

## “Power in the Holy Christian Church”

### The LC-MS: Are We Still Following Jesus?

“My sheep hear My voice ... and they follow Me.” (John 10:27, NKJ)

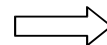
**The Peculiar Church Power.** No U.S. president, no prime minister, no king, no general, commands as much power as the Christian Church. The Christian Church administers the highest power on earth, the power to open or close Heaven. Jesus calls this power the Keys of the Kingdom of Heaven (Matt. 16:19). The forgiveness of sin opens Heaven and the retaining of sin closes Heaven.

Our Lutheran Church speaks of this peculiar Church power in this way: “What is the Office of the Keys? It is the **peculiar church power** which Christ has given to His Church on earth to forgive the sins of penitent sinners, but to retain the sins of the impenitent as long as they do not repent.” (Luther’s Small Catechism, 1943 edition, emphasis added.)

We call this a peculiar power, that is a unique power, because it is held solely by the Church. The Church alone “grants eternal things... The civil rulers defend not minds, but bodies and bodily things... in order to preserve civil justice and peace.” (The Augsburg Confession, Article XXVIII, Concordia Triglotta, p85.)

**The Public Exercise of Church Power.** Congregations exercise this Church power publicly. A public action is something that is done on behalf of another. Jesus has given the ministry of the Keys to the Church, and no one else, to be administered on His behalf and in His name. To do this work, the Church **calls** pastors. Wherever a Christian congregation is formed, the public ministry of Jesus is established and pastors are called. When the Church gathers locally in congregations, it is for the purpose of exercising this power. When she causes preaching of the Word in Jesus’ name, absolves sinners in Jesus’ name, administers His Sacraments of Baptism and the Altar, this **peculiar church power** is at work. Jesus’ words make this very clear.

“*(As you go) make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you. And behold, I am with you always, to the end of the age.*” (Matthew 28:19&20, ESV.)



“*Jesus said to them again, ‘Peace be with you. As the Father has sent me, even so I am sending you’ And when he had said this, he breathed on them and said to them, ‘Receive the Holy Spirit. If you forgive the sins of anyone, they are forgiven; if you withhold forgiveness from anyone, it is withheld.’”* (John 20:21-23, ESV.)

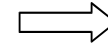
Thus Luther’s Small Catechism speaks of the exercise of Church power. “What do you believe according to these words? I believe that when **called pastors** deal with us by His divine command, especially when they exclude manifest and impenitent sinners... and again, when they absolve those who repent of their sins... this is as valid and certain, in heaven also, as if Christ, our dear Lord, dealt with us Himself.” (Lutheran Worship p304, emphasis added)

The term “called pastors” must be noted. The call comes from the Lord through His congregation. The “called” Pastor, then, serves not on his own behalf, but on behalf of Christ and His Church. It is not an individualistic office, but a **public** office.

How wonderful to know that when we hear the pastor absolve us, this absolution carries the full authority of Christ and His congregation. Likewise, the administration of this power occurs in the Liturgy of the Church. There, in the Word and in the Sacraments, the hearts of penitent sinners are set at peace by the power of Christ’s absolution.

**The Limits of Church Power.** The Lutheran Reformers had to deal with the question of who may exercise this power **publicly**. Jesus taught: “*Truly, I say to you, whatever you bind on earth shall be bound in heaven... For where two or three are gathered in my name, there am I among them.*” (Matthew 18:18-20, ESV.) The question for them was; does the Pope exercise this power over distant congregations? Following Jesus, the Reformers answered with a clear and concise, “No!” The words they used to explain these limits were “**order**” and “**jurisdiction**.”

Our Lutheran Confessions speak of these limits of Church power: “... [W]e are speaking of a bishop (Ed. that is, a called pastor) according to the Gospel. ...the bishop has the power of **order**, *i.e.*, the ministry of the Word and Sacraments; he has also the power of **jurisdiction**, *i.e.*, the authority to excommunicate those guilty of open crimes, and again to absolve them if they are converted and seek absolution.” (Apology of the Augsburg Confession, Article XXVIII. (XIV.), Concordia Triglotta, p447, emphasis added.)



These words show that the public administration of this power is given to congregations and their pastors. It is not given to any human organization like synods or the papacy. Dr. Martin Luther teaches us that this governance cannot be improved by human invention.

“Therefore the Church can never be better governed and preserved than if we all live under one Christ, and all the bishops, equal in office (although unequal in gifts), be diligently joined in unity of doctrine, faith, Sacraments, prayer, and works of love, etc.,...” (The Smalcald Articles, Concordia Triglotta, p473.)

These words picture for us congregations and their pastors administering the Keys. None is above the other, none lords it over the other, and all live in harmony respecting the blessed power and limits of **order** and **jurisdiction**.

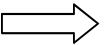
### Power in the Lutheran Church – Missouri Synod

We can never thank God enough that in His mercy He raised up among our forefathers, reformers to free us from the misappropriation of Church power and to establish the truly evangelical use of this unique power. Likewise we thank God that He gifted the founders of our beloved Synod such that they established for us a Synod with the right understanding and use of Church power. Such is our heritage and official position because of our subscription to the Lutheran Confessions and it is our position as reiterated and adopted numerous times by the Synod in convention.

**Preserving this Evangelical Use of Power.** Each generation must guard and fight for its heritage. The 2004 Convention of the Synod has changed the way we use Synodical power. The Synod in convention considered and passed *Resolution 8-01A* entitled “*Ecclesiastical Supervision and Dispute Resolution*.” The text of this resolution became the new bylaws relating to supervision and expulsion from membership in the Synod. These bylaws change at root all previous procedures.

Let us note what the new bylaws **do not** do. Many have said that they establish a “papacy” in the LC-MS. They do not. To do such, the “peculiar church power” must be taken from the congregations and given to the Synod. The new bylaws do not do this. They only deal with the power of the Synod, a human institution.

The power of the Synod oversees rosters not souls. **To be removed from membership in the Synod is an entirely different matter from being removed from the Kingdom of Heaven by the binding Key,**



**i.e., excommunication.** This distinction is necessary for the preservation of our heritage and in understanding the impact of the new bylaws.

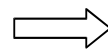
**The Change: New Bylaws.** What do the new bylaws do? These Bylaws change at root all previous procedures. They highly concentrate the power to remove a member of Synod in the hands of the district presidents. District presidents alone determine whether a charge can proceed. They make the final decision. If appealed, the appeals are heard by panels composed of district presidents. Again, they make the final decision. **The church court, the adjudication process of the past, has been replaced with the District Presidents and Hearing Panels consisting of District Presidents.**

The details of the process make for lengthy and complex bylaws. The addendum to this tract is only an overview. For a thorough understanding one must read and study the bylaws themselves ([www.lcms.org](http://www.lcms.org)).

Does this concentration of power make us a papacy? No! By definition we have not yet arrived at that point, but there is a concern. Historically, such concentrations of power have coincided with the misappropriation of the “peculiar church power.” Can expulsion from the Synod (a human institution) become confused with expulsion from the Church? Can these human offices, like District President, begin to assume, even naively, the notion that they are Divine offices and begin to rule over souls where jurisdiction is not theirs? Though none explicitly claims “jurisdiction,” these Bylaw changes ease a movement in that direction. Should it happen that these human offices assume “jurisdiction,” we have the seeds of our own papacy.

The papacy of Rome evolved in a similar manner. Martin Chemnitz traces this evolution through the witness of St. Jerome (b. cir. 340):

“...Jerome also explains what was the cause and origin of the difference which was later made between a bishop and the presbyters, why and for what use this difference was accepted by the church... with the ancients, presbyters and bishops (Ed. These are biblical words for called pastors) were one and the same. But little by little, **in order that the seedbeds of dissensions might be rooted out**, the whole responsibility was conferred to one... However, that later on one was elected who was placed over the rest, this was done as a remedy against schisms, lest everyone draw the church of Christ to himself and split it... Then the bishops grew arrogant, despised the presbyters, and thought this prerogative was due them by **divine right**. ...Jerome...shows that at the time of the apostles and with the ancients there was no distinction, but



that presbyters and bishops were one and the same and that the churches were governed by their common counsel. Then he explains for what reason, for what purpose and use one bishop was placed over the others as head, **namely to remove the seedbeds of dissensions and schisms....** Therefore as the presbyters know that, from the custom of the church, they are subject to the one who has been placed over them, so the bishops should know that they are greater than the presbyters more by custom than by the truth of an arrangement of the Lord,...” (Chemnitz, Examin, Vol. II, p702 & 703, emphasis added)

In this passage, the Bishops are the equivalent of District Presidents or Circuit Counselors among us in that their office was established by human right i.e., custom of the Church. It was a human arrangement like that of synods. When they began to claim it as a divine right i.e., a Divine Call, the seeds of the papacy were in place.

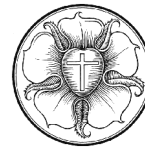
Is it not ironic that for similar reasons, to stop dissensions and to promote harmony, we have headed down the same path? Will we end up in the same place?

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### The Kingdom ours Remaineth

Synods may come and go. In these last times, we pray that God would bless our Lutheran Church–Missouri Synod. We pray that raising these issues will promote a God pleasing discussion among us and promote a stronger knowledge and understanding of true Church Power, and from this, strengthen our life together in our beloved Synod.

The power of the Church remains the power of **order** and **jurisdiction**. In our faithful parishes, where this “peculiar church power” is rightly administered, “the Kingdom ours remaineth.”



Prepared for LC-MS congregations by participants and supporters of the "Called to Confess" Free Conferences begun in the Northwest District in response to the 2004 Synodical Convention.

## Addendum

**Expulsion from Synod: The Power to Remove a Member.** The revised bylaws provide new procedures for implementing Article VIII of the Constitution: Expulsion from the Synod (p19).

**The Procedure.** The procedure for the removal of a rostered member of Synod, whether the member be a congregation or Professional Church Worker, is found in Chapter 2 (p59 – 71).

**1. Filing Charges.** What was formerly called a “charge” the bylaw now calls “information which could lead to expulsion.” **Only** a District President, a rostered professional church worker, or a member congregation may bring forth the “information” (charge) that may lead to this action. (p64) This means that an individual member of a congregation can no longer file formal charges. This member must convince his congregation to bring forth the “information” (charge).

**2. Action.** No formal complaint or accusation can go forward prior to consultation with the District President of the accuser and the consultation between the District Presidents of the accuser and the accused. The District President of may ask for a “Referral Panel” to assist him in coming to his decision (p66). **“Sole responsibility” to commence “action” leading to expulsion from the Synod belongs to the District President.** If the District President deems the charge unwarranted the matter is ended and cannot proceed. (p62)

**3. Sustaining the Charge.** If the supervising District President deems the “information” (charge) does form a basis for expulsion, the charge is sustained. If the charge is sustained by the District President the accused is suspended from the roster of the Synod. If suspended, the accused will be removed from the Synod roster permanently unless he appeals the action within 15 days. (p66 & 67)

**4. Appeals.** Two appeals are provided. Hearing Panels hear the appeals. The Hearing Panel consists of three District Presidents excluding the involved District Presidents (p67). One is chosen by the accused. The suspending District President chooses the second member of the panel. The third member is chosen by these first two District Presidents. If the first appeal is lost, it may be appealed to a Final Hearing Panel. The outcome of the second appeal is binding and final. The Final Hearing Panel also consists of three District Presidents; those previously involved are excluded (p70 & 71).