could be unaware of the gravity of a term like “subscription” among Lutherans and the problems this kind of lack of explanation could create.

**SCHURB:** Well, it could create many problems. For example, if somebody ever wanted to amend the constitution in the future, would that be already violating the requirements for membership in the synod? You see what I mean?

**WILKEN:** Well, I’m thinking as a parish pastor. Here I am. The condition of membership that I have agreed to is a full and complete and unequivocal subscription to the Scripture and the Confessions. Now if I refuse—they change the constitution, this wording is put in—and I refuse to subscribe to a constitution because, for the very reason you just pointed out, it is subject to amendment, am I in or out? [Laughter]

**SCHURB:** Well, you’d no longer be meeting the requirements of membership. Well, for example, one of the things that’s in here, one of the things the constitution establishes like most constitutions, is the name of the organization. And in fact this task force does want to see the synod change its name. Well, twenty, thirty, fifty years from now if somebody wants to change the name of the synod again, and hence wants to change the constitution which they have subscribed, if this proposal is adopted, then could somebody come along and say, “Well, you’re no longer meeting the requirements of membership. You want to change the constitution. You want to change the name of the synod.”

**WILKEN:** All right. Is this just sloppiness?

**SCHURB:** I don't know. I wish I could tell you, Todd. It strikes me, though, that this is significant enough that if I were using your handy "1 to 10 scale" this would go right to the top.

**WILKEN:** Wow! What's next, Ken?

**SCHURB:** Well, if you're taking this kind of in order of importance, there's good old Article VII, which has been a subject of some debate through the years in the synod. I'll read you the first paragraph in the proposed new Article VII, and it is almost identical to the current article in the constitution. Only one word is changed, and I think this change is for the better. The new wording would be, "In its relation to its members the synod is not an ecclesiastical government exercising legislative or coercive powers and with respect to the individual congregation's right of self-government, it (the synod) is but an advisory body. Accordingly no resolution of the synod imposing anything upon the individual congregation is of binding force if it is not in accordance with the Word of God or if it appears to be"—and here's that one word change—"unsuitable as far as the condition of a congregation is concerned." The word in the existing article is "inexpedient." "Unsuitable" is probably a better translation of the German word that lies behind all of this in the constitution back when it was written in the German language.

So far, I think, so good. However, the task force is now also proposing [an] additional section, not only the relationship of the synod to its members, but a new part on the relation of the members to the synod. And here the task force proposal says that members of the synod are "bound in a mutual covenant of love." That is language that has been used for a while by some people, but it has never been heretofore enshrined in the constitution. And it goes on to say that this "mutual covenant of love" includes agreeing to "abide by, honor, and uphold the collective will of the synod as expressed in its constitution, bylaws and convention resolutions." Again that language, "collective will of the synod," well, I've only heard that in the last few years here. I don't think I ever heard it before the year, say, 2000 or 2001. And it can be kind of a dangerous way to talk. The synod does currently expect congregations to honor and uphold its resolutions, but, especially like a non-doctrinal resolution of the synod, say, to fix the time and date of the next convention, can be followed not because you're adhering to a collective will, but simply out of a spirit of love and cooperation. And presumably that is what we would want to foster as much as possible in the case of non-doctrinal resolutions.

But even more significant: Remember I read you the language that is pretty much identical to the current wording which says that no resolution of the synod is binding if it's unsuitable for the condition of a congregation. And yet now the constitution as being proposed to be amended goes on to say that members of the synod are going to agree to abide by the synod's collective will in convention resolutions, period. So the question is: which is it? Is a member congregation of the synod truly free not to be bound by something imposed by a resolution if it's unsuitable for the condition of the congregation, or not?

**WILKEN:** All right, let's take up that question on the other side of the break, because, again, we come to another tension, and that is the advisory nature of the synodical structure itself. Now is it advisory or isn't it? And are we bound to resolutions, or are we not? And I am personally wary of a term like "covenant of love," which may turn out to be the opposite of what it sounds like. We'll be right back.

*[Break]*

**WILKEN:** Welcome back to *Issues, Etc.* I'm Todd Wilken talking with Dr. Ken Schurb about some of the changes being proposed for the Lutheran Church—Missouri Synod by President Gerald Kieschnick's Blue Ribbon Task Force on Synod Structure and Governance. Before the break there were two terms that you used that you highlight,

and I wanted to revisit both of them, in no particular order. One of them is “mutual covenant of love.” I was recently—this is ironic—I was recently conversing with someone online, and they said something about, well, you know, Wilken, you really should be kicked out of the Lutheran Church—Missouri Synod, because you’re not abiding by this and that resolution, or this and that opinion of some commission. I said, well, you know the opinions of the commission are just that, they’re opinions, and that’s how I regard them. I’m going to remain faithful to Scripture and the Confessions, but I’m not going to necessarily be led around by the nose by every opinion of every commission. And the “mutual covenant of love” card was played against me, saying, “Well, you’re in violation of ‘the mutual covenant of love,’ and if your district president had any cojones, he’d kick you out of the synod for it.” I was left kind of scratching my head and a bit suspicious of the term “mutual covenant of love.”

**SCHURB:** Yeah, somebody once said that the “mutual covenant of love” could be the tie not that binds, but the tie that chokes. It depends an awful lot, of course, on how that kind of language is used. Obviously, a constitution requires a certain amount of cooperation on the part of the people who are joined together by it. Generally speaking, the Missouri Synod has tried, again, especially in the area of things that are not doctrinal in nature, to be as free and to keep things as free as possible. And so than Article VII of the constitution has been very important over the years in protecting the congregation’s right not be fettered to resolutions of the synod as if they were of binding force if the congregation is convinced that it’s simply unsuitable for the condition of the congregation.

There is a handout document which is online at the task force’s page at the synod’s website, and I think you’ve got a link to it off of your website there, Todd. We’re looking not only therefore at the presentation to the district conventions, the PowerPoint presentation, and the document that has the actual constitutional amendments, but also a handout document. The handout document says, “The synod expects every member congregation of the synod to respect its resolutions and to consider them to be of binding force on the assumption that they are in accord with the Word of God and that they are applicable to the condition of a congregation.” So if the synod is going to start assuming off the top that every one of its resolutions is, in fact, suitable for the condition of a congregation, then, in effect, what the constitution seems to give with one hand in the first part of Article VII could be taken away in the second part with the other hand in Article VII.

**WILKEN:** What I suspect is the case, and here I’m being quite cynical, I’ll admit, is this is probably more liberty for the leadership, the future leadership, of the synod to pick and choose what it wants to impose as binding.

**SCHURB:** Usually that’s why you have a constitution, now, Todd, in order to make it very clear to everybody what the basic lines are, what the basic ground rules are, so that it’s not a question of, you know, the—what would you say?—prerogative, or the best judgment at any given moment, of somebody sitting in a chair of authority about what his authority is at that given time.

**WILKEN:** The other term I wanted you to expand upon was “the collective will of the synod,” which is a very odd way of talking about what we would, I think, in the past have called simply “resolutions” of the synodical convention.

**SCHURB:** Yeah. Historically, we have talked in terms—and this is very Lutheran—of “faith” and “love.” In matters of doctrine, those are decided by the Word of God, and nothing we can do is going to change what the Word of God has to say. That’s the faith side. The love side is that matters that are not decided by the Word of God, which are then decided by a majority vote and we agree to cooperate in such a way that the minority will bend to the majority. But it doesn’t rule out the possibility that the majority

may on occasion say, “You know, that was an awfully close vote, and maybe we just need to reconsider this thing and think about it, pray about it some more, and come back at a time when we can have a better consensus on a given matter.”

**WILKEN:** Well, I’m concerned about the term “will,” because again, I think it introduces a bit of vocabulary there...

**SCHURB:** Oh, it does!

**WILKEN:** ...that is the...

**SCHURB:** Because now all of a sudden the will of the synod becomes a factor to be reckoned with in a way that, well, it never has before.

**WILKEN:** What I picture is, I mean of all the pieces of language we’ve talked about here, this being the most club-like of all of them, and that is, “Look, you cannot violate the collective will of the synod.” And if the synod remains an advisory institution, I don’t know if there’s much place for talking about the collective will, unless you’re talking like you have in the past of loving cooperation, not simply abiding by the collective will of the synod.

**SCHURB:** Well, the task force has just kind of left me with all sorts of question marks here, again, as it takes pretty much the existing constitutional paragraph, changing just one word, and a change for the better, I think—that’s sort of pointing in one direction—but then adding new language, talking about how members of synod agree to abide by, honor, and uphold the collective will of the synod expressed in constitution, bylaws, and convention resolutions—it seems to point in a different direction and there’s no real clarification here of how you make these two trains headed opposite ways get to the same station.

**WILKEN:** You had another concern about, I think it falls in the category of Article VIII having to do with synodical conventions, for the constitutional changes being called for.

**SCHURB:** Yeah. This is a largely rewritten article in the proposed amendments from the task force. Article VIII would be entitled “Synodical Conventions.” But it’s not just about the mechanics of conventions themselves. There is a relatively lengthy section which would be added to the constitution. To find any words like this right now, you’d have to look in the bylaws of the synod on doctrinal resolutions and doctrinal statements. This gets to be a little bit convoluted, so bear with me.

The new section says, “When there is disagreement in the synod about what it is that the Scriptures and the Lutheran Confessions teach, the synod may adopt doctrinal resolutions and doctrinal statements in order to determine and to declare its collective understanding of what it is that the Scriptures teach.” Now let me say right off the top, Todd, that I am completely of the opinion that the synod has to be able to declare its confession and apply it to today. It would be a major mistake for the Missouri Synod at this point in its history, or at any point in its history, to follow the model of the old General Council back in the late 19<sup>th</sup> century, which said, “Well, we will reiterate the position of the Lutheran Confessions, but we will only do it in the very language of the Lutheran Confessions.” In other words, “We won’t ever depart from that language so as to try to address things that are confronting us in our day in a way that’s more head-on and more relevant.” I think the synod does need to be able to declare its confession and apply it to today.

Now, in 1971 the synod which had adopted doctrinal resolutions, well, almost clear back to its beginning, started distinguishing between doctrinal statements and doctrinal resolutions. In 1977, after a task force had done some thinking about how precisely to differentiate those two, doctrinal statements and doctrinal resolutions, and how those two should come into being, the synod pretty much took the recommendations of that think tank and said that on matters that need a lot of thought and conversation those would be handled through a doctrinal statement. And the doctrinal statement would be

refined through several prescribed steps, adopted by a majority vote at the convention, and then ratified by a two-thirds vote of the member congregations of the synod that would respond after the convention. So it would be a very lengthy process involving an awful lot of thought and discussion to adopt a doctrinal statement.

The present task force simply says that a doctrinal statement needs to be adopted by the convention by a two-thirds majority. So, in other words, it takes out a lot of the machinery that had been put in place in 1977 for the adoption of a doctrinal statement.

But the even bigger change that the task force is proposing now, and it's a huge, huge change from the 1977 thinking, comes with doctrinal resolutions. In 1977 the synod said that doctrinal resolutions may be adopted for the information, counsel and guidance of the membership. They shall reiterate the corporate position of the synod. What a doctrinal resolution was supposed to do was to "reiterate." Now in 1986 that language got changed a bit to simply saying that doctrinal resolutions have to "conform" to the confessional position of the synod as set forth in Article II. But what the task force is proposing now, and this becomes very clear in its handout that accompanies the other materials on the website, that doctrinal resolutions could "initiate, modify, or repeal specific positions or practices of the synod."

This is huge, Todd. In a little over thirty years we have gone from simply saying that what the synod can do via a doctrinal resolution is to reiterate its position to now saying that through a doctrinal resolution the synod could initiate or modify or repeal an aspect of its position.

**WILKEN:** That's, that's—I mean we've talked about big changes here, Ken. When we come back, we'll talk more about it, but that sounds like one of *the biggest*. Conventions being able to change the doctrinal direction of the Lutheran Church—Missouri Synod? Stay tuned.

*[Break]*

**WILKEN:** Ten more minutes with Dr. Ken Schurb on President Gerald Kieschnick's Blue Ribbon Task Force on Synod Structure and Governance. By the way, this is probably nearing the conclusion of this five-part, so far, conversation with Dr. Ken Schurb on this. You can find not only the other parts under the "On-Demand" page of our website, [www.issuesetc.org](http://www.issuesetc.org), but we continue to work on written transcripts. I think we have three up for these conversations, working on four and five as we speak— [www.issuesetc.org](http://www.issuesetc.org), under the "On-Demand" page. You can sit and read at your leisure through the comments and the analysis by Dr. Ken Schurb. Ken, what was the language again there about modifying, changing, initiating? Can you read that to me one more time, on doctrinal resolutions?

**SCHURB:** Well, the task force is saying in its handout, not right in the constitutional language in that document, that doctrinal resolutions could "initiate, modify, or repeal specific positions or practices of the synod."

**WILKEN:** We have a lot of specific positions and practices, and this seems to be a blank check.

**SCHURB:** Well, in a way, Todd, I do feel for the task force, because they have a difficult problem in front of them just as things are right now. Technically, right now, if one adopts a doctrinal resolution, that states the position of the synod. And if one adopts a doctrinal resolution that says something different today from what the synod said in the past, like, for example, when the synod said something different about how it judges the service of women in congregational offices in 2004, different from what it said back in 1969, that does, by dint of a doctrinal resolution, which is adopted by a simple majority vote, supersede. And that resolution that I'm talking about from 2004 was adopted by like a 574-520 margin. It was pretty close. The task force says in its rationale that it doesn't want to see close votes on doctrinal resolutions dividing the synod. And I quite agree.

Therefore, it's suggesting that the doctrinal statements and certain doctrinal resolutions, it says, of special significance, and it really doesn't go on to tell you what those would be, that they need to be adopted by a two-thirds majority. And I think actually it's probably a good idea that we adopt doctrinal resolutions by a two-thirds majority.

One of the problems that creates, just I might say in passing, is it leads to a continuation of the present problem of how do you differentiate in practice a doctrinal statement from a doctrinal resolution. If they both come into being basically in the same way and they both have the same criterion for being passed at the convention, namely, two-thirds, it's going to be very difficult in the future for the synod to kind of make up its mind about what, if anything, should be done via a doctrinal resolution, I'm sorry, a doctrinal statement, when a doctrinal resolution will suffice.

But the task force does have a difficult situation to deal with now. What I would welcome is if the task force would go back to what the synod said in 1977, taking the very good advice of that little *ad hoc* task force that was put together back then to talk about the relationship between doctrinal statements and doctrinal resolutions, and say, "If we want simply to reiterate our position, we'll do that via a doctrinal resolution. If we think that something needs a fundamental rethinking, and if we're going to perhaps, yes, change something, then we need to do that through the more elaborate set of steps involving, forcing, conversation and thought and prayer that would be called for with the doctrinal statement. But that's not the direction the task force is taking here.

**WILKEN:** All right. I mean let's—we can't be Polly-Anna-ish about this. I mean there are, in fact, matters of practice and doctrine—they're very closely related—in the Lutheran Church—Missouri Synod that are under dispute. I can name three right off the top of my head that I think are probably hotly disputed although not all of them rise above the level of the radar very often. An issue on the origins of life, creation, is one. The big one, of course, is the practice of Communion, whether or not our fellowship boundaries are drawn close or far away. And I imagine we could also talk about further evolving of the women's role in the church. We simply cannot look at changes of this kind of suggestion and say, "Well, we're never going to change any of that stuff," because not only have we in the past, if the model of other church bodies is any indication, and we're not pristine, we're not exceptional as church bodies go. They've changed them too, Ken. And that's what concerns me, just to be quite honest with you.

**SCHURB:** Well, I understand your concern. There is a difficult issue to wrestle with here. If the synod is going to be able to speak to contemporary issues and not just repeat language that has already been spoken before in the 16<sup>th</sup> century, then you've got to be able to promulgate new statements, and you've got to have some way of getting behind those new statements so they really mean something. How you do that is a bedeviling problem, and I don't envy the task force this part of their work. I hasten to add: I don't see how this is necessarily related to the mission and ministry of the local congregation, at least not directly so. I'm not sure if they even needed to take this up, except to say maybe we need to do doctrinal resolutions in a more careful way and keep these close votes from potentially dividing the synod. And so requiring a two-thirds, maybe for all doctrinal resolutions, would be a good idea from here on out.

**WILKEN:** How much of the changes being called for—we can't go into all the details, but our time runs short...

**SCHURB:** I hasten to add, we have not touched all of them by any means, and I really urge people to go to the website. They have a side-by-side display where you can read the current wording and the proposed wording.

**WILKEN:** How much of the changes we've discussed, or the ones that you have put some study into, really do, in your opinion, bear directly upon the mission and ministry of the local congregation, as the task force has stated?

**SCHURB:** Well, in terms of the constitutional changes, not a whole lot of them.

**WILKEN:** What about the other changes proposed that we've talked about over our long conversation?

**SCHURB:** Oh, now you're asking me to recall several hours' worth of this stuff. Obviously, there are some things that the task force is doing that do bear on local mission and ministry. But I would urge that that's a question that people ask. That was, when the task force first rolled out its proposals back in August, even in germ form, they said that this is what we're all about: we want to make congregations more effective in their mission and their ministry. And so, okay, hold the task force to that criterion. Are these changes actually doing that?

**WILKEN:** Finally, then, Ken, of the constitutional changes that are suggested here, that we've discussed today so far, if they were all enacted, would the Lutheran Church—Missouri Synod that results be the same as the Lutheran Church—Missouri Synod that exists today, constitutionally? One minute.

**SCHURB:** No, it wouldn't. You would now have a church body where you have to subscribe to the constitution, and that, as you noted, Todd, is kind of like writing a blank check because you don't know what the constitution is going to say in the future. It also raises the question whether any attempt to amend the constitution becomes itself a violation of the requirements for membership. We would no longer have a church body that is striving for uniformity in church practice, officially. We would not have a church body in which it's clear what the relationship, constitutionally speaking, of a resolution of the synod to a congregation is. The constitution would seem to point in both directions. And, finally, this thing we've just been talking about, doctrinal resolutions would need to be, well, would be required.... I'm sorry. Doctrinal resolutions, I'll start that sentence over, could "initiate, modify, or repeal" aspects of the synod's position, and that would be enshrining in the constitution something that's never been there.

**WILKEN:** Folks, you can read transcripts of our previous discussions with Dr. Ken Schurb on the restructuring of the Lutheran Church—Missouri Synod under the "On-Demand" page of our website, [www.issuesetc.org](http://www.issuesetc.org). With this one we'll have five hours of audio there also as we continue work on those transcripts, transcripts for all five conversations so far with Dr. Ken Schurb. He's pastor of Zion Lutheran Church in Moberly, Missouri. He served formerly as an assistant to the president of the Lutheran Church—Missouri Synod and as theology professor at Concordia University in Ann Arbor, Michigan. Ken, thank you very much for all of your time.

**SCHURB:** Thank you, Todd. It should be noted, by the way, just at the end here that a constitutional amendment has to be adopted by a two-thirds majority of the votes cast at the convention and then ratified by a two-thirds majority of votes cast by congregations in the six months after the convention.

**WILKEN:** Huh! So much of our conversation on the constitutional amendments might be moot. Who knows?

**SCHURB:** Well, it might be continuing for a long time too, even after the convention in 2010.

**WILKEN:** Ken, thank you so much.

**SCHURB:** You're welcome.

**WILKEN:** This is the reason why, when thoughtful people suggest a constitution in the first place, they carefully think through the language, they think through the law of unintended consequences, they realize we're not angels but fallen, sinful men and women, and why, even more importantly, when amendments and changes are proposed to any constitution, be it our government's or our church's, even more caution, even more care, is exercised. We make it hard to make these kinds of changes. Why? Well, we've learned from our mistakes. Hopefully, those lessons learned will carry us forward

to the future.

I'm Todd Wilken. This is *Issues, Etc.*

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