

In Nomine Jesu

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INTRODUCTION TO RESOLUTIONS

Of course these resolutions can be improved and modified. And they will be. Your input is vital. Your prayers are even more important. You want to tell your neighbor about Jesus. You are the evangelist! Why invite them to a denomination full of pain, that hurts its own?

Some people are problems. Always true. How to deal with them? About Fifty years ago the LCMS began a new way that offered better results. Since then, has peace covered the LCMS?

What bothered me should bother you, since it affects you personally, or may someday. The Scripture, Church History, Doctrine are all in basic agreement. You shall not give false testimony against your neighbor. That has always been basic. No secret accusation by secret accusers. The accused must know by whom and for what he is charged. No secret examination or trial.

The whole spectrum across the LCMS is affected. Have you ever been notified that someone has complained about you? Do you think anyone might have? Do you think you should know who and what? Do you think it good that "secret" files are kept concerning you, your ministry, your church? Those files are used to determine your future career.

The LCMS constitutionally mandated the Dispute Resolution Process (DRP) The DRP has no set "rules", therefore it allows actions to be taken without grounds. Since it mandates secrecy, nothing is on the record, no allegation needs to be "proven". Refusal to comply with the DRP is Constitutional grounds for dismissal from Synodical roster. Public protest is a violation of secrecy and grounds for civil suit for damages.

Leadership sets the example of the kind of behavior for the followers to emulate, from Synod to clergy to member. If our Theology is so great, why have so many left? They did not leave because of our Theology. "To whom much is given, much is expected."

I have been assured, I have received normal treatment in the LCMS. You should expect the same. Most of us operate with a principle unless there is a solution, complaints serve no good purpose. Someone challenged me: "I would like to see this in writing" I was not insulted. It is a fair request and one I have made of others. So I looked at the LCMS Handbook to see what it said. There are many pages about the Dispute Resolution Process and more pages of Standard Operations Protocol.

The Sign of Concord

Soli Deo Gloria

He died for all, so that those who live might live no longer for themselves,
but for him who died and was raised for them. 2 Cor. 5:15

“It shall be the exclusive remedy to resolve such disputes that involve theological, doctrinal, or ecclesiastical issues . . . and shall be binding on all parties. It is applicable whether the dispute involves only a difference of opinion without personal animosity or is one that involves ill will and sin that requires repentance and forgiveness.” “ecclesiastical issues” are any matter that involves a congregation. The LCMS, not the plaintiff, decides what are “ecclesiastical issues”.

“(c) Conformity to legal rules of evidence shall not be necessary.” The niceties, legal fine points, can get in the way and the DRP people are not usually legally trained. However this can lead to real damage. One fine point is the exclusion of hearsay. Gossip is common in the church. Gossip is more frequently and more harshly condemned in Scripture than murder. It is identified as a major cause of congregational conflict and decline. In the DRP gossip may be considered valid evidence. There are other “legal rules” that need to be kept. There must be a clear bylaw that condemns gossip and ends a person’s testimony until repentance and apology is made. Another fine point is all testimony and evidence must be presented to all parties. As this stands, private messages may be and are sent to the DRP judges by District Officials, and other interested but hidden people. I am familiar with this being done.

“At the hearing, however, each party may have an advisor present but must represent itself, with no public participation by the advisor.” In an issue between equals this may be worth while, but when there is a victim - perpetrator issue, this is disastrous. All secular and religious history recognizes the need for advocates. The normal situation is most unequal, that between a staff person and the congregation, district or Synod. Remember the primary purpose of the DRP is to shield Synodical bodies. They can hurt people without cost. A normal result is a wounded person harmed again by the DRP, without reconciliation. Imagine that person, family, friends, church members sharing that pain and the effect on the congregation. “Oh well, getting rid of malcontents is a gain.”

“parties shall have the right to an opinion from the CTCR and CCM.” This is good except when a party asks for a ruling and the DRP does not send it on to the CTCR or CCM. That person should be allowed to postpone hearings until after the written ruling is provided. Example: “Can one lay woman, without indication her order was anything more than her own idea, command an ordained Minister?” That was basis for condemnation of the minister. The DRP ruled she could, without considering the circumstance and without asking for the requested opinion!

Pastors and Congregations know that officials have absolute unappealable power over them and their futures. This makes the officials happy because everyone appears docile. However Pastors and congregations learn to look out for their own interest first. They are less loyal, less honest, more suspicious and less motivated. Some are aware that there are other denominations that might be better for them. I have known fine men and women driven out of the LCMS to serve elsewhere, leaving a foul taste in families, churches and schools.

Congregations used to call anyone they wanted. A member’s sister in Ohio had a pastor that might be interested, or a son of the parish. Ministers would actually contact, visit a church about an opening. Some times bad choices were made. But it was felt that the Holy Spirit was leading. Now the DPs decide and control. It is not a good idea to make them unhappy. Bad choices are still made. The claim is the Holy Spirit is in charge, but it is the DP who decides. What can congregation or clergy do? Nothing! Complaining to the DP may make things worse.

Resolutions for the District and Synodical conventions of the LCMS

These proposed resolutions can be improved and modified.

Your input is vital. Your prayers are even more important.

The following situations described actually happened and are documented.

Whereas: it has happened that a District President placed a Pastor on "Restricted Status" a week after the Pastor said something that displeased the DP. The "Restricted Status" was publicly announced to the entire LCMS,

Whereas: "Restricted Status" marks a person unavailable for any call for serious reasons: public unrepentant immorality, rejection of Lutheran Confessions, major heresy and the like,

Whereas: the LCMS Constitution and Handbook forbid a DP from ruling on a case where he is a party,

Whereas: the process for appeal is a hearing with three other District Presidents, unrecorded,

Whereas: three DPs ruled in favor of the first DP, even though the DP acted in violation of the LCMS Constitution, and normal practice by ruling on his own case and rendering a judgment far in excess of the original offense,

Whereas: DPs have no way to defend themselves from false accusations when all is secret,

Whereas: report was made to the President of the LCMS and no response received.

Resolved: the entire appeal is to be recorded, transcription given to the parties and placed in Synodical and District files as permanent public record.

Resolved: to add a bylaw that provides authority for the LCMS to discipline DPs that violate their oath of office to uphold the Scriptures, Confessions and Constitution of the LCMS.

Whereas: the LCMS mandates rostered staff comply with the Dispute Resolution Process and noncompliance is grounds for dismissal from Synodical roster,

Whereas: the DRP reconcilers are not required to comply with any rules of evidence, or procedure,

Whereas: anything and everything may be secret and undocumented,

Whereas: the principles of the DRP may at times be useful and lead to resolution, at other times they allow great harm,

Whereas: the DRP is effectually a trial and passes judgment on the validity of the complaint. The DRP may damage the career of the accused or leave the complainant further victimized,

Whereas: in Scripture, Confessions, and normal standards of the secular world, the accused is to see and hear the evidence and both parties receive an impartial, complete examination.

Resolved: the accused is permitted to record the entire proceedings, and be given copies of all documentation. The mandate in I Timothy 5 of two witnesses may be met by one witness and documentation. No one and no thing may be kept secret from the accused.

When the accused resigns public office before the DRP makes its ruling, the complaint remains secret since talebearing is sin.

Whereas: DRP findings may be appealed.

Resolved: the entire appeal is to be recorded, transcription given to the parties concerned and placed in District files as a permanent public record.

Whereas: DRP reconcilers are normal sinful people with varying abilities and have absolute power over the careers of rostered staff and over the individuals who make complaints,

Whereas: no report is made concerning DRP reconcilers success or failure rate. The members of the District are unaware and unable to evaluate them for election and reelection.

Resolved: each time a reconciler is involved, the parties are to be asked for their evaluation and recommendation about the reconciler to be continued in their position.

Resolved: that report be made before District elections of the success / failure rate for each reconciler.

Whereas: DRP is “forced arbitration” and enforced by “non-disclosure” under penalty of dismissal from Synodical membership and civil judgment,

Whereas: DRP forbids the parties from seeking satisfaction in civil courts even though Synod itself takes action in Civil Courts.

Resolved: all non-disclosure clauses, including those in the past, are no longer in effect and forbidden in the future.

Resolved: no one is forbidden to seek redress in the courts, as a condition of membership in Synod.

Whereas: the District President is the “gatekeeper” controlling all names submitted to congregations,

Whereas: the DP has exclusive power over the future career of rostered staff,

Whereas: this power is neither historic in the Synod or common in the church catholic,

Whereas: the historic claim is that the Holy Spirit guides and controls the Church,

Whereas: there is report of hundreds of rostered staff who are not serving in congregations at the same time there are hundreds of vacant positions.

Resolved: the Synod return to earlier practice. In addition to DP provided call lists, rostered staff may offer themselves for consideration. Congregation are permitted to call any rostered person to serve.

Whereas: officials when they receive complaints about rostered staff, sometimes do not report the complaint to the individual, yet may keep them in secret files. The individual is unaware of the complaint and unable to seek resolution with the offended party. “If you are not going to check out if gossip is true, then you should not have acted on it.”

Resolved: All complaints, even if anonymous, must be reported to the individual the day they are received with all known information.

Resolved: No record may be made of anonymous complaints.

Whereas: changes in LCMS practice have been made that are contrary to Scripture and Doctrine and have had negative impact on staff and congregations.

Resolved: the Lutheran Church - Missouri Synod repent of making changes in practice that seemed wise to our own understanding without properly considering the testimony of Scripture and Doctrine, or historical practices of the Church under the guidance of the Holy Spirit.

Whereas CONSTITUTION OF THE LUTHERAN CHURCH—MISSOURI SYNOD
Handbook 1.10 Dispute Resolution of the Synod

Purpose 1.10.2 “It shall be the exclusive remedy to resolve such disputes that involve theological, doctrinal, or ecclesiastical issues . . . “

Whereas: This prohibits legal action by those who have suffered actual harm,

Whereas: Staff, Congregations, Districts and Synod can do anything without risk of legal consequences,

Whereas: DRP reconcilers as normal sinful people, subject to error, can and do misjudge and ignore real harm to victims and show deference to powerful perpetrators,

Whereas: This may leave victims of harm no way to seek redress, apology, amendment of harm, no way to enforce the award of monetary damages.

Resolved: Purpose 1.10.2 “It shall be the exclusive remedy to resolve such disputes that involve theological, doctrinal, or ecclesiastical issues . . . “

be amended to read: Purpose 1.10.2 “It shall be the suggested remedy to resolve such disputes that involve theological, doctrinal, or ecclesiastical issues . . . “

and amended with the addition: Since monetary damages that can only be awarded by civil court, the DRP can not be used as a defense to prevent issues to be heard in the courts.

Standard Operating Procedures Manual: M: (c). WITNESSES AND EVIDENCE: “
Conformity to legal rules of evidence shall not be necessary”,

Whereas: this allows for gossip to be considered valid evidence,

Whereas: Gossip, is sadly common in the Church and identified as a major cause of congregational conflict and decline,

Whereas: this allows for secret communication to the DRP reconcilers without being revealed to the participants, so the final ruling is not supported by the testimony.

Resolved: in any DRP hearing or meeting, if anyone presents evidence based on gossip, their testimony ends. They are not allowed to continue as a witness until they repent of their sin and apologize.

Resolved: any communication to the DRP reconcilers outside the hearing must be revealed, both contents and from whom, to the participants. The ruling must be exclusively supported by the recorded testimony and documents.

Handbook 1.10.7.4 “each party may have an advisor present but must represent itself, with no public participation by the advisor,”

Whereas: The Lord of Scripture recognizes the need for advocates, identifying the Holy Spirit as our advocate before the Father,

Whereas: All secular and religious history recognizes the need for advocates.

Whereas: In an issue between equals this may be worthwhile,

Whereas: This is disastrous when there is a victim - perpetrator issue or between unequals, a normal DRP situation is unequal,

Whereas: A normal result is a wounded person, left without reconciliation, harmed again.

Resolved: Each party may have an advisor, who may take a leading position, directing the testimony and presenting the issues to be resolved, the plaintiff is not required to speak other than answering the questions they are asked.

Handbook 2.14.7.8 (k) “parties shall have the right to an opinion from the CTCR and CCM.”

Whereas: The DRP is not required to forward the request for the opinion,

Whereas: A requested opinion may not arrive before the DRP hearing.

Resolved: A party may postpone a hearing until the opinion requested is received.

SOP M: X. EXCLUSION FROM LIABILITY: “Parties are to understand that the Synod, its reconcilers, its ecclesiastical supervisors, its process administrators, its panels, and all panel members shall be immune from any liability for any acts or omissions that occur during the processes described in Bylaw section 1.10 and this manual.”

Whereas: This exclusion from liability is effectively an admission of deliberate incompetence,

Whereas: The LCMS has no confidence in the DRP.

Resolved: No one is required to participate in the flawed DRP process.

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Grace and Peace, Wisdom and Courage,

May The Spirit of Love and Concord - Harmony bless your thoughts, words and actions as you serve the Lord of the Church.

I am sure many LCMS executives will be appalled at the idea of giving up protection from liability. That horror would correspond with the number of major problems, they have ignored or caused. They would prefer to keep sweeping them under the rug and destroy the LCMS, then be embarrassed. After all, Jesus will forgive them, or will He?

In your position you hear facts and gossip about serious problems in the SED and across Synod. I expect some of that makes you happy to be in the SED. People contact you hoping you can help and sometimes you can. I expect some of the horror stories could be handled by an improved DRP or by the Ambassadors of Reconciliation. I consider the AOR much more effective. In my experience, our synodical practice of ignoring problems has caused much more damage than the original issues.

Sadly liability at times, is the only way to bring change. Are you aware that with all the negative publicity about the RC, they are adding in large numbers of non catholics? A few years ago the Baltimore Arch Diocese added in 1500. It is about the size of the SED. Non catholics hear the evil stories and are not kept away. "Well, they do the same things in my denomination and sweep them under the rug, at least the Catholics are saying they are sorry and doing something." Bad PR is not bad when problems are being fixed, worked on, confessed. The LCMS claims to be perfect, which just proves to all, the LCMS is brain dead, denying the words of Scripture and Doctrine.

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He died for all, so that those who live might live no longer for themselves,
but for him who died and was raised for them. 2 Corinthians 5:15

I encourage you to seek the guidance of the Spirit. The LCMS is making great noises and efforts at evangelism, i-neighborhood. It has the mandate of the Lord. We boast of our "pure doctrine". Almost no one joins a Denomination for "pure doctrine". The normal unsaved person runs from "evangelists". What the LCMS is doing is not very productive. That does not even include the fact we are driving a number of people away. The Lord of the Church will not bless the LCMS with outsiders coming in faster than the number of people driven out.

I encourage you to try to turn the emphasis of the LCMS to something more productive. Normal unsaved people respect people who provide care and support. The title "Pastor" means shepherd, caretaker of souls, the person who loves without condemnation. Everyone wants to be loved, cared for. I tell folks that I have the best job. Pastors are paid to love people. The only downside, if any, is loving the unloveable, the wounded, the sinner. Some "good people - self righteous, do not approve of that. There are churches that cater to them. The false gospel does attract some.

This means a change in the core direction of our Seminary training back to what it used to be from being theologians to emphasize "seelsorger" - caretakers of souls. CFW Walther said the reason for LCMS rapid expansion was not its theology, but its pastor's reputation for seelsorger. Churches looking for a new minister heard about them and wanted one like that.

Article VII: Of the Church. 1] "Also they teach that one holy Church is to continue forever. The Church is the congregation of saints, in which the Gospel is rightly taught and the Sacraments are rightly administered. Article XXI. 5] This is about the Sum of our Doctrine, in which, as can be seen, there is nothing that varies from the Scriptures, or from the Church Catholic, or from the Church of Rome as known from its writers."

Wherever Christians are, the Church is, there is Gospel. People in Churches hear the Gospel. Or they mishear the Gospel, even in LCMS parishes. The hearing is mediated by the Holy Spirit. I am sure you know LCMS people who are totally wrong about Gospel and non lutherans who have it correct. I am not saying proper theological formulations do not matter but they are not followed so well. The issues in the LCMS with the DRP illustrate this.

Concord,

/S/

Rev. Stephen H. Funck Ezk. 3:16ff, Is. 6:9ff.

I have made you a watchman

Lord Jesus, grant me your Spirit that I would proclaim your word in Truth and Power and that all who listen would hear what you have to say to them. To the glory of the heavenly Father. Amen.

“I have made you a watchman for the people of Israel; so hear the word I speak and give them warning from me.” A lot of people are running around proclaiming they are watchmen and proclaiming God’s will and judgement. That is fair God calls us to be watchmen in this world. The world is very evil and it needs to hear the truth of God.

I have ended up thinking of myself as such a watchman in our denomination. Fortunately most of you are unaware of the issues, damage and foolishness. The “Official Doctrine” is excellent. However since the doctrine is so good many have ignored the requirement to act in accordance with that Biblical doctrine. People do not like their illusions shown up, so I am not very well thought of. They cannot do anything more to hurt me, so I am OK.

The Church, all of us, represent God. We are His witnesses to His truth and Saving Love. Not only do we represent the good news, we represent condemnation of sin and evil. That is unpopular. No one like to hear he is wrong and going the wrong way. So as Christians we get opposition. Jesus said that would happen. At least we do not run risk of crucifixion.

How can we tell if the watchman is speaking the truth of God or speaking deception from Satan? Both claim to be Christians. Both quote the Bible and talk about God’s will. So in one way it is very hard to tell the difference. That is the way it was in Jesus’ day. He was proclaiming the Good News of God and was deeply opposed by the other side. We can not judge those people too harshly for being confused.

Yet actually it is very easy, simple, to understand what is truth and what is evil. Good is not like good-looking evil. Jesus said: “Therefore, whoever takes the lowly position of this child is the greatest in the kingdom of heaven.” Humble, weakness. Watch children. Sometimes one will try to get another child to do what he wants. “Give me.” But how to they speak when they are concerned the other one will get hurt? Not the same tone of voice at all. One is self centered, the other is caring, loving. They are nothing alike.

Some “Christian watchmen” are just bullies. People hear their tone. Even when they say the truth of God, they are rejected for the way they say it. And turn people away from God’s love.

“If your brother or sister sins, go and point out their fault, just between the two of you. If they listen to you, you have won them over. But if they will not listen, take one or two others along, so that ‘every matter may be established by the testimony of two or three witnesses.’”

That is the way to do it. Make sure you have standing to speak to them. If you are butting in, just a busybody, you are not being helpful. If you only have heard rumor, gossip, you

have no right to speak. You do have right, responsibility to reprimand the gossip for their sin of gossip.

God's will is "summed up in this one command: "Love your neighbor as yourself." Love does no harm to a neighbor. Therefore love is the fulfillment of the law. Now when you hear a watchman, what tone do you hear? Some people by their words and actions are stirring up evil, some are trying to be peacemakers.

We have demonstrations, riots, going on. Some on both sides are being antagonistic, encouraging evil. Some on both sides are encouraging peace. There are real problems. Those who just want the demonstrations to end without caring to end the causes of the problems are not seeking peace at all. "I do not like hearing about it." The Good Samaritan helped, the priest and levite walked by. "I refuse to be concerned about your problem" are not the words of Christian Love. They are simply self centered.

In our denomination, for a long time, there have been serious problems. The Official response has been to ignore them and sweep them under the rug. The rules and regulations of Synod require: All serious issues must be dealt with in secret, without any record made, and forbid civil suit. The courts will not accept any complaint. Telling things that are secret is of course condemned.

So I have been a troublemaker. I do not think Luther or our founding leaders would be happy that our leaders today have more absolute unchecked power than the Bishops and Pope of Rome.

I do not think it worthwhile or proper to make complaint with out offering suggestion for improvement, peace, forgiveness reconciliation. I assure you I have always tried to do that. Those responsible have not responded at all, ignore and sweep under the rug. Other clergy almost without exception do not want to get involved. The District President has absolute control over their future and can even damage their present.

We shall see what the future holds for the denomination. We shall see What the future holds for our nation. "Be not afraid." God knows. God is in control always. Sometimes God uses trials, disease, warfare, suffering to bring about His will for good future. It seems to be the only way we learn and are willing to change, improve.

Sometimes God has another purpose. The Prophet Isaiah was told: "Go and tell this people: 'Be ever hearing, but never understanding; be ever seeing, but never perceiving.' God knew until the people were broken they would not change. We do not know if our nation must be broken, or if our Synod must be broken. We shall see what the future holds. "Be not afraid." God is in control always.

God treats us all the same way. His plans are always good, your salvation, eternity with Him. If He knows we need trials and to be broken, He will do what needs to be done to reach us, to save us. Many of us worry about family, friends, even enemies who weigh on our hearts. What will happen to them? We know were they are now. We have reason to be concerned. We might even worry about ourselves. God knows. He is patient, long-suffering, Divine Love and mercy. The forgiving God. He is always holding you, drawing you closer. Rest in Him. Trust

Him. Pray, worship, read Scripture do good to all as best you can, try to forgive. Be patient with yourself. I like the slogan. "Please be patient with me, God is not finished with me yet." Amen

"Lord, make me an instrument of thy peace.
Where there is hatred, let me sow love;
Where there is injury, pardon;
Where there is doubt, faith;
Where there is despair, hope;
Where there is darkness, light;
Where there is sadness, joy.

O divine Master, grant that I may not so much seek
To be consoled as to console,
To be understood as to understand,
To be loved as to love;
For it is in giving that we receive;
It is in pardoning that we are pardoned;
It is in dying to self that we are born to eternal life.
Through Jesus Christ, our Lord. Amen.

The Peace of God which passes all understanding keep your hearts and minds in Christ, now and forever, Amen.

14th Sunday after Pentecost

September 6, 2020