

**Questions about the final report
of President Gerald Kieschnick's
Blue Ribbon Task Force on Synod Structure and Governance**

1. The new proposed Constitution Article VI would require not only “subscription” to the Synod’s *confessional basis* but also to the *synodical Constitution*. (There is an allusion to this requirement for congregations in proposed Article V.A., too.) Does “subscription” mean the same thing in reference to both the confessional basis and the Constitution, or does it not? Either way that question is answered, how is the answer made clear in the proposed constitutional language?

2. Current Constitution Article III 7. says, “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 harmony with our common profession of faith.” The new Article II.B.8. 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.” Why the removal of striving for uniformity in church practice, a point included as far back as the Synod’s first constitution?

3. Proposed Bylaw 1.6.3 gives as examples of “Doctrinal resolutions of special significance” those “initiating, modifying, or repealing specific positions or practices of the Synod.” Why does the Task Force suggest giving doctrinal resolutions so much potency, even resolutions adopted by a two-thirds majority? How does such potency cohere with the rest of the sentence which says that doctrinal resolutions are adopted “for the information, counsel, and guidance of the membership”? Why not restore the approach that the Synod took in its former Bylaw 1.02.b (adopted in 1977, changed in 1986), which required that doctrinal resolutions “shall reiterate the corporate position of the Synod”?

4. Proposed Bylaw 1.6.3.b says that doctrinal resolutions of special significance are to be identified as such by the floor committee proposing them. It adds, “The convention may overrule such determination by a two-thirds vote.” Why does the Task Force recommend that the Synod in convention has to muster a super-majority to counter the recommendation of one of its floor committees? (Under the proposed Bylaw, a floor committee could conceivably classify a doctrinal resolution as of “special significance” or not by a slim majority, yet it would require a two-thirds vote on the convention floor to change this classification.)

5. Are the Synod’s non-doctrinal resolutions to be binding on congregations or not? Proposed Constitution Article VII.A.1. (which is almost identical to a current constitutional paragraph) says “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 unsuitable as far as the condition of a congregation is concerned.” Yet in the proposed new Article VII.B.2. the Constitution would say that members of the Synod “Agree to abide by, honor, and uphold the collective will of the Synod as expressed in its Constitution, Bylaws, and convention

resolutions.” Further, proposed Bylaw 1.7.2. says that “The Synod expects every member congregation of the Synod to respect its resolutions and to consider them of binding force in the assumption that they are in accordance with the Word of God and that they are applicable to the condition of the congregation.” (Compare the current wording of this Bylaw: “The Synod expects every member congregation of the Synod to respect its resolutions and to consider them of binding force if they are in accordance with the Word of God and if they appear applicable as far as the condition of the congregation is concerned.”)

6. Current Constitution Article VI 2 includes several examples of unionism and syncretism. Why are these examples removed from the new wording proposed for Article VI B.3?

7. Proposed Constitution Article VI B.3.a. mentions “Practicing altar and pulpit fellowship with congregations or clergy holding a *different confession* from that of the Synod . . .” (italics added). Do the italicized words refer only to the proposed paragraph “II.A. Confession of Faith” or do they also refer to the next subsection “B. Confessional Basis”? Either way that question is answered, how is the answer made clear in the proposed constitutional language?

8. Why does proposed Constitution Article III.A. contain two statements about conserving, promoting, nurturing, and manifesting unity, numbers 2 and 3?

9. Proposed Constitution Article VII.B.4. has members of the Synod “Promise that, if they find themselves to be in disagreement with the Synod’s actions or positions, they will so advise the Synod in a loving and evangelical manner.” The next proposed sentence distinguishes this kind of advising from the Synod’s official dissent procedures. What exactly is meant, then, by the sentence quoted above? For example, if a synodically rostered teacher disagrees with a decision to send missionaries to one country instead of another, precisely who should this teacher inform, and how?

10. Why did the Task Force remove the word “exclusive” when recasting Constitution Article VI 4, which currently specifies: “Exclusive use of doctrinally pure agenda, hymnbooks, and catechisms . . .”?

11. Why does proposed Constitution Article III.B. contain, in addition to point 1 (“Recruiting and educating ministers of religion-ordained and ministers of religion-commissioned, and providing opportunity for their continuing growth”) a new point 3 (“Supporting the colleges, universities and seminaries of the Synod”)?

12. Proposed Bylaw 3.1.6.2.5. says that “individual member congregations shall, when possible, channel their overture(s) intended for national conventions through their circuit forums and district convention. Overtures thus channeled shall receive priority consideration” Will there be a need for congregations, circuit forums, and District conventions to begin discussing details of the Synod’s higher education system or its worldwide mission program in order to insure that important matters in these and other specialized subject areas receive priority consideration at

national conventions? If not, who else other than District conventions will be able to submit high priority overtures to the national convention?

13. Why did the Task Force think it important that the President and other national Synod officers and the Council of Presidents be given authority to submit overtures to the national convention? (See proposed Bylaw 3.1.6.2.4.) Are the overtures they submit to be assigned lower priority than overtures channeled from congregations through circuit forums and district conventions?

14. Proposed Bylaw 1.2.1.q. defines a region as “A division of the Synod for the purpose of regional elections” and proposed Bylaw 1.3.2. says “The Synod also divides itself into regions to accommodate elections that require regional representation.” Yet proposed Bylaw 3.10.2 refers to counsel “regarding the doctrine and administration of the Synod, its regions, and districts.” What is or could be meant by the “administration” of a region?

15. Instead of proposed Bylaws 3.1.2. and 3.1.2.1., why not reduce the number of synodical convention voting delegates to about 650 by basically retaining the current delegate electoral system but proposing Bylaws to specify that each electoral circuit sends to each synodical convention *one* delegate instead of two: a pastor to one synodical convention and a layperson to the next? Districts could stagger their circuits so that half of them would be sending a pastor and the other half a layperson to any particular synodical convention. Concern about any potential for excessive granting of exceptions to inappropriately sized circuits could be addressed by capping the number of exceptions that the synodical President can grant, e.g., at 35: an average of one per district. As a result, all of the Synod’s Districts would do especially well to monitor the sizes of their circuits with vigilance so as to keep their circuits within Bylaw limits as much as possible.

16. Why does proposed Bylaw 3.1.6.2. specify the sort of subject matter that must be treated by synodical convention overtures? Why not let all overtures stand or fall on their own merits?

17. Why task the President of the Synod with providing leadership for seminary education in proposed Bylaw 3.3.1.3.f? Is a new level of competence thus in effect being required of candidates for the synodical presidency?

18. Why task the President of the Synod with coordinating all fundraising in proposed Bylaw 3.3.1.3.g? Is a new level of competence thus in effect being required of candidates for the synodical presidency?

19. How does it encourage accountability to task the President of the Synod with supervising the content of communications, public relations, and synodical news and information, as in proposed Bylaw 3.3.1.3.e?

20. Why is it a good idea that the President of the Synod be authorized to appoint a regional vice-president to fill a vacancy, albeit in consultation with the region's district presidents?

21. Proposed Bylaw 3.6.6 says the Concordia University System is to "further the objectives of higher education within the Synod." What will be the relation of the Concordia University System to the seminaries?

22. What is meant by the last word of proposed Bylaw 3.8.1.1., "revitalization"?

23. Proposed Bylaw 3.8.1.1.1. says the Office of National Mission "shall receive direction from the President of the Synod on all aspects of its responsibilities, including program, policy, budget management, and staffing." Will this be general or specific direction? Whichever way the question is answered, how is the answer made clear in the words of the proposed Bylaw? Why would budget management direction not come from the Synod's Chief Financial Officer or perhaps the Chief Administrative Officer?

24. What is meant by an "essential connection" which proposed Bylaw 3.8.1.1.2. says the President is to assure between the Synod's doctrine, mission, and vision and the national office's ministry services? (See the identical proposed Bylaw 3.8.1.2.2.)

25. What is the "coordinative role" mentioned in proposed Bylaw 3.8.1.1.3, a role for the Office of National Mission to assume upon request of two-thirds of the Council of Presidents "on behalf of the districts"? Would this be two-thirds of the District Presidents on the COP or two-thirds of the entire COP, which includes the synodical Presidium? Whichever way the question is answered, why?

26. Proposed Bylaw 3.9.2.2 says that a *rostered* member of the Synod may request a CCM opinion. Does this include congregations? Elsewhere the proposed Bylaws only use the term "rostered" to refer to individual members of the Synod, not congregations. See proposed Bylaw 1.2.1.b. and compare proposed Bylaw 1.2.1.1.

27. Proposed Bylaw 3.9.2.2.1. says that the purpose of CCM representation at synodical convention floor committee meetings is "to ensure that [constitution and bylaw proposals] are in accord with the Constitution, Bylaws, and resolutions of the Synod." Does this provision suggest that a floor committee should not entertain a Constitution or Bylaw amendment? If not, how is this made clear in the wording of the proposed Bylaw?

28. Why should it be the Presidium that fills a vacancy on a seminary board in a position elected by the Synod in convention? See proposed Bylaw 3.10.4.3.c.

29. In the absence of a Board for Pastoral Education, proposed Bylaw 3.10.4.4.c. gives the seminary Boards of Regents the authority to approve new academic programs. Will this

proposed Bylaw make for a lack of coordination between the two seminaries, possibly resulting in duplication of effort and waste of resources?

30. Why should the President of the Synod be authorized to give consent to issue a call for nominations for a seminary presidency? See proposed Bylaw 3.10.4.5.2.

31. Why should it be the President of the Synod who requires certification of theological and professional competency for seminary faculty members? Is a new level of competence thus in effect being required of candidates for the synodical presidency? See proposed Bylaw 3.10.4.6.3.

32. Why does proposed Bylaw 3.12.2.3. provide that it is voting delegates from the previous round of district conventions who cast pre-convention votes for synodical president? Why not give each congregation one vote for president? The congregation could decide for which nominee it will cast its vote in an official meeting that would have to occur within a prescribed window of time and duly reported by the president and/or secretary of the congregation. When this proposed Bylaw further refers to “one or both delegates,” does it partially conflict with proposed Bylaw 4.2.3. which provides that “Congregations with more than 1,000 confirmed members shall be entitled to two additional delegates”?

33. How does it reflect a congregational focus if the representatives of congregations at a synodical convention are not free to elect any of the top congregational nominees to be the Synod’s First Vice-President? See proposed Bylaw 3.12.2.4.

34. Proposed Bylaw 3.12.3.5.d. requires the synodical nominating committee to “consult with the President of the Synod or the Board of Directors of Concordia University System” for input concerning boards of regents. Would the committee be free to choose whether it wishes to consult with the President *or* the CUS board? Why, in any case, does the Task Force want the committee to consult with the President about this matter?

35. Proposed Bylaw 4.2.1.c. says that district conventions are to act on overtures received “Following in-depth study and discussion.” Besides the district conventions themselves, who might be determine how much study and discussion qualifies as “in-depth”?

36. Proposed Bylaw 4.9.1.4 encourages conferences with other church bodies. It omits the clarification in the current Bylaw that “They are not official conferences.” Why the omission?

37. Why does proposed Bylaw 6.2.1.c. authorize the boards of directors of synodwide corporate entities to grant recognized service organization status?