

The Benke – Yankee Stadium Syncretistic Service Case
Concerning Some of the Serious Flaws in the Dispute
Resolution Panel’s Decision of April 11, 2003
from the report by Rev. Wallace Schulz
Rev. Schulz’ May 11, 2003 Cover Letter

May 11, 2003

Dr. Raymond L. Hartwig, Secretary
The Lutheran Church—Missouri Synod
1333 South Kirkwood Road
St. Louis, MO 63122

Dear Secretary Hartwig,

“I am the LORD, that is My name; I will not give
My glory to another” (Isaiah 42:8).

On April 11, 2003 I received from the Lutheran Church—Missouri Synod’s Dispute Resolution Panel its decision to lift the suspension of Rev. David Benke and thereby also restore him to the office of President of the Atlantic District of the LCMS. As the elected officer of the LCMS appointed to adjudicate this case, I suspended Pastor Benke from his office as President of the Atlantic District for his joining in prayer and worship with leaders of non-Christian religions, something clearly forbidden by God’s Word and our Synod’s Constitution.

I strongly disagree with the Panel’s decision to lift the suspension of Dr. David Benke, but I will not appeal the decision. Our Synod has been through enough of this process. Our Synod has also become deeply divided over this issue. Past experience shows that one party repeatedly has violated the prohibition against publicity in this case. Therefore, any meaningful appeal process would be useless, if not impossible, since these violations would surely continue.

I am also deeply shocked, as I am sure others will be, that the Panel states: “Rev. Wallace Schulz went on to present a very thorough argument concerning the charges on the basis of the Holy Scriptures

alone,” after which the Panel immediately writes: “However,” and then maintains that this case had to be determined on the basis of an LCMS convention resolution. In fact, the Panel’s decision makes over 25 references to the controversial resolution and an additional 35 references to bylaws but fails to make even a single reference to the Holy Scriptures! In other words, even though this case involves a very serious offense against God’s First Commandment and must therefore be dealt with on the basis of God’s Word, the Panel has decided to rule on the basis of a man-made resolution! In its decision the Panel has clearly violated the Constitution of The Lutheran Church—Missouri Synod and sinned against the Word of God, since Article VIII of the LCMS Constitution states “All matters of doctrine and conscience shall be decided only by the Word of God.”

If the Panel’s decision is permitted to stand unchallenged, its impact will reach far beyond the Benke case, fundamentally changing our Synod and leading it to resolve spiritual issues on the basis of men’s opinions rather than God’s Word.

Pastor David Benke and his supporters have stated that “It’s OK to Pray,” that is, it is OK for LCMS clergy to join in prayer and worship with heathen. I pray that all pastors of the LCMS would confess with me that joining in prayer and worship with non-Christians is against God’s Word and conscience governed by God’s Word.

Through their erroneous dependence on man-made documents, some leaders of the LCMS have now forced our beloved Synod into the greatest crisis in its history: Will the LCMS build its future on God’s Word or men’s opinions? “IF THE FOUNDATIONS ARE DESTROYED, WHAT CAN THE RIGHTEOUS DO?” (Psalm 11:3).

Sincerely submitted in our Lord’s name, the Name above every name (Philippians 2:9).

Rev Wallace Schulz
Second Vice-President
The Lutheran Church—Missouri Synod

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The Benke – Yankee Stadium Syncretistic Service Case
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Resolution Panel’s Decision of April 11, 2003
from the report by Rev. Wallace Schulz
Panel Allegations and the Schulz Reply - #1

1. **PANEL ALLEGATION:** As noted above, on page 6 of its decision, the Panel states, “Rev. Wallace Schulz went on to present a very thorough argument concerning the charges on the basis of the Holy Scriptures alone.” Then, the Panel immediately writes, “However,” followed by its insistence that this case had to be determined on the basis of LCMS Convention Resolution 3-07A rather than on God’s Word alone.

It is precisely at this point in their decision that the Dispute Resolution Panel erred seriously, violating the LCMS Constitution and sinning against the Word of God. Article XIII of the LCMS Constitution is titled: “Expulsion from Synod.” Article XIII references Articles II and VI and specifically and clearly explains on what basis a member can be expelled.

In other words the LCMS Constitution is very adamant, emphatic, and clear in saying that expulsion of anyone from LCMS membership must be based only and alone on the Word of God and not on any other documents, such as the fellowship documents commended in Res. 3-07A, or Synodical resolutions of any type. Synodical resolutions may assist the church in many ways; however, as the LCMS Constitution unequivocally states, these human opinions dare never be used in deciding to expel or retain anyone as a member of the LCMS.

In Opinion #02-2304 the Synod’s Commission on Constitutional Matters stated that “even the use of ‘A Statement of Scriptural and Confessional Principles,’ adopted by the 1973 LCMS Convention

as a formal doctrinal statement, was to stop short of such use: ‘A Statement’ is not to be used mechanically or legalistically to discipline members of the Synod....”

This is to say even “A Statement of Scriptural and Confessional Principles,” which is a highly regarded doctrinal statement of our Synod, is not to be used to discipline or as a requirement for membership in our Synod, then certainly Resolution 3-07A should not be used to remove or retain a member. Our Constitution reserves that role for Article II and membership depends solely on adherence to the Scriptures and the Lutheran Confessions.

Therefore, for the Panel to admit that Rev. Wallace Schulz presented “a very thorough argument concerning the charges on the basis of the Holy Scriptures alone,” and to set aside this thorough Biblical study in favor of a human resolution is a sin against the Word of God and a violation of the LCMS Constitution. During the Reformation, Martin Luther faced the same situation, as he described in his Galatians commentary: “Whenever the pope does not have the authority of the Scriptures on his side, he always uses this same single argument against us: ‘The church, the church!’”

The Panel was clearly misled to put a convention resolution over the Word of God by a letter Dr. Nafzger presented to the Dispute Resolution Panel at the Newark, New Jersey hearing on January 13-14, 2003 (Appendix TT). In his letter Dr. Nafzger counsels the Panel that “**The Synod itself determines** what it understands the Scriptures and the Lutheran Confessions to teach...**by majority vote....**” This violates Article VIII of the LCMS Constitution which states: “All matters of doctrine and conscience shall be decided **ONLY BY THE WORD OF GOD**. All other matters shall be decided by a **majority vote**.”

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Panel Allegations and the Schulz Reply - #2

2. **PANEL ALLEGATION** : On page 6 of its report, the Panel states: “In his presentation Rev. Schulz questions whether Resolution 3-07A should have any bearing on the issue.”

FACT: Those who support David Benke’s joining in prayer and worship with heathen religious leaders claim, as their primary argument, that Pastor Benke’s actions were permitted by the 2001 LCMS Convention Resolution 3-07A. This is a gross misuse of the Resolution. Why? Because the primary document commended by Resolution 3-07A explains that according to the Bible, “fellowship” occurs only among Christians. By virtue of the Biblical definition, “fellowship” can never occur between Christians and non-Christians.

We may, of course, have social and business relationships with members of the non-Christian community; however, God recognizes no such thing as “fellowship” between His children and the non-Christian community that includes acts of prayer and worship, such as in the “Prayer for America” at Yankee Stadium. The Benke/Yankee Stadium issue finally comes down to what God’s Word says “fellowship” is, not man’s opinion of what “fellowship” is.

Therefore, to try to use the primary document, which deals only with fellowship between/among Christians, in order to permit Pastor Benke’s prayer and worship with pagan leaders is a misapplication of that Resolution.

Furthermore, it is obvious why the Panel, in its decision, has gone along with the misapplication of Res. 3-07A, since both President Kieschnick and Dr. Samuel Nafzger used this same misapplication in their defense of Pastor Benke at the hearing the Dispute Resolution Panel held at Newark, New Jersey on January 13-14. Both President Kieschnick and Dr. Nafzger testified before the Panel (Appendix SS and TT respectively) that the sole guideline for deciding this case is to be Res. 3-07A, and not the extensive Bible-based testimony I provided.

It is astounding that the President and a top theologian of our LCMS would testify before the Panel that this case was to be judged on the basis of a Convention resolution when our LCMS Constitution, Article VIII, emphatically states: “All matters of doctrine and practice shall be decided only by the Word of God.”

It is of utmost urgency that we in the LCMS stop tempting God by trying to guide our church with human opinions. We need immediately to return to His Word and His Word alone. Otherwise, we may soon come under God’s judgment as spoken through the prophet Amos: “‘Behold, days are coming,’ declares the Lord God, ‘When I will send a famine on the land, not a famine for bread or a thirst for water, but rather for hearing the words of the LORD’” (Amos 8:11). If we are unwilling to use God’s Word as guide in all matters of faith and life, He may then decide to withdraw His life-saving Word from us.

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Panel Allegations and the Schulz Reply - #3 & #4

3. **PANEL ALLEGATION:** LCMS President Gerald Kieschnick, on the basis of LCMS Convention Resolution 3-07, “gave counsel and guidance approving participation of Pastor Benke”...in the Stadium worship service.

FACT: The simple fact is this: Res. 3-07A has been misinterpreted and misapplied. The CCM ruled in January 2003 that Res. 3-07A commended the “Lutheran Understanding of Church Fellowship” study and response document for “use and guidance.”

BUT, the CCM carefully pointed out, “**Regarding the interpretation of the content of [the study] and the response, such questions should be directed to the [CTCR].**”

Thus, in response to the CCM, the CTCR, in its February 2003 meeting, addressed the question of the applicability of Res. 3-07A to Yankee Stadium. **The CTCR then ruled that “Section V, B. [of the response document titled ‘Cases of Discretion’] does not explicitly address the issue of ‘offering a prayer by an LCMS pastor in a ‘civic event’ in which prayers would also be offered by representatives of non-Christian religions”**” (See Appendix YY).

Thus, the CTCR finally and correctly explained that the **FELLOWSHIP** documents commended by Res. 3-07A **are**

about fellowship with other Christians, and do not include fellowship with non-Christians. That is, the “Report,” which includes the "once-in-a-lifetime" exception phrase in Section V. B., simply does NOT address the biblical issue of praying with or among non-Christians.

4. **PANEL ALLEGATION:** The Panel alleges (page 2) that: “There is not sufficient reason according to the Synod’s Constitution and Bylaws for suspending Rev. Benke.”

FACT: Pastor Benke admits in writing that the Yankee Stadium service was syncretistic (Appendix U). The LCMS Constitution, Article XIII says that those “who act contrary to the confession laid down in Article VI (that members of the LCMS must renounce syncretism of every description) **shall, after previous futile admonition, be expelled.**” With such a clear, forthright, and blatant violation of the LCMS Constitution, as was the case in Pastor Benke’s own written admission that Yankee Stadium was indeed a syncretistic service, it would be hard to imagine any situation this Panel would consider “sufficient reason” to warrant expulsion from membership in the Synod.

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Panel Allegations and the Schulz Reply - #5

5. **PANEL ALLEGATION:** On page 4, the Panel alleges “Breeches [*sic*] of confidentiality were violated”; but “the basic process ...was carried out...according to the prescribed process.”

FACT: Bylaw 8.21e clearly prohibits publicity while a dispute case is being processed. Rule of Procedure 26 requires that all communications be “strictly confidential” (paragraph a), with consequences for non-compliance being left to the Panel involved to decide (paragraph f). The CCM has supported and expanded this prohibition of publicity: CCM Opinion 01-2243 and numerous subsequent opinions (01-2251; 02-2259; 02-2260; 02-2261; 02-2266; 02-2284; 02-2304; and 03-2347).

This prohibition was violated repeatedly and flagrantly by the suspended party in this dispute, often with the assistance of Synodical officers and resources, to the significant harm not only to the process but also to the other party. The investigating party, on the other hand, made a bona fide effort to follow the prescribed process, remaining silent. By only vaguely acknowledging such violations, erroneously attributing them to **both** sides in this dispute, and passing them off as inconsequential, the Panel has violated the Bylaws, Rules of Procedure, and CCM opinions of the Synod.

One of the many flagrant publicity violations can be seen on the web site of St. Peter’s Lutheran Church, Brooklyn, New York, where Rev. David Benke is the pastor. On June 28, 2002 the announcement and full text of my suspension was posted on this

world wide web site almost immediately after I sent it, in confidence, to Pastor David Benke. No other person was to receive a copy of this suspension decision. Neither the President, the Secretary, nor any of the vice presidents of the LCMS received a copy or notice of the suspension. According to the accepted guidelines of the LCMS, this was a confidential matter between Dr. Benke and me. He took it upon himself, against the guidelines of Synod, to publicize the matter worldwide. Even to this day, this information remains on the web for the entire world to see. This is only one of many serious violations which have undermined this synodically-approved process.

After I received the Dispute Resolution Panel’s decision on April 11, 2003, according to the Synodically agreed upon rule of the process, I, Rev. Wallace Schulz, had 30 days to appeal the decision. However, even before the time allotted for appeal expired, Pastor Benke, again, violated the no-publicity guidelines by announcing to the Atlantic District Spring Pastor’s Conference that his suspension was lifted by the Dispute Resolution Panel. His announcement thereby undermined any appeal process.

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Panel Allegations and the Schulz Reply - #6 & #7

6. **PANEL ALLEGATION**: The Panel alleges (page 5) that “Pastor Benke’s participation was neither a rejection of, nor a challenge to, the Synod’s Fellowship position and practice”

Delegates to the 2001 LCMS Convention approved the fifth resolve of Res. 3-07A, which states: “Resolved, that the Synod **reaffirm once again its position on joint worship....**” This historic position of the LCMS, based on the Word of God, (Appendix I, page 14) has never permitted prayer and worship with non-Christians. Thus, when Pastor Benke joined in prayer and worship with non-Christians at Yankee Stadium, he was not only challenging, he was egregiously violating our Synod’s position on fellowship and practice. This most serious violation apparently was of no concern to the Panel.

As indicated in Appendix U, Pastor Benke has admitted, in writing, that the Yankee Stadium service was syncretistic, a mixture of Christians and non-Christians in prayer and worship. Article XIII and Article VI of the LCMS Constitution say that those who do not renounce syncretism of every kind **shall** (not “might”) be expelled from membership in the LCMS. It is difficult to imagine a worse violation of the LCMS Constitution. Pastor Benke’s admission of syncretism (a breaking of the First Commandment) is a very serious sin, one for which he has never apologized. It is thus unbelievable that the Panel would conclude that Pastor Benke’s participation was neither a rejection of nor a challenge to the Synod’s fellowship position and practice!

7. **PANEL ALLEGATION**: The Panel alleges (page 6) that “Rev. Schulz questions whether Resolution 3-07A should have any bearing on the issue. His conclusions, however, appear biased, subjective, and without credible and sustainable fact.”

FACT: The Panel simply makes these sweeping allegations, but no evidence is given to support their claim.

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Panel Allegations and the Schulz Reply - #8

8. **PANEL ALLEGATIONS:** The Panel alleges (page 6) “Rev. Schulz’s caricature of the ‘Cases of Discretion’ as ‘pork barrel,’ is without good evidence.”

FACT: Since the Panel raises this subject in their report, I will summarize the crucial matter involved.

a.) The CTCR spent a number of years preparing the first and primary fellowship document referred to in this case, “The Lutheran Understanding of Church Fellowship,” an excellent document which affirms the historic position of the Lutheran Church in these matters.

b.) In its 1998 Convention, the LCMS asked that the primary fellowship document “The Lutheran Understanding of Church Fellowship” be discussed at all 2000 LCMS District Conventions.

c.) The results of these LCMS District discussions of the primary document, “The Lutheran Understanding of Church Fellowship,” were to be sent to the LCMS headquarters. This was carried out.

d.) These LCMS District results were analyzed and put into the “Report on Synodical Discussions.”

e.) Now, here is the “pork.” After the 2000 District Convention results were tabulated and before the 2001 LCMS

Convention, the three paragraphs called “Cases of Discretion” **WERE ADDED TO THE “REPORT ON SYNODICAL DISCUSSIONS” EVEN THOUGH THESE PARAGRAPHS WERE NEVER DISCUSSED IN EVEN ONE DISTRICT!** Thus, in comparing this to how ‘riders’ are added, often unknowingly, to bills in the U.S. Congress, I have called these three “Cases of Discretion” paragraphs “pork barrel.” Even more interesting is that fact that it is precisely these three paragraphs (which were never discussed at District Conventions, the “Pork Barrel”) that were then used as an alleged loophole to permit Pastor Benke to pray and worship with pagan clerics.

After working on the case for over one year, and after seeing the lack of clarity in some of the primary CTCR documents of our church, I am reminded of what *U.S. News and World Report* columnist John Leo said on September 17, 2001, “The UN often cloaks controversial proposals in innocuous or broad language, luring delegations into voting for ideas they don’t approve or even understand.”

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Panel Allegations and the Schulz Reply - #9

9. **PANEL ALLEGATION:** In its decision, the Dispute Resolution Panel gives the impression that this entire case boils down only to what Pastor Benke did at Yankee Stadium.

FACT: The Panel received all charges of the Complainants in this case (18 pastors and 3 congregations). In great detail these charges reveal that Pastor Benke’s syncretistic actions at Yankee Stadium were not a “once in a lifetime” occurrence. Pastor Benke participated in a similar service three years earlier, for which he was reprimanded by President Barry and all LCMS vice presidents. After the earlier event, Pastor Benke signed a statement saying what he did was wrong and that he would not repeat his sinful actions.

Furthermore, in a speech in Portland, Oregon, January 19, 2000, (Appendix EE) and also in his worldwide web defense of what he had done at Yankee Stadium (Appendix H), Pastor Benke encourages other pastors to follow his example *whenever possible*. So much for the “once in a life time” excuse!

In other words, the Panel totally disregarded the extensive evidence provided by the complainants indicating that Pastor Benke’s actions at Yankee Stadium were neither new, nor, in his words, were they intended to be “once in a life time.” The evidence of this case reveals that what Pastor David Benke did at Yankee Stadium reflects his theology and attitude toward fellowship, including prayer and worship with the pagan world, **something the LCMS, on the basis of God’s Word, has always vigorously condemned.**

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The Benke – Yankee Stadium Syncretistic Service Case
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Post-Newark Comments – Part 1

On January 13-14, at Newark, New Jersey, the Dispute Resolution Panel heard both parties in the Benke case. After this hearing, two major commissions of the LCMS, the Commission on Constitutional Matters (CCM) and the Commission on Theology and Church Relations (CTCR) issued opinions relating to this case. Therefore, since the Dispute Resolution Panel used both of these commissions' opinions (issued after the hearing) in arriving at their decision on the Benke case, and since I as the adjudicator of the case had no input following this decision, it is imperative that these two rulings be properly understood.

CCM OPINION

In its January 20-21, 2003 meeting, the LCMS Commission on Constitutional Matters (CCM) was asked whether a pastor could be disciplined if he had first received permission from his superior. The CCM responded by saying:

The Constitution and Bylaws of the Synod do not allow or contemplate the expulsion of a member of the Synod on the basis of an action taken with the full knowledge and approval of the appropriate ecclesiastical supervisor.

The opinion of the CCM would seem to indicate that since Pastor Benke asked of his superior, President Kieschnick, permission to participate in prayer and worship with pagan clerics at Yankee Stadium; and, since President Kieschnick gave this permission; then, according to the CCM opinion, Pastor Benke is automatically freed from all responsibility for his actions.

The LCMS Commission on Constitutional Matters has seriously erred in their decision. In His First Commandment, God forbids joining in worship and prayer with non-Christians. The LCMS Constitution, in Article XIII and Article VI, emphatically restates the will of God in this serious matter. Article VI states that all members of the LCMS must renounce syncretism of every description. Thus, it is a sin against God's Word for the CCM, or any other commission, to seek to permit, by human opinion, what God clearly condemns in His Word.

Furthermore, even if the CCM opinion had been Bible-based (which it is not), the only way the CCM's opinion could be legitimate would be to first amend the Constitution of the LCMS by adding the bolded words to the end of Article XIII 1. "Members who act contrary to the confession laid down in Article II . . . shall, after previous futile admonition, be expelled from the Synod, **unless they receive permission from their ecclesiastical supervisor.**"

Without these added, bolded words, that is, without this Constitutional amendment, the CCM has violated the LCMS Constitution. The Dispute Resolution Panel has also erred when it used this CCM opinion, which violates both God's Word and the LCMS Constitution, as one of its major arguments to lift the suspension of Pastor David Benke.

The Benke – Yankee Stadium Syncretistic Service Case
from the report by Rev. Wallace Schulz
Post-Newark Comments – Part 2

CTCR OPINION

The LCMS Commission on Theology and Church Relations, a second major commission of the LCMS, also issued an opinion after the Newark hearing that impacts the Benke case. Approximately one month after the case was presented to the Dispute Resolution Panel, the CTCR, in its February 18, 2003 meeting, answered a question dealing with the Benke case put to them from the Dispute Resolution Panel.

Question: Would offering a prayer by an LCMS pastor in a “civic event” in which prayers would also be offered by representatives of non-Christian religions be in and of itself a violation of the paragraph under “Section V point B. Cases of Discretion” in the CTCR document “The Lutheran Understanding of Church Fellowship,” a document adopted by the 2001 Convention of the Lutheran Church-Missouri Synod “for continued use and guidance?”

The CTCR answered this poorly phrased question as follows:

Answer: No. Section V, B, does not explicitly address the issue of “offering a prayer by an LCMS pastor in a ‘civic event’ in which prayers would also be offered by representatives of non-Christian religions.”

Note that since the CTCR says “Section V. B. does not explicitly address the issue,” the “Cases of Discretion” cannot be used to permit participation.

SPINNING THE CTCR OPINION

In spite of this CTCR opinion, the web site of St. Peter’s Lutheran Church, Brooklyn, New York, on April 27, 2003, where Rev. David Benke is the pastor, stated:

“We at St. Peter’s thank the **Commission on Theology and Church Relations** for its opinion filed in February, 2003. When asked the simple question, does the Resolution on Church Fellowship (3-07A) passed by the Synod at its convention apply to a case like the Yankee Stadium prayer, they answered with one word, YES. This only says that as far as the Missouri Synod is concerned, the Bible and the rulebook say the same thing: It’s OK to Pray!”

Read carefully the above-mentioned CTCR opinion included in Appendix YY. You will immediately see that, in its February decision the CTCR did not say: “Yes,...as far as the Missouri Synod is concerned, the Bible and the rulebook say the same thing: ‘It’s OK to Pray!’” Again, it is astounding to see Pastor Benke and his followers claim the CTCR said just the opposite of what it actually ruled on February 18, 2003.

It is further interesting to note that while quoting at great length from the letter Dr. Samuel Nafzger provided to the Newark Dispute Resolution Panel—a letter which promotes a wrong interpretation of the LCMS Resolution and other human opinions—the Panel makes no reference whatsoever to the Bible-based, written testimony of Concordia Seminary, St. Louis, professor Dr. David Adams (Appendix WW) and the testimony of Concordia Theological Seminary professor Dr. Kurt Marquart (Appendix ZZ). Maybe the Panel’s total disregard of God’s Word should not be all that surprising since, in the Newark hearing, Pastor Benke insisted that this matter had nothing to do with theology! If this case dealing with “fellowship” is not considered a theological issue (and fellowship is essentially a matter of the Word of God), then one needs here to ask, “Would there be any point for a pastor or officer of the LCMS to adjudicate any future LCMS cases on the basis of the Bible?” No! since all future cases would be determined not by God’s Word but rather by the opinions and word of man.

The Benke – Yankee Stadium Syncretistic Service Case
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Post-Newark Comments – Part 3

**UNDERSTANDING THE BIBLICAL DEFINITION OF
“FELLOWSHIP” IS KEY**

In all of this controversy, one needs to keep in mind that the primary “Fellowship” document in this case, the one foundational document on which all else is built, this primary document explains clearly, on the basis of the Bible, that fellowship can occur only among Christians and never between Christians and non-believers. Thus, the three “Cases of Discretion” paragraphs—which were never discussed in District conventions, but rather added on by the CTCR as a “rider” or “pork”—become the critical paragraphs that Pastor Benke and his supporters have used to try to say “It’s OK to Pray,” and worship with non-Christians.

It is also important to note carefully the “doublespeak” that is used to get the three “Cases of Discretion” to trump the basic Bible teaching that “fellowship” can take place only among Christians and never between Christians and pagans. In his March 21, 2002 letter to Dr. Wallace Schulz, Dr. Samuel Nafzger of the CTCR writes an astonishing, lengthy, and conflicting sentence (See Appendix AAA):

“In summary, the Committee that prepared and discussed these paragraphs [the three controversial paragraphs called “Cases of Discretion] had no intention of suggesting at any point that it would ever be possible for Christians to join in prayer together with those who do not pray in the name of Christ or to pray in situations where prayers in Christ’s name were

were prohibited, even while recognizing that there may be occasions when LCMS pastors and leaders may participate in events where worship takes place which include representatives of non-Christian religions so long as no restraints are placed on them.”

According to the Executive Director of the CTCR, even though the LCMS has a Biblical position of fellowship which it publicly and clearly reaffirmed at the last LCMS Convention, the CTCR claims that the Synod’s position is finally determined by each individual person. In other words, you have a sinful situation, as described in the Bible, of “**every man doing whatever is right in his own eyes**” (Deuteronomy 12:8).

The Benke – Yankee Stadium Syncretistic Service Case
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Post-Newark Comments – Part 4

DIVISIONS COULD HAVE BEEN AVOIDED

This case involved fifteen months of work, over one thousand items of evidence, and hundreds of letters and emails. The original sin must now be clearly noted. Three years before Yankee Stadium Pastor Benke had joined in a similar worship service. Knowing that Pastor Benke’s action, if left undisciplined, would deeply divide the LCMS, President Al Barry, with the support of the entire LCMS Praesidium, requested that Pastor Benke apologize for his sinful act. Pastor Benke apologized in writing that he would not do this again. In this pastoral act, divisiveness was prevented by Dr. Barry. It could have been prevented a second time.

Just before the Yankee Stadium worship service occurred, Pastor Benke conferred with LCMS President Kieschnick. The LCMS vice presidents were not consulted. Instead, after Pastor Benke warned President Kieschnick (Pastor Benke said he made two phone calls to discuss this matter and its serious implications) that there would be “ramifications” which could seriously divide the church, both President Kieschnick and Pastor Benke decided to go ahead anyway. This was a very wrong and sinful decision, especially when both men knew what the consequence would surely be: division of the church. This is the most tragic and painful part of this controversy. The deep division in our Synod could have been easily prevented from the beginning. In serving as a vice president under President Alvin Barry, I know from personal experience the great effort President Barry exerted in his attempt to avoid divisions in our Synod three years earlier involving a similar situation with President Benke. Now, under the Kieschnick administration, this caution and concern was thrown to the wind. Fervor for inter-religious prayer and worship was placed above the concern for harmony and walking together in our Synod.

The explosive and divisive nature of the Yankee Stadium event is not unique. Most pastors in the LCMS know of “hot button” issues in their own congregations that, if pressed, would divide their congregations. It is a very serious sin to divide congregations or the Synod. Listen to God as He speaks through Jeremiah the prophet:

“Woe to the shepherds who are destroying and scattering the sheep of My pasture!” declares the LORD. Therefore thus says the LORD God of Israel concerning the shepherds who are tending My people: ‘You have scattered My flock and driven them away, and have not attended to them; behold, I am about to attend to you for the evil of your deeds,’ declares the LORD (Jeremiah 23:1-2).

Thus, if there is going to be finger pointing as to who has caused the division in our Synod, and who could have prevented it, everything points to the above-described initial decision made just prior to Yankee Stadium, a decision that was made with the full knowledge that great division would quite likely occur. This is the greatest tragedy. Had President Barry’s decision been used as a precedent, pitting brother against brother and deep divisions would have been avoided.

There may be those who will criticize this report of the second vice president of the Lutheran Church—Missouri Synod as being too harsh and unnecessarily disturbing the church. However, as one of the highest elected officers of the Synod (which brings great accountability), I was given the solemn responsibility under the Handbook of the LCMS to investigate this case. Therefore, were I not to provide to the church the evidence I have uncovered, I would be derelict in my duty and would come under God’s judgment, as He has clearly expressed His will in Ezekiel 13:

“So My hand will be against the prophets who see false visions and utter lying divinations. They will have no place in the council of My people, nor will they be written down in the register of the house of Israel, nor will they enter the land of Israel, that you may know that I am the Lord God. It is definitely because they have misled My people by saying, ‘Peace!’ when there is no peace. And when anyone builds a wall, behold, they plaster it over with whitewash; So I shall tear down the wall which you plastered over with whitewash and bring it down to the ground, so that its foundation is laid bare; and when it falls, you will be consumed in its midst. And you will know that I am the LORD.”

(Ezekiel 13:9-10, 14).

The Benke – Yankee Stadium Syncretistic Service Case
from the report by Rev. Wallace Schulz
Post-Newark Comments – Part 5

WE NEED TO GET BACK TO GOD’S WORD—NOW!

I need to express one very serious complaint to the entire church regarding this lengthy investigation. In recent years, the LCMS has become covered with layers and layers of endless rulings and opinions of commissions. This signifies we are becoming more and more law driven. In November of 2002, the CCM issued 25 opinions, 15 of which relate to this case. This is only one month’s rulings of only one commission! It is now almost impossible to investigate difficulties facing our church due to the countless number of opinions one must deal with, opinions that are often extremely wordy and very unclear. Either we are going to get back to the Word of God and our clear Constitution, or we are going to self-destruct. If any further rulings are issued, they need to be clear and concise, and done within the guidelines of the Confessions: “Necessity requires that...controverted articles be explained on the basis of God’s Word and approved writings...in such a way that anybody with Christian intelligence can see which opinion in the controverted issues agrees with the Word of God and the Christian Augsburg Confession.” This is to say, unless we get back to the simple Word of God, and clear and simple writing, our Synod faces a very difficult future.

Finally, with a great sense of shame for the Synod, it must be again pointed out that in their entire fourteen-page decision, the Dispute Resolution Panel makes not one reference to the Word and will of God. How long do we in our church body think we can tempt God by placing man’s opinion over His Holy will and Word? May God pity those who turn a deaf ear to God’s gracious warning to us through the prophet Amos:

“Thus He showed me, and behold, the Lord was standing by a vertical wall, with a plumb line in His hand. And the LORD said to me, ‘What do you see, Amos?’ And I said, ‘A plumb line.’ Then the Lord said, ‘Behold I am about to put a plumb line in the midst of My people Israel. I will spare them no longer’” (Amos 7:7-8).

IN SPITE OF OUR SIN, GOD OFFERS US HOPE!

In spite of our sin of putting our opinions over His Word, through His gift of repentance there is still hope for us in the LCMS. God graciously says through His prophet Hosea: **“Come, let us return to the LORD. For He has torn us, but He will heal us; He has wounded us, but He will bandage us” (Hosea 6:1).** Even a cursory examination of the Benke case (where we clearly see how we have now officially permitted our spiritual leaders to join in worship with unbelievers) shows that we have drifted dangerously away from God’s Word and will. **“For this reason we must pay much closer attention to what we have heard, lest we drift away from it. For if the word spoken through angels proved unalterable, and every transgression and disobedience received a just recompense, how shall we escape if we neglect so great a salvation?” (Hebrews 2:1-3).**

God in His mercy says He will take us back if we repent and turn to Him alone: Isaiah 55:7-9; Hosea 6:1-2; Ezekiel 33:11; Acts 3:19; James 4:9-10; Luke 15:11-32.

Even as our sin has been public, let our repentance also be public. Then, as God restores us and enables us, let us turn with full vigor to the evangelistic commission our Savior has given us to take His message of “repentance and forgiveness” to the whole world (Luke 24:47).