

# Overtures

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## Overture 11-01-15

**Subject: To once again publish, in Luther's Small Catechism, the Divine promise found in the Fourth Commandment**

Whereas, The Fourth Commandment recorded in Exodus 20:12 and Deuteronomy 5:16 includes the Divine promise, "*...that your days may be long...*"

Whereas, The promise is not able to stand alone and is not discerning without the command

Whereas, Paul quotes the Fourth Commandment that includes a promise, as given by Moses, and clearly states, "*...this is the first commandment with a promise,*" (Ephesians 6:2)

Whereas, While the Book of Concord of 1580 does not contain the promise, some later official publications of the Book of Concord do, namely the 1921 Triglotta (promise in square brackets) and the 2005 Reader's Edition (promise in pointed brackets).

Whereas, Up until 1986 all copyrighted Luther's Small Catechisms, published by Concordia Publishing House, contained the Divine promise within the Fourth Commandment

Whereas, In 1986 the promise associated with the Fourth Commandment was removed from Luther's Small Catechism; therefore be it

Resolved, That Luther's Small Catechism published by the LCMS, **once again**, contain the Biblical Divine promise associated with this commandment.

Submitted by the Tulsa and Miami Circuit, adopted on November 18<sup>th</sup>, 2014

## Overture 12-01-15

### To Amend Constitution to grant a Lay Vote to Every Congregation at District Conventions

#### **Preamble**

When Jesus directs those attempting to admonish an erring brother, He states that the final attempt of such admonition is to take the matter before the Church (Matt. 18:17). To that assembly Jesus predicates the authority to exercise the Office of the Keys saying, “And if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector. Truly, I say to you, whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven” (Matt. 18:17b-18 ESV). This God-given authority is not limited by the size of a congregation, for Jesus goes on to add a clear promise to be with even the smallest assembly or congregation. “Again I say to you, if two of you agree on earth about anything they ask, it will be done for them by my Father in heaven. For where two or three are gathered in My name, there am I among them” (Matt. 18:19-20 ESV).

The Lutheran Church in general and the LCMS in particular have always held the autonomy of the congregation in high esteem. The Confessions of the Lutheran Church testify to the authority given by Christ to the Church as recorded in the Scriptures. Particularly, the above mentioned verses of Matthew 18 are cited in the *Treatise on the Power and Primacy of the Pope* defending the church’s right of calling ministers (Tr. 24, *Concordia: The Lutheran Confessions*). Later it is made clear that this authority comes down to each congregation: “Therefore when the regular bishops become unwilling to administer ordination, the churches retain their own right [to ordain ministers]. Wherever the Church is, there is the authority to administer the Gospel” (Tr 66-67).

When the question of church and ministry was raised in the early days of our Synod’s history, Pastor C.F.W. Walther expressed the urgency of clarifying the scriptural position on the matter in part, because of its implications for church polity (cf. Walther’s preface to the first edition of *Church and Ministry*, especially pages xvii-xix in the 2012 edition edited by Matthew C. Harrison and published by CPH). Because of the divine institution of the Church and the Office of the Holy Ministry, the LCMS has consistently upheld the temporal right of a congregation to have a say in the business of the Synod, and this say is not limited to pastoral representation, but has also included the laity. In recent times, the voice of the congregation has been heard through the voting of two delegates appointed by a congregation to represent her at district conventions as well as at circuit forums, where representatives to Synod conventions are elected.

However, even though we acknowledge the God-given authority of each congregation, our Synod has not allowed certain congregations to be represented equally in the affairs of our Synod. As we walk together we have muted the voices of many congregations by calling “dual or multiple congregation arrangement served by the same pastor” a “parish” and limiting each parish in such a context to one pastoral and one lay vote (CCM Opinion 03-2327, “Voting Rights of Congregations”). In one extreme case four congregations served jointly by two pastors have been allowed a total of

1 two votes at district meetings (CCM Opinion 09-2545, "Voting Rights of Congregations").  
 2 By disenfranchising certain congregations who hold membership in the Synod, we have acted  
 3 inconsistently on a number of levels.

- 4 • Though we confess no divinely appointed form of church polity, denying some  
 5 congregations the right to the same representation that other congregations have in  
 6 matters of the Synod is at best at a disconnect with our theological understanding of a  
 7 congregation's embodiment of the catholicity of the Church.
- 8 • In some matters of the Synod that are dealt with on a congregational level, every  
 9 congregation is allowed to speak for herself. However, in other matters, multiple  
 10 congregations served jointly by one or more pastors are required to come together and  
 11 speak with one voice thereby reducing the value of each congregation's voice.

	Independent Voice	Shared Voice
Representation at District Conventions		X
Representation at Circuit Forums	X	
Election of circuit delegates to Synod Convention	X	
Vote on Amendments to Synod Constitution	X	
Nominate Synod Officers including Synod President	X	
Voting for Synod President		X

- 12
- 13 • In regard to voting at district conventions, the term parish has come to mean a "dual or  
 14 multiple congregation arrangement served by the same pastor," but the majority of  
 15 times parish is used in the *Handbook* it is used synonymously with the term  
 16 congregation, for example in the following titles: "director of parish music" and "parish  
 17 assistant." Such servants of the church are certainly not limited to settings where two  
 18 or more congregations have come together to call a pastor.
  - 19 • Furthermore, if the term parish is used consistently we must also re-evaluate whom we  
 20 elected to the CTCR seeing as Bylaw 3.9.5.1 requires "Two ordained ministers who are  
 21 *parish pastors*" (emphasis added).

22 The problems created by such a situation are only intensified when the congregations making up a  
 23 multiple congregation setting lie in different circuits or even districts.

24  
 25 Some would claim that allowing each congregation in a multi-point parish a vote at district  
 26 conventions would throw off the balance between laity and clergy. Historically the synod has  
 27 allowed for an equal number of pastoral and lay voting delegates; however, no great effort has been  
 28 made to ensure that an equal number of lay and pastoral delegates actually attend the convention  
 29 of synod. The constituting convention of Synod in 1847 consisted of sixteen voting delegates. Of  
 30 those only four were lay delegates. A year later there were six voting lay delegates and 25 voting  
 31 pastoral delegates. That was a significant imbalance, but there is no evidence that anyone was

1 bothered by it since the opportunity was given for significant lay participation along with the  
2 clergy.

3  
4 If there are 509 multipoint parishes including 1,051 congregations as of 2013, granting a voting  
5 representation could creation an additional 542 lay votes at district conventions. Given that there  
6 are approximately 6,100 congregations in the synod,<sup>1</sup> such a change would permit 6,100 voting lay  
7 delegates to 5,558 pastoral delegates.

8  
9 Granted, these numbers could change significantly according to changing demographics, but  
10 currently, if every congregation sent a lay delegate, on average across the various districts lay  
11 delegates would outnumber clergy by a ratio of less than 1.1 to 1. And, it is likely that a sizable  
12 minority of congregations who are able to send lay delegates do not, so that even if congregations in  
13 multipoint parishes were each allowed a voting lay delegate, pastoral delegates may still  
14 outnumber the lay delegates in general. In any case we are a significant way from the imbalance of  
15 the early days of our synod.

16  
17 Regarding the objection that granting a voting lay delegate to every congregation would change the  
18 historic precedent, it should be noted that other aspects of our structure have changed significantly  
19 since 1847. For example, we now have the possibility for (and numerous real examples of) dual  
20 parishes consisting of congregations in different districts. In those cases the congregations in a  
21 district other than the district in which their pastors are members, receive no representative with a  
22 voice at their district conventions.

23  
24 WHEREAS, “Article V Membership, A. Voting Members” of the Synod’s Constitution deals with voting  
25 members of Synod and states: “All organized congregations that have joined the Synod hold voting  
26 membership. At the meetings of the districts of the Synod, every congregation or parish is entitles  
27 to two votes, one of which is to be cast by the pastor and the other by the lay delegate....” and

28  
29 WHEREAS, The term “*or parish*” is used for the first time in the constitution and only in this place has  
30 it been interpreted to mean “multiple congregations” served by the same pastor(s); and

31  
32 WHEREAS, “Multiple congregations” are only allowed to send a single lay delegate to district  
33 conventions and does not respect the equal dignity, gifts, and authority of all member  
34 *congregations*. Rather, it creates degrees of voting membership in the Synod because every  
35 congregation is allowed a vote in some places, but not in others (see chart in preamble); and

36  
37 WHEREAS, The basic meaning of parish is more geographical than the basic meaning of congregation,  
38 (congregation membership is not limited by geography, and a parish would, strictly speaking,  
39 include many people [even members of other denominations, as well as unbelievers] who are not  
40 members of an LCMS congregation); and

41  
42 WHEREAS, The presence of a pastor is not what determines the presence of a congregation.  
43 According to C.F.W. Walther’s *Church and Ministry* (tr. J. T. Mueller) concerning the Church, Article  
44 VII, “As visible congregations that still have the Word and the sacraments essentially according to  
45 God’s Word bear the name ‘church’ because of the true invisible church of sincere believers that is  
46 found in them, so also they possess the authority that Christ has given to His whole church, on  
47 account of the true visible church hidden in them, even if there were only two or three [believers]  
48 (emphasis added); and

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<sup>1</sup> <http://www.lcms.org/aboutus>, accessed 8-27-2014

1 WHEREAS, The polity of the LCMS is based on congregations and not on parishes; and

2  
3 WHEREAS, The emphasis of our polity on the representation of congregations is intrinsically  
4 connected to the scriptural and confessional understanding of a congregation bearing all the  
5 characteristics of the Church; and

6  
7 WHEREAS, The restructuring of LCMS passed by the delegates at the 2010 convention included the  
8 provision that congregations of the Synod would directly vote for the Synod President  
9 (Congregations Walking Together in Mission as They Elect President and First Vice-President,  
10 Resolution 8-17 "To Elect the Synod President")<sup>2</sup>; and

11  
12 WHEREAS, Requiring that a congregation's two votes for Synod President be cast by those  
13 individuals who represented the congregation at the previous district convention disenfranchises  
14 the congregations in so-called multiple congregation settings who are forced to share  
15 representation at district conventions; and

16  
17 WHEREAS, The idea of congregations electing the Synod President enhances the representative  
18 nature of this election; and

19  
20 WHEREAS, The 2013 convention of The Lutheran Church – Missouri Synod resolution 3-07A *To*  
21 *Further Promote Mission Awareness, Support, Collaboration, and Coordination for Rural and Small*  
22 *town, Urban and Inner City, and Suburban Ministry* was adopted by an overwhelming majority (981  
23 to 15). The final resolve of which stated: "That the LCMS in convention continue to respect the equal  
24 dignity, gifts, and authority of all member congregations, regardless of demographics or size;"<sup>3</sup> and

25  
26 WHEREAS, The use of the term parish has led to confusion and the denial of voting rights to certain  
27 congregations; therefore be it

28  
29 *Resolved*, That all organized congregations that hold membership in the Synod be granted the  
30 opportunity to be represented by a lay delegate and a pastoral delegate at district conventions  
31 (Bylaw 3.1.2.1 c – allows representation at circuit forums and regional caucuses); and be it further

32  
33 *Resolved*, That a pastor who represents more than one congregation will only have a single vote;  
34 and be it finally

35  
36 *Resolved*, That Article V A of the Synod Constitution be amended as follows:

37  
38 PRESENT/PROPOSED WORDING

39 All organized congregations that have joined the Synod hold voting membership. At the  
40 meetings of the district of the Synod, every congregation ~~or parish~~ is entitled to two votes,  
41 one of which is to be cast by the pastor and the other by the lay delegate. In the case of a  
42 single pastor representing two or more congregations, no individual shall cast more than  
43 one vote. At the meetings of the Synod, a number of congregations shall form a group which  
44 shall be represented by two voting delegates, one a pastor and one a lay delegate.

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<sup>2</sup> 2010 Convention Proceedings, 167

<sup>3</sup> 2013 Convention Proceedings, 119