



Unity

in Doctrine, Uniformity
and Variety in Practice

A STUDY DOCUMENT OF THE COMMISSION ON THEOLOGY AND CHURCH RELATIONS

OCTOBER 2025

Unity

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and Variety in Practice

A Study Document

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Preface

The 2019 convention of The Lutheran Church—Missouri Synod (LCMS) passed Resolution 5-11, which asked the Commission on Theology and Church Relations (CTCR) to produce a study document addressing questions about unity in doctrine and uniformity and variety in practice. The short resolution may be quoted in its entirety:

WHEREAS, Questions and concerns continue to arise in the Synod about the relationship between unity in doctrine and uniformity and variety in practice (Constitution Article III 7); and

WHEREAS, Certain practices in the church are divinely mandated while other practices are in the realm of adiaphora (neither commanded nor forbidden by the Scriptures) but serve to edify the church (see Augsburg Confession VII; Formula of Concord Solid Declaration X); therefore be it

Resolved, That the Synod direct the Commission on Theology and Church Relations to prepare a study document on the issue of the relationship between unity in doctrine and uniformity and variety in practice, together with a Bible study on this issue specifically designed for congregational use, discussion, and guidance. (2019 *Proceedings*, 155)

From the perspective of the CTCR, a “study document” is a very narrowly defined category. The CTCR’s policy guidelines specify different types of study documents, including study guides of an existing report, Bible studies or more specific studies intended to stimulate discussion. It is in the vein of this last category that the CTCR has chosen to fulfill the resolution’s mandate for a study document and Bible study “designed for congregational use, discussion, and guidance.” The Commission hopes that this document will foster discussion about the relationship between unity in doctrine and uniformity and variety in practice.

The current (2023) version of LCMS Constitution Article III 7, which is cited in the resolution precipitating this study, describes one of the objectives of the Synod in this way: “Encourage congregations to strive for uniformity in church practice, but also to develop an appreciation of a variety of responsible practices and customs which are in harmony with our common profession of faith.” After its study of this constitutional article, the CTCR determined there could be no absolute or undisputed delineation of precisely which practices require uniformity and which practices allow for diversity in every case and under every circumstance. Nonetheless, the church has long wrestled with these tensions in her history and has found ways faithfully to resolve controversy over any number of disputed practices. For this reason the CTCR decided to submit a study document to the Synod intended to foster discussion of these important matters historically, how Christians have sought to resolve their differences over them, and how these instances relate to our Synod theologically.

P R E F A C E

The CTCR offers the present study document as a series of historical case studies involving six specific conflicts over church practice, all of which bear some relation to The Lutheran Church—Missouri Synod or to the Lutheran Confessions themselves. The first two are drawn from the Early Church: the Jerusalem Council in Acts 15, which is cited as one of the reasons for forming the Synod, and the Quartodeciman Controversy, which concerned the date of Easter and is repeatedly cited in the Lutheran Confessions. The next two are drawn from the Reformation-era church: Martin Luther’s 1522 *Invocavit Sermons*, which provide guidance in Christian freedom and evangelical reform that will be taken up by the Augsburg Confession and its Apology, and the *Adiaphoristic Controversy*, which resulted in the drafting of *Formula of Concord X*. The final two are drawn from LCMS history itself: the 1847 Constitution’s approach to uniformity in practice, giving rise to our current constitutional Article III 7, and the more recent adoption of lay lectors and women’s suffrage, which continue to receive attention and foster debate (including multiple overtures at the 2023 Synod convention). By putting forward these case studies, the Commission neither endorses the outcomes nor offers its opinion on the issues. It rather believes that these historical examples model how the church can discuss disagreements over matters of practice without threatening the unity it has doctrinally.

Rather than producing an independent or accompanying Bible study, the Commission has embedded study questions at the end of each section that may be used to guide discussion in circuit pastors’ meetings, congregational Bible classes and similar opportunities. The Commission commends this document and the cases it studies in the hopes that this will stimulate further conversation about how we might, like those before us, patiently and fraternally address areas of practice where we might disagree and, where possible, achieve greater agreement.

“Encourage congregations to strive for uniformity in church practice, but also to develop an appreciation of a variety of responsible practices and customs which are in harmony with our common profession of faith.”

LCMS Handbook (2023), Constitution Article III 7

Introduction

The 2019 LCMS convention charged the CTCR with producing a study document addressing the relationship between “unity in doctrine” and “uniformity and variety in practice.”¹ This language comes from Article III 7 of the Synod’s Constitution, which states as one of its objectives that the Synod should “encourage congregations to strive for uniformity in church practice, but also ... develop an appreciation of a variety of responsible practices and customs which are in harmony with our common profession of faith.” What exactly does this objective of the Synod mean for its members? First, it assumes unity in doctrine — a “common profession of faith” — which is the confessional basis for our fellowship as a denomination. Article II of the Constitution expressly identifies the canonical Holy Scriptures and the Lutheran Confessions as our church body’s basis for doctrine and practice. Article VI requires unqualified acceptance of this confessional basis for membership in the Synod. The Constitution says later that all matters of doctrine and conscience shall be decided by the Word of God, which includes the doctrinal teachings of the Lutheran Confessions since they are in accord with Holy Scripture (Article VIII C). This much is unobjectionable for all members of the Synod. This unity of the true faith is the foundation of our fellowship, while disagreement on the doctrines taught by Holy Scripture threatens that fellowship.

The other two terms raised by Article III 7 of the Constitution and by 2019 Resolution 5-11 are more complicated. The Constitution asserts that we should “strive for uniformity in church practice.” By church practice, it has in mind primarily — though not exclusively — matters of worship. That is why the original form in the 1847 LCMS Constitution (as we will discuss later) had it as “ceremonies” instead of “church practice.”² Thus, the Synod’s congregations should seek uniformity in worship practices. At the same time, the present (2023) Constitution also urges us to “develop an appreciation of a variety of responsible practices and customs which are in harmony with our common profession of faith.” This would suggest that, while we seek uniformity in worship practices, we not only accept, but even *appreciate* various worship practices, provided they are used *responsibly* and that they are in harmony with the unity of doctrine we share.

It goes without saying that this raises many thorny issues among us. How can uniformity be desirable, yet variety be appreciated? Should we seek uniformity in any and all practices, or is uniformity in some practices more desirable than in others? What makes for a responsible use of practices and customs, and, conversely, what makes for their irresponsible use? How do we determine which practices demand uniformity and which practices should be appreciated in their diversity? The Synod has been and remains divided over the answers to these questions.

¹ 2019 Resolution 5-11 (*Convention Proceedings*, 155).

² It should be noted that the concept of church “practice” is much larger than simply ceremonies. The 1917 revision of the Constitution expanded the article to include three related categories: “The endeavor to bring about the largest possible uniformity in church-practice (*kirchlicher Praxis*), church-customs (*Kirchengebräuchen*), and, in general, in congregational affairs (*Gemeindewesen*).” It is hard to know exactly what these three categories related to. *Kirchengebräuche* is the term used in Formula of Concord X, where it pertains mostly (but not necessarily exclusively) to church ceremonies.

INTRODUCTION

Yet it must also be said that the LCMS has long dealt with this tension — as did 16th-century Lutheranism and as has the church of all ages. The term Lutherans have customarily used to describe this tension is *adiaphora*, a Greek word meaning “things indifferent.”³ The term *adiaphora* (singular *adiaphoron*) is not used in Scripture but arises from ancient Greek philosophers in relation to actions they considered neither good nor bad, but neutral.⁴ Christian theologians later used it to describe works or practices that are neither commanded nor forbidden by Scripture and are thus in the realm of Christian freedom. This, of course, does not mean we should be indifferent toward all matters that are *adiaphora*. Nothing could be further from the truth. Lutherans of the past were willing to protest, even to suffer death or imprisonment, for a rightful use of practices deemed *adiaphora*. Our practices, even those not specifically mandated by God, reflect the faith that we profess in common. Moreover, when *adiaphora* are either required or forbidden (by church or state), we must resist that coercion (as the discussion of Formula of Concord later in this document will make clear).

Lutheran churches since the time of the Reformation have maintained that our unity in the faith does not consist in man-made practices, but in our common confession of doctrine (Augsburg Confession VIII and XIII). That does not mean that “anything goes” outside of our unity in doctrine. On the contrary, Lutherans have wrestled with the delicate balance between, on the one hand, Christian freedom in matters of *adiaphora* and, on the other, exhibiting the unity we share by the way we practice our faith corporately.⁵ For this tension, there is no easy solution, nor does this document aim to provide one. On the contrary, the Commission believes greater discussion and mutual understanding might be fostered through a close study of how Christians have maintained their doctrinal integrity despite disagreements over church practice and how they have resolved those differences without damage done to their doctrinal unity or to their fellowship. We have intentionally chosen examples from three very different periods in the church’s life — the Early Church, the Reformation-era church and the Missouri Synod — and from across a wide spectrum of debated issues, mostly dealing with worship customs, to show how Christians of good faith have navigated these differences.⁶

³ The Greek term *adiaphora* is not found in the New Testament. Its opposite, *ta diapheronta* (“things that matter”), is found in Romans 2:18 and Philippians 1:10. The closest cognate to be found is *diapherei* (“to be different”) in Galatians 2:6 and 4:1. On the terminology, usage and related concepts for *adiaphora* in the New Testament, see James Jaquette, *Discerning What Counts: The Function of Adiaophora Topos in Paul’s Letters* (Atlanta, GA: Scholars Press, 1995), especially 97–154.

⁴ The term *adiaphora* entered theological discussion not necessarily through biblical interpretation, but philosophical usage. Ancient Cynic and Stoic philosophers used the term to describe their differing views on the external customs and affairs of Greek culture. Cicero translated it as *indifferentia*, and medieval theologians applied these *indifferentia* to works of supererogation, which were beyond that required of Christians. Lutherans, with their emphasis upon the original biblical languages — as well as classical authors — brought this term into the theological discussion in its original Greek form. See Bernard Verkamp, *The Indifferent Mean: Adiaophorism in the English Reformation to 1554* (Athens, OH: Ohio University Press, 1977), 1–60.

⁵ A common way of framing the relationship between our worship practices and the faith we confess is the dictum *lex orandi, lex credendi* (“the law of prayer [is] the law of belief”). This saying, first articulated by Prosper of Aquitaine in the fifth century, is often cited as a reason for insisting upon specific forms of the liturgy as a way of reflecting or confessing our Lutheran theology. For good reason, confessional Lutheranism has never wholeheartedly adopted this phrase, as it could imply (and did for much of the church’s history) that the way we worship determines what we believe. On the contrary, Lutherans believe the doctrines we confess should shape the way we worship. However, a correct understanding of *adiaphora* (as the Formula of Concord puts it) or human traditions (as the Augsburg Confession frames it) means that there may be worship practices that do not correlate exactly with a specific theological teaching of Lutheranism and so may actually be *free*. In these matters, Christians have the latitude to choose which practices suit their local custom, piety or other particular needs. As will be discussed more fully later, per our agreement to practice in accordance with the resolutions adopted by the Synod in convention, we may also agree to use or not use specific practices — in worship or otherwise — even though those practices are, properly speaking, free and neither commanded nor forbidden by Scripture.

⁶ As noted in the preface, the Commission is not advocating for the solutions that Christians of the past have reached in these disagreements over church practice. The Commission sets these case studies before the Synod as examples of how those Christians have dealt with disagreements in practice that they did not consider necessarily church-dividing and thus sought to — and ultimately did — find agreement in those matters.

Early Church

CASE STUDY 1 **Jerusalem Council** (ACTS 15)

The church of the New Testament was not without its controversies and tensions. Whether it was the factions addressed by the Epistle of James, St. Paul's confrontation of St. Peter as described in Galatians 2, or the many problems besetting the Corinthian church, the apostolic era of the New Testament had divisions that required attention. Maybe the most foundational of these cases is the Jerusalem Council in Acts 15, where the young church had to wrestle with the application of Old Testament ritual law to Gentiles. As converts began to repent and believe the Gospel, the church grew rapidly. After Peter himself, through his interaction with Cornelius, began to advocate for the preaching of the Gospel to the Gentiles and their inclusion in the church, what was once a community made up largely of Jewish converts soon became a mixed assembly of Jew and Gentile. It was unavoidable that those two cultures — with their distinct religious and social backgrounds — would collide.

Acts 15 details the convergence of teachers in Antioch (ACTS 14:26–28) who were at odds with Paul and Barnabas over the requirement of circumcision. The preaching of Paul and Barnabas led many Gentile converts to the faith. However, teachers from Judea began to teach that these Gentiles could not be saved without circumcision (ACTS 15:1). Due to the strife, Paul and Barnabas, among others, were sent to Jerusalem to seek the counsel of the apostles and elders gathered there (ACTS 15:2). Yet there were some in Jerusalem who identified with the Pharisees and agreed with the Judean teachers that circumcision was mandatory for Gentile converts (ACTS 15:5). In what is by all accounts the first council or synod of the church, the apostles and elders met to debate the issue. Peter delivered a stirring account of his mission to the Gentiles and urged the assembly not to burden fellow believers in Christ with a requirement for salvation beyond that which the Gospel declares — faith in Jesus Christ alone.

There were two problems facing the Jerusalem Council — one related to doctrine, the other to practice. The doctrinal was the first to be addressed and undoubtedly the most important. The church unambiguously rejected the teaching regarding the necessity of circumcision. James the Just (not one of the Twelve, but the brother of Jesus and the apparent leader of the church in Jerusalem) agreed with Paul. Theologically speaking, in the sight of God (*coram Deo*, as Lutherans later put it) only faith in Christ avails for salvation. These Gentiles have converted to the Gospel, not to ritual or sacrificial practices of Old Testament Israel. The practice of circumcision is not required for salvation. Faith alone is necessary. Since the Gentile converts have faith in Christ, they must not be burdened with this quite clearly false doctrine of justification by works of the law, or a works-righteousness alongside the righteousness of faith (see ROM. 4:1–25; GAL. 3:1–21). On this, there could be no ambiguity or dissension. To disagree about this was to disagree about the Gospel and therefore would be divisive of the fellowship of the church.

There was also a practical problem the Jerusalem Council had to address: how much of the Old Testament law Gentiles should be required to keep. In this case, James urges four specific items of the ritual and civil law upon the Gentiles, all seemingly drawn from the proscriptions of Leviticus 17–18 contained in the Mosaic Law, which “is read every Sabbath in the synagogues” (ACTS 15:21). Gentiles were “to abstain from the things polluted by idols, and from sexual immorality, and from what has been strangled, and from blood” (ACTS 15:20; CF. 15:29). Why these four, among the many other regulations of the Old Testament? That is harder to say. It is obvious that there were divisions over consuming meats sacrificed to idols in the Early Church (ROM. 14:1–8; 1 COR. 8:1–12). That James and the council would ask Gentiles to abstain from this is reasonable. The request to refrain “from blood” and “from what has been strangled” likely relate to the prohibition against eating the blood of animals in Leviticus 17–18. The final request to abstain from sexual immorality (*porneia*) is less clear. It probably does not have in mind a general prohibition of sexual immorality, since sexual immorality is clearly against God’s law and is not a matter of adiaphora that a human council could dispense with or institute. It may be underscoring some of the very specific sexual deviations prohibited in Leviticus 18:6–23 that were not seen as problematic or objectionable in Roman culture. It might also include such things as marriages with pagans, consanguineous marriages or simply more restrictive Jewish attitudes toward relationships between the two sexes, none of which would have been expressly condemned by Scripture but may have provoked controversy between Jewish and Gentile believers.⁷

We cannot be certain exactly why James chose these four “accommodations” to the that Jewish contingent, or what he hoped to accomplish by doing so. It may have simply been to keep the peace, or so that Jewish converts would not feel ritually unclean by joining with Gentile converts in worship or meals, or even to remove obstacles to the evangelism of ritually pure Jewish unbelievers. In any event, it is absolutely clear what the Jerusalem Council could not tolerate: disagreement over the Gospel. We are justified through faith in Christ and Christ alone. As Augsburg Confession VII later says, there can be no unity apart from agreement in the Gospel (as well as the Sacraments, which forgive our sins through and on account of that Gospel). Where it is a matter of doctrine, where Scripture has clearly spoken on a matter of the faith, there can be no disagreement. The faith we confess binds us together and constitutes our unity. The Jerusalem Council simply could not tolerate the teaching that circumcision is necessary for salvation. On the other hand, there are matters that are free and that may in Christian freedom be corporately adopted for the sake of unity in the church. These are not required for salvation, and must not be presented as such, but they may in brotherly love and mutual consent be adopted for the sake of peace and good order within the church (1 COR. 14:40).

Not only is Acts 15 relevant to the discussion of adiaphora, but it also held great significance for the Missouri Synod at its founding. The 1847 Constitution — and every iteration since — listed as one of the two reasons for forming the Synod “the example of the apostolic church,” citing Acts 15:1–31. The Jerusalem Council provided the Synod with a clear, New Testament example of Christians of like faith joining together to discuss, deliberate and even disagree, but ultimately to seek unity in doctrine and practice. Those early members of the Synod sought to form a confessional fellowship rooted in such unity. That unity is founded only upon God’s Word and is not subject to majority vote. Other matters, where Scripture has not expressly spoken, may be debated. The Synod, especially in convention or in other outlets for discussion over matters of concern, may reach agreement to practice (or not practice) in a certain way. That something is, technically speaking, an adiaphoron, which Scripture has neither commanded nor forbidden, does not mean members of the Synod may disregard the consciences or objections of

⁷ F.F. Bruce, *The Book of Acts*, rev. ed. (Grand Rapids, MI: Wm. B. Eerdmans, 1988), 299, holds the more traditional opinion of consanguineous marriages. He adds: “Ordinary fornication, like ordinary idol-worship, was ruled out by the most elementary principles of Christian instruction.”

others concerning it. On the contrary, the very formation of the Synod — after the example of the apostolic church, as exemplified in Acts 15 — entails a commitment to conversing collegially about our life together and seeking to find resolution about disputed practices. That may ultimately mean a uniformity in certain practices or a variety in certain practices. The important thing is that the church comes together to talk about it, to do so on the basis of Scripture and the Lutheran Confessions, and to seek the best way forward without binding consciences in matters where Scripture has not spoken.

Questions for Discussion:

1. Since the Old Testament required circumcision, on what basis did the Early Church emphatically deny that it should continue as a requirement for believers?
2. How do the four proscriptions of the Jerusalem Council (things polluted by idols, sexual immorality, what has been strangled and from blood) indicate a commitment to love other believers?
3. Should the Jerusalem Council's decision have been retained for all subsequent church history? Why or why not?

CASE STUDY 2

Date of Easter (Second Century)

Another historical example of the tension between unity in doctrine and variety in practice, and one with pertinence for Lutheranism, is the Early Church's debate over the date of Easter. This is known as the Quartodeciman Controversy. "Quartodeciman" comes from the Latin term for "fourteen," as some early Christians believed Easter — the Christian Passover — should be celebrated on the Jewish Passover, which was observed on the 14th day of the Jewish month of Nisan (LEV. 23:5). The Jewish calendar followed a lunar cycle, which meant the 14th day after the full moon fell on or following the spring equinox. That also meant Easter could fall on any day, Sunday or not, and so Christians would celebrate it on any day — again, Sunday or not. This practice arose especially among Eastern Christians in Asia Minor and Syria in the Early Church. Quartodecimans sought to emphasize the relationship between the Passover and Christ as the church's Passover — or Paschal — Lamb. While Jews were sharing their Passover meal from sunset to midnight, Christians would fast and then, before dawn, celebrate their own Easter Passover with Scripture reading, song and the Lord's Supper.

While Quartodecimanism appears to be the more ancient practice, another approach emerged in Western churches, especially Rome, as increasing numbers of Gentiles converted to the faith. Western Gentiles were not as socially connected to the Jewish Passover and did not view Easter as the Christian Passover. Instead, the Roman churches came to emphasize the connection between Easter and the resurrection of Christ, which occurred on the Sunday after the Passover. Celebrating Easter on the Sunday after the Passover would become the common practice of the Roman churches sometime in the second century.⁸

⁸ A related issue was the difference in calendars themselves. The Jewish calendar was lunar and only contained 354 days, whereas the Julian calendar — predominant in the West since the first century B.C. — had 365 days. That meant, even if churches in the East shared the Roman practice of celebrating Easter on the Sunday after Passover, the date for Easter could differ by weeks depending upon the syncing of the calendars.

As a result of the divergence in the dating and observance of Easter, a series of minor controversies emerged, chiefly in the second century. After one synod affirmed the practice of the Roman church, the Roman bishop, Victor, threatened to excommunicate the bishop of Ephesus, Polycrates, and others who continued observing the Quartodeciman practice. Complicating matters was the fact that the practice of fasting prior to Easter — quite similar to the familiar custom of “giving things up,” or fasting, during Lent — meant that some Christians were feasting while others fasted, potentially even in the same region. It would take none other than the eminent Early Church theologian and bishop of Lyons, Irenaeus, to help resolve the impasse. Irenaeus, himself from Asia Minor and well-acquainted with the Quartodeciman observance, argued that a diversity of practice on the date of Easter, as well as the fasting that preceded Easter, had long existed among Christians. “In spite of that, they lived in peace with one another, and so do we: the divergency in the fast emphasizes the unanimity of our faith.”⁹

Ultimately, Irenaeus persuaded Victor to stand down, and the Quartodeciman practice existed alongside the Roman practice for a time. In the third century, churches gradually adopted Sunday for their celebration of Easter. In the fourth century, the Council of Nicaea opted for the Julian solar calendar and sanctioned the Roman practice of observing Easter on the first Sunday on or after the first full moon following the spring equinox. This would lead to Easter always being celebrated on a Sunday and always falling after the Jewish Passover. Yet, there were holdouts. Some Asian churches remained Quartodeciman until the fifth century. No British bishops were at the Council of Nicaea, so it would take several centuries for their churches to accept the Nicene practice. The Celtic churches planted by British missionary activity would retain the Eastern dating until the eighth century. Ultimately, though, the difference in practice did not result in a division in the church, precisely because, as Irenaeus argued, there was “unanimity of faith,” that is, unity in doctrine.

Sixteenth-century Lutheran reformers took note of the Quartodeciman Controversy and how it was resolved. The Lutheran Confessions appeal to it multiple times. Article XXVI of the Augsburg Confession directly cites this axiom of Irenaeus. The article itself rejects the medieval Roman practice of requiring fasts from certain foods as human traditions instituted to merit grace and earn forgiveness. It argues that human traditions — not only fasting, but also worship practices — are kept in the Lutheran churches, provided no one teaches that they merit grace or permits them to burden consciences:

For in the East the festival of Easter was celebrated at a date different from that in Rome. When some wanted to divide the church over this difference, others admonished them that there was no need to have uniformity in such customs. As Irenaeus says: “Diversity in fasting does not dissolve unity in faith.” (Augsburg Confession XXVI)¹⁰

The Apology of the Augsburg Confession would raise the Easter controversy itself multiple times in its discussion of the church. First, it uses the attempt of Victor to excommunicate Polycrates over the date of Easter as an example of how misguided opinions led to human traditions becoming “necessary acts of worship for meriting justification” (Apology VII/VIII 32). In the same article, the Apology would underscore the resolution to the Quartodeciman Controversy as an example of how human traditions should be regarded in the church and how disagreement over adiaphora should be treated:

⁹ 5.24 in Eusebius, *The History of the Church*, trans. G.A. Williamson (New York: Penguin, 1989), 173.

¹⁰ Robert Kolb and Timothy J. Wengert eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church* (Minneapolis: Fortress, 2000), 80. Hereafter abbreviated KW.

Before the Council of Nicaea, some observed Easter at one time, others at another time, but this difference did no harm to faith. Afterward, the arrangement was adopted by which our Easter falls at a different time from the Jewish Passover. However, the apostles had commanded that the churches observe the Passover with their fellow Christians who had been converted from Judaism. Thus, after the Council of Nicaea, certain nations clung tenaciously to this custom of observing the Jewish time. But the words of this decree show that the apostles did not wish to impose an ordinance on the churches. For they urge that no one should be troubled even though fellow Christians do not observe Easter at the correctly calculated time. The text of the decree is preserved in Epiphanius: “Do not calculate, but celebrate it whenever your brethren of the circumcision do; celebrate it with them at the same time, and even though they have erred, do not let this trouble you.” Epiphanius writes that these words are taken from an apostolic decree about Easter. From this the prudent reader can easily judge that the apostles wanted to remove from the people foolish opinions concerning the necessity of observing a set time, since they forbid them from being troubled even though a mistake is made in the calculations. (Apology VII/VIII 42)¹¹

Where there is agreement in doctrine, says the Augsburg Confession, exact similarity in rites need not be required. This rule of Irenaeus is referenced again in the Formula of Concord. Article X of both the Epitome and the Solid Declaration directly quote Irenaeus — “dissimilarity in fasting is not to disrupt unity in faith” — when arguing that churches should not condemn one another on the basis of legitimately free ceremonies, provided there is unity in their teaching of the faith and in their use of the Sacraments (Epitome X 7; Solid Declaration X 31).¹²

Lutherans in the present may be tempted to dismiss the Quartodeciman Controversy as unnecessary quibbling. To the minds of the participants in the Early Church, however, it was not. Quartodecimans could appeal to precedent or tradition, since the Jewish calendar had long been observed by Christians and the earliest practice of Easter was connected directly to the Passover. Both sides could also appeal to theology, since how one celebrated Easter had implications for how the feast was regarded. The Quartodecimans believed Easter reflected the crucifixion of Christ as Paschal Lamb on the Passover itself, while the Roman church believed Easter best embodied the resurrection of Jesus on Sunday, the Lord’s Day. These were not insignificant conflicts in the Early Church, and they lasted for centuries. Yet the resolution to that controversy, and in particular the words of Irenaeus so frequently cited in the Lutheran Confessions, provide a helpful example of how to approach conflicts over matters of adiaphora. We do not brush them aside but must take seriously the claims of those who disagree with this or that practice — claims not only of what Scripture says, but also tradition and precedent, as well as the theological implications of the practices we observe. It is not always easy to determine where the line is between truly free ceremonies and ceremonies that are inextricably bound up with our confession of the faith, yet those conversations need to take place. However, where there is agreement in the doctrines we confess, we should take great care not to let disagreement in matters of ceremony adversely impact the confession of the faith we share together. “Dissimilarity in fasting is not to disrupt unity in faith.”

¹¹ KW, 182.

¹² KW, 640.

EARLY CHURCH

Questions for Discussion:

1. How is it that different church customs can actually “emphasize the unanimity of our faith”?
2. What are some contemporary examples of ceremonies or customs that should not disrupt unity of faith?
3. When may a different church custom destroy or undermine unity of faith and doctrine?
4. What are some customs/ceremonies that do undermine our unity of faith?

Lutheran Reformation

CASE STUDY 3

Luther's *Invocavit* Sermons (1522)

Moving forward to the time of the Lutheran Reformation, Martin Luther and his fellow reformers were presented with many challenges concerning specific church practices that were neither commanded nor prohibited by Scripture. While the Roman church sought to retain humanly instituted traditions and require them as necessary for salvation, other reformers rejected many of these practices simply because Rome retained them. Where these practices were at odds with Scripture, Luther himself insisted that they be changed. He addressed many of these, especially those related to the Lord's Supper, in his 1520 *Babylonian Captivity of the Church*. He criticized, and urged the rejection of, communing under one kind (withholding of the cup) and the canon of the mass (which presented each consecration of the Lord's Supper as a sacrifice for the forgiveness of sins). By the time of his 1523 Latin Mass (*Formula Missae*), those errors were removed. However, on many other practices that Scripture did not directly command or prohibit, Luther was willing to preach and teach patiently rather than enforce a change against the will of the people, for fear that it would create a new threat to the consciences of those who did not understand the reasons for the change. He addresses this directly in a series of eight sermons preached in March 1522 — immediately after his return from seclusion in the Wartburg Castle — known as the *Invocavit* Sermons (named after the Latin term for the first Sunday in Lent).¹³

Between May 1521 and March 1522, Luther was sequestered in the Wartburg Castle for his protection following his courageous stand at the Diet of Worms in April 1521. In the meantime, others in Wittenberg and elsewhere began to take up his mantle and press for change in the church. In Wittenberg alone, several figures were involved. Luther's brother in the Augustinian cloister, Gabriel Zwilling, urged their chapter to stop celebrating the mass. Philip Melancthon supported his students in communing with both kinds. However, it was another fellow professor at Wittenberg, Andreas Bodenstein von Karlstadt (or Carlstadt), who caused the most commotion. On Christmas Day 1521, he observed the first public Communion service in both kinds, with no vestments and with the Words of Institution spoken in German. He would contribute to the adoption of a new worship service, or church order, in January 1522, against the wishes of both Melancthon and the prince of Electoral Saxony, Frederick the Wise. He also began to speak and write against the presence of images in the church, claiming they violated the First Commandment's prohibition of idols. Luther finally decided to return to Wittenberg and address how to undertake his proposed reforms in a way that would be theologically faithful and pastorally sensitive. This became the theme of the *Invocavit* Sermons.

¹³ These sermons may be found in *Luther's Works, American Edition*, ed. Jaroslav Pelikan, Helmut T. Lehmann and Christopher Boyd Brown, 75 vols. (Philadelphia and St. Louis: Fortress Press and Concordia Publishing House, 1955–2025), 51:67–100. Hereafter abbreviated LW.

Luther preached these eight sermons upon his return from the Wartburg, addressing specific worship practices that were being reformed, yet causing controversy in the process. First, Luther lays out some basic considerations to prevent hasty, ill-conceived changes that might adversely affect the consciences of the faithful. He argues that those attempting to reform Wittenberg have a right faith, that is, a correct understanding of the Gospel. What they lack, however, are 1) love for their fellow Christians, whose consciences are being burdened by these premature reforms, and 2) the patience necessary to instruct those Christians adequately before changes are made.¹⁴ Luther separates these possible reforms into categories of “must” and “free”: The former refers to those things that Scripture necessitates, while the latter refers to those things that it does not.¹⁵ Where Scripture necessitates a change, the church “must” do so. Where Scripture does not, the church has freedom, but it may not turn a “free” matter into a “must.” Undergirding this is Luther’s principle of evangelical liberty: In matters where Scripture has not spoken, there is freedom to practice something or not, yet one must not exercise this freedom at the expense of the neighbor. “If we use our liberty unnecessarily, and deliberately cause offense to our neighbor, we drive away the very one who in time would come to our faith.”¹⁶ The Christian must oppose those who demand something Scripture does not demand, but must also refrain from expressing his liberty in a way that harms the neighbor who does not understand this principle of Christian freedom yet. Rather than forcing reform in a matter that is free when the weak may not be ready for the change, it is better to preach and teach so that they might be prepared to receive it. “Therefore no new practices should be introduced, unless the gospel has first been thoroughly preached and understood.”¹⁷

Luther then turns to specific practices that reflect different categories of adiaphora. In the first place, there are adiaphora that some seek to prohibit, such as images of the saints or the practice of private confession before receiving the Sacrament. While Scripture does not mandate these, those who prohibit them go beyond what Scripture says and treat as forbidden what is not forbidden. Luther is no fan of images, but he allows for them for the sake of the weaker brother. He steadfastly refuses to give up private confession, however, preferring to teach it rightly so others might receive it freely rather than under compulsion. In the second place, Luther addresses adiaphora that some seek to encourage (or even enforce) without providing sufficient theological rationale or despite objections to them. Eating meat on Fridays or in Lent and holding the host in one’s hands when receiving the Lord’s Supper belong to this category. Luther does not consider either practice inherently objectionable, but he fears that urging them despite reservations may harm the consciences of those who are not ready for the changes. Finally, Luther speaks of practices that are not adiaphora and should be implemented, but not until the people are adequately instructed. Receiving the Lord’s Supper under both kinds is an example of this category. The Gospels clearly institute reception of both kinds, but even here Luther wants to wait until consciences are instructed and embrace the change before they receive it.¹⁸ In each case, patient instruction is paramount. The preaching and teaching task of the ministry should precede and lead to changes of practice in the life of the church.

Luther will underscore these principles of Christian freedom and evangelical reform in relation to adiaphora a few years later in his 1525 *Against the Heavenly Prophets*. There he says, “There is to be freedom of choice in

¹⁴ LW 51:71.

¹⁵ LW 51:74.

¹⁶ LW 51:87.

¹⁷ LW 51:90.

¹⁸ Luther finally came to the conclusion that sufficient instruction had been given by September 1523, and he subsequently urged the reception of both kinds in his December 1523 *Formula Missae*. See Martin Brecht, *Martin Luther: Shaping and Defining The Reformation, 1521-1532*, trans. James L. Schaaf (Minneapolis : Fortress Press, 1990) 124-125, and Luther’s comments in LW 53:34-35.

everything that God has not clearly taught in the New Testament, for example, in matters pertaining to various foods, beverages, attire, places, persons and various forms of conduct.”¹⁹ He lists other examples where both Karlstadt *and* Rome attempt to force Christians to accept or reject a certain practice that is truly an adiaphoron. Their error is the same:

They both destroy Christian freedom, and they are both anti-Christian. But the pope does it through commandments, Dr. Karlstadt through prohibitions. The pope commands what is to be done, Dr. Karlstadt what is not to be done. Thus through them Christian freedom is destroyed in two ways: on the one hand, when one commands, constrains, and compels what is to be done, which is nevertheless not commanded or required by God; on the other hand, when one forbids, prevents, and hinders one from doing that which is neither prohibited nor forbidden by God. For my conscience is ensnared and misled just as much when it must refrain from doing something, which it is not necessary to refrain from doing, as when it must do something, which it is not necessary to do. When men must refrain from doing that from which they need not refrain and are compelled to do what they need not do, Christian freedom perishes in either case.²⁰

Like his principle of Christian freedom in the *Invocavit Sermons*, it is imperative to understand that the practice of adiaphora cuts both ways. Whether commanding that which is not commanded or prohibiting that which is not prohibited, one is still requiring something that Scripture has not required and thereby establishing a law that binds consciences. True Christian liberty is exercised in love, where the consciences of weaker Christians are honored, matters that are free are left free, and a new law is not created by regarding as necessary that which Scripture does not regard as necessary.

While neither the *Invocavit Sermons* nor *Against the Heavenly Prophets* are in the Lutheran Confessions or cited authoritatively in them, Luther’s approach will shape how the Lutheran Confessions do talk about adiaphora. Both the Augsburg Confession and the Apology rebuke those who set up the traditions of the church as requirements. Where they are established as requirements for the purpose of pleasing God or earning salvation, they are clearly rejected. That is not a reason to act *carte blanche* in such matters. On the contrary, certain traditions may be retained, even where there is no scriptural command. As Apology XV describes this approach:

We teach that liberty in these matters should be exercised moderately, so that the inexperienced may not take offense and, on account of an abuse of liberty, become more hostile to the true teaching of the gospel. Nothing in the customary rites may be changed without good reason. Instead, in order to foster harmony, those ancient customs should be observed that can be observed without sin or without proving to be a great burden. In this very assembly we have sufficiently shown that, for the sake of love, we will reluctantly observe adiaphora with others, even if such things may prove to be somewhat burdensome. We judge that the greatest possible public concord which can be maintained without offending consciences ought to be preferred to all other interests. (Apology XV 51–52)²¹

¹⁹ LW 40:127.

²⁰ LW 40:128.

²¹ KW, 230.

Beyond the simple moderation of Christian freedom, the Augustana and Apology also see a positive function for those things categorized as adiaphora. They argue that certain practices may be retained and observed for the benefit of instructing the faithful and maintaining peace and order in the church. For instance:

For after all, all ceremonies should serve the purpose of teaching the people what they need to know about Christ. (Augsburg Confession XXIV 3)²²

For although the holy Fathers themselves had rites and traditions, they still did not maintain that these things were useful or necessary for justification. They did not obscure the glory and work of Christ. Instead, they taught that we are justified by faith on account of Christ and not on account of these human acts of worship. Moreover, they observed these human rites on account of their usefulness for the body, so that people may know at what time they should assemble, so that they may have an example of how all things in the churches might be done decently and in order, and finally, so that the common people may receive some instruction. (For different seasons and various rites are valuable in admonishing the common people.) (Apology XV 20)²³

Ceremonies should be observed both so that people may learn the Scriptures and so that, admonished by the Word, they might experience faith and fear and finally even pray. For these are the purposes of the ceremonies. (Apology XXIV 3)²⁴

Such practices are not irrelevant or unimportant, let alone should we be indifferent toward them. On the contrary, we may even use them positively within the church to the benefit of the faithful, provided the way they are communicated does not go beyond what Scripture says about them. Ultimately, for Luther, as for the Lutheran Confessions, our approach to questions of adiaphora requires both theological faithfulness and pastoral sensitivity. We must not treat as required those practices that are neither commanded nor prohibited, or we risk setting up a new law that binds the consciences of the people. Yet we may use such free matters profitably within the church if we speak about them rightly and instruct the faithful in them responsibly, and we may even decide to make use of the same ceremonies together uniformly as a corporate body. This is the balance the Lutheran Reformation sought to strike, and it is the balance we continue to seek.

Questions for Discussion:

1. If matters of adiaphora may be beneficial for instruction, can they also be detrimental to faithful instruction? Discuss some possible examples of each in the church today.
2. How would you explain the difference between “requiring” adiaphora and “retaining” adiaphora?
3. How do you evaluate Luther’s willingness to (temporarily) permit communing in one kind out of love for “the weak”? Does this violate the understanding that an adiaphoron is something Scripture does not teach or require?

²² KW, 68.

²³ KW, 225–226.

²⁴ KW, 258.

CASE STUDY 4

Adiaphoristic Controversy (16th Century)

When Lutherans think of adiaphora, it is most likely the article on “church practices” (*Kirchengebräuche*) in Formula of Concord X that first comes to mind. This article helped conclude a long-running debate concerning whether and to what degree Lutherans could change practices considered adiaphora in times of persecution or when doing so might cause offense in the church. The controversy arose partly because of how German Lutherans — in the wake of Luther’s death and political turmoil in the Holy Roman Empire — sought to apply their view of adiaphora noted above in the Augsburg Confession and its Apology. Those confessions were clear that human traditions or ceremonies neither commanded nor prohibited by Scripture were not required for salvation. Neither should they be foisted upon the church in a way that binds consciences, as Luther warned in his *Invocavit Sermons*. However, the church is free to retain, adopt or dispense with such practices insofar as that is deemed beneficial for the people. They may be considered beneficial for the purpose of instruction or for the maintenance of peace and order in the church, or even (as noted earlier in the citation from Apology XV) for the sake of conciliation and broader church unity within the Holy Roman Empire. It was on this latter basis that certain German Lutherans made concessions in the worship and governance of the church that others considered a compromise in the doctrine the church had worked so hard to defend and a potential stumbling block for the laity.²⁵

The controversy began after the League of Schmalkald, a defensive alliance of German Protestants who subscribed to the Augsburg Confession, fell to the forces of Charles V, the Roman Catholic emperor, in 1547. Prince John Frederick of Electoral Saxony, nephew of Frederick the Wise (patron of the Reformation in Wittenberg and Luther’s prince), lost some of his lands to Duke Moritz of Ducal Saxony. Even though he was raised Lutheran, Moritz was favorable to Charles V and the Holy Roman Empire’s attempt to establish religious uniformity. In 1548, Charles commissioned a set of church regulations called the Augsburg Interim, which would govern churches in southern Germany until the recently convened Council of Trent could put permanent regulations in place. The Augsburg Interim allowed Protestants to commune in both kinds and to have married priests but otherwise rolled back many of the reforms already established in Lutheran churches, such as issues related to justification, Roman papal and episcopal authority, the medieval sacraments, and the traditional practice of the mass, among many other ceremonial matters.²⁶

Faced with this prospect, Wittenberg theologian Philip Melanchthon began working with Moritz of Saxony to develop a more acceptable set of regulations that he hoped would protect the Lutheran churches in Moritz’s territories. The elder statesman of the Reformation and author of the Augsburg Confession and its Apology, Melanchthon helped draft what became known as the Leipzig Interim — an alternative proposal that likewise conceded certain practices to Rome. Leipzig insisted upon justification by faith (albeit in a more ambiguous form than the Augsburg Confession or Apology), but also restored compulsory private confession and extreme unction, the Latin rite of the medieval mass with its traditional ceremonies, the canonical hours and services for the dead, the prohibition

²⁵ Studies of the Adiaphoristic Controversy and its relationship to Formula of Concord X include: Charles Arand, Robert Kolb and James Nestingen, *The Lutheran Confessions: History and Theology of the Book of Concord* (Minneapolis: Fortress Press, 2012), 171–190; Friedrich Bente, *Historical Introductions to the Book of Concord* (St. Louis: Concordia Publishing House, 1965), 107–112; Robert Kolb, “Historical Background of the Formula of Concord,” in *A Contemporary Look at the Formula of Concord*, ed. Robert D. Preus and Wilbert H. Rosin (St. Louis: Concordia Publishing House, 1978), 17–26; Kurt Marquart, “Article X, Formula of Concord: Confession and Ceremonies,” in *Contemporary Look*, 260–270; and Oliver K. Olson, *Matthias Flacius and the Survival of Luther’s Reform* (Wiesbaden: Harrassowitz Verlag, 2002), 68–160.

²⁶ For the text of the Augsburg Interim, see *Sources and Contexts of the Book of Concord*, ed. Robert Kolb and James A. Nestingen (Minneapolis: Fortress Press, 2001), 144–182.

of meats on Fridays and Saturdays or in Lent, and episcopal ordination.²⁷ Many of these concessions came with specific conditions (such as that bishops would not oppose the Gospel), but they also appeared to contradict arguments made earlier by Melanchthon and adopted by Lutherans in the confessions he had written.

Opponents arose who accused Melanchthon of conceding too much in the Leipzig Interim. Matthias Flacius Illyricus, in particular, led the church in arguing against the Interim. There were two very different concerns. One was that the doctrines articulated in the Interim were ambiguous at best, if not contrary to the Lutheran confession of faith. Melanchthon denied this accusation. The other had to do with reinstating practices that the Lutheran churches had already rejected because of their association with the Roman church and its teaching. The most curious of these was the use of traditional vestments, such as the surplice, which might give the impression to the unlearned that Lutherans were reverting to the old faith. According to Flacius, “Whoever puts on a surplice denies Christ’s teaching.”²⁸ Even where doctrine was not explicitly changed or where truly free practices were changed in accordance with the Augsburg Confession, there was still a concern for the reasons *why* changes were being made, namely, that the church was doing so under pressure from a civil government hostile to the Gospel, rather than freely for the sake of peace, good order and instruction in the church. Even though some of these practices were technically free, changing them due to societal pressures ran the risk of not giving faithful witness to the doctrines that separated them from Rome. In this event, adiaphora ceased to be truly neutral things.

The controversy was eventually resolved due to political changes. In 1552, the Treaty of Passau brought an end to the Schmalkaldic War between Protestants and Catholics. In 1555, the Peace of Augsburg granted Lutheran princes the right to permit the Lutheran confession of faith in their territories, provided they not prohibit Catholic churches. Neither the Augsburg Interim nor the Leipzig Interim remained in effect. Even Melanchthon himself stood down, agreeing with Flacius that he had gone too far in making concessions to Rome in ceremonial matters.²⁹ Yet the controversy raised new questions regarding how Lutherans should treat adiaphora. Melanchthon believed that, in accordance with the Augsburg Confession and the Apology, the church had freedom to change practices that were adiaphora, whatever the reason, including pressure from civil government or in order to be at peace with Rome. Flacius and others believed adiaphora ceased to be free if one changed them due to persecution or if changing them caused scandal in the church. In his words, “Nothing is an adiaphoron when confession or offense is involved.”³⁰ When is an adiaphoron no longer an adiaphoron?

This is the question addressed by Formula of Concord X. It does so with at least two pivotal arguments. First, it seeks to clearly define adiaphora. Ceremonies or other customs that are neither prescribed nor forbidden in Scripture count as true adiaphora. They exist strictly for proper decorum or good order, but are not properly speaking “divine worship,” that is, Word and Sacrament. The church is free to change these as it sees fit, provided it not do so frivolously or in such a way that causes offense (SD X 1–10). Second, under threat of persecution, the church is conscience-bound *not* to change adiaphora in such a way that it might imply a change in its confession of the Gospel. “When the enemies of God’s Word want to suppress the pure teaching of the holy gospel, the entire community of God, indeed, every Christian, especially servants of the Word as the leaders of the community of God, are obligated according to God’s Word to confess true teaching and everything that pertains to the whole of

²⁷ For the text of the Leipzig Interim, see *Sources and Contexts of the Book of Concord*, 183–196.

²⁸ Oliver K. Olson, “Adiaphora, Mandata, Damnabilia,” *Lutheran Forum* (Spring 2010): 23.

²⁹ Bente, *Historical Introductions*, 112.

³⁰ Bente, *Historical Introductions*, 110.

religion freely and publicly.³¹ In these cases, the church is to consider itself in a state of confession³² and should not compromise on adiaphora by accepting practices that opponents (religious or secular) require, or by eliminating practices that opponents forbid (SD X 11–25).

Of course, Formula of Concord X did not — and could not possibly — identify exactly when the Gospel is being suppressed or how the church is to determine that. Nor did it address the question of the proper relationship between church and state, which lies behind the Adiaphoristic Controversy and has been a perennial Lutheran concern. The church in every age and under very different circumstances must wrestle with adiaphora. It cannot simply point to an adiaphoron and say the church is always free to do what it wishes with its practices. Formula of Concord X clearly says there are other considerations beyond whether Scripture commands or forbids something. Likewise, the church must use theological discernment, patience with and concern for the weak, even charity toward those who think differently, when it comes to evaluating whether a particular ceremony or other practice may be changed or not, whether the context or change of a ceremony rises to the level of a state of confession, or whether decisions on such matters constitute a compromise in doctrine. It is also worth saying that the appeal to adiaphora in the 16th century (namely, to adopt more traditional, liturgical ceremonies) is effectively the obverse of the discussion in the Missouri Synod in recent decades, when we have often debated it in terms of adopting less traditional liturgical practices.³³ One should exercise care when drawing direct correlations between such historical matters.

The purpose of this case study is not to exposit the Formula of Concord, nor to draw such correlations.³⁴ It is rather to show how Lutherans of another time and place wrestled with disagreements over practice that caused division within their churches. In the terms of our LCMS Constitution, 16th century Lutherans believed they already had unity in doctrine. They did not require uniformity in practice, yet they were conscious that *certain* forms of variety in practice could raise questions about the unity in doctrine they shared. Uniformity in practice (or restrictions on *certain* forms of variety in practice) when the Gospel is under attack is not only desirable but may even be necessary. Determining when this is the case requires wisdom, sensitivity and discernment. It also requires us to exercise love, by not availing ourselves of certain adiaphora that may cause conflict or give the impression of compromise on doctrine to the weak, but also by showing patience and charity to those who do avail themselves of certain adiaphora in cases where we might not. It is with these broader churchly concerns in mind that the Formula cites the dictum from Irenaeus already noted above in the discussion of the Quartodeciman Controversy: “For this reason the churches are not to condemn one another because of differences in ceremonies when in Christian freedom one has fewer or more than the other, as long as these churches are otherwise united in teaching and in all the articles of the faith as well as in the proper use of the holy sacraments. As it is said, ‘*Dissonantia ieiunii non dissolvit consonantiam fidei*’ (dissimilarity in fasting shall not destroy the unity of faith)” (Formula of Concord SD X 31).³⁵ That is to say, unity in doctrine is and must always be paramount. It precedes, informs and should be used to understand, direct and, at times, require certain church practices. Uniformity and

³¹ KW, 637.

³² For a definition and discussion of the term “state of confession” (*in statu confessionis*) in the Lutheran tradition, see opinions rendered by the CTCR in 1971 (1971 *Convention Workbook*, 32) and 2005 (2007 *Convention, Workbook* 398-399). The 2005 opinion is available on the CTCR’s website at <https://resources.lcms.org/reading-study/ctcr-library-lcms-polity-and-policy/>.

³³ See footnote 57.

³⁴ There is ample ink spilled on that confessional issue over the centuries, and the Commission commends many of those studies to the Synod for its study and consideration. See the references in footnote 24.

³⁵ KW, 640.

variety in practice, on the other hand, are and must remain questions of prudence, religious and political context, corporate decision-making in the church, and, especially, brotherly love.

Questions for Discussion:

1. As you consider the changes that were proposed in the Leipzig Interim, discuss how “outside” circumstances can affect decisions about church doctrine and practice.
2. What are the most effective ways to maintain a clear understanding of what is or is not a matter that demands unity?
3. The Formula of Concord condemns allowing practices that “give the appearance” or “impression” that the Lutheran confession and Roman Catholic views were not “completely different.” How would that standard be applied today in relation to Roman Catholic or non-Lutheran forms of evangelical Christianity?

The Missouri Synod

CASE STUDY 5

Formation of the Synod (1847)

Like its ancestors in the Lutheran Reformation, The Lutheran Church—Missouri Synod has since its formation wrestled with how to approach adiaphora in a way that is both theologically responsible and pastorally sensitive. At its very first convention, in fact, the Synod had to deal with debates over controversial worship practices, whether they should be permitted and how those practices impacted the unity in doctrine its members shared. The current (2023) constitutional Article III 7 (originally IV 10) concerning uniformity in ceremonies was included to address how the young church body might bring about a uniformity in practice that reflected its unity in doctrine. It also proposed numerous constitutional measures specifying practices that contradicted or raised questions about the doctrine it confessed. The Missouri Synod did not deny the implications of these worship practices for the unity in doctrine it shared or for the impression they gave to the surrounding culture or to other church bodies or congregations who might consider joining the Synod. Nonetheless, the Synod also acknowledged that a degree of discretion or prudence should be exercised so as not to damage the unity in doctrine it shared over a matter that is not categorically prohibited or required by Scripture. To that end, we can identify two distinct, yet complementary approaches to dealing with questions of adiaphora: 1) to permit certain practices temporarily until proper instruction could be given; and 2) to permit (or not explicitly forbid) certain practices despite the fact that they might be understood wrongly under particular conditions.

In the first place, there were ceremonies that, while theologically problematic, may be permitted temporarily until congregations are rightly instructed. This was immediately a concern for the first convention when it dealt with the constitutional article on uniformity. The proposed version of the Constitution first specified that one objective of the Synod was “to strive after the greatest possible uniformity in ceremonies.”³⁶ This caused objection from those who feared the church body would enforce or oppose certain rites legalistically. The 1847 convention proceedings record the following response from the Synod: “It only deems such uniformity wholesome, especially under the conditions in which our church finds itself here — the Synod also does not want any kind of coercion in introducing a ceremony, but everything should be placed into the liberty of the respective congregations, after preceding and thorough instruction of the consciences.”³⁷ Before enforcing or removing a ceremony against the wishes of the people, it urged those charged with the care of that congregation to instruct the people in the reasons for using one practice over another.

³⁶ The text of this is found in “Our First Historical Constitution,” *Concordia Historical Institute Quarterly* 16.1 (1943): 5. Hereafter, CHIQ.

³⁷ *1847 Proceedings*, 7, cited in Aug. R. Suelflow, “The Congregation-Synod Relations of the Lutheran Church-Missouri Synod in Historical Perspective, 1847–1872: A Report to the Synodical Survey Commission, Report 1A,” 4.

The 1847 convention addressed the same concern in its article related to the use of unorthodox worship resources. The proposed Constitution included a stipulation that the Synod require “the exclusive use of doctrinally pure church books and schoolbooks (Agenda, hymnals, readers, etc.)” (Article II 4). However, the final version allowed that this may not be possible in every case. Where it is not, the pastor may retain the other materials “under open protest,” yet should still publicly speak against them and seek to introduce appropriate resources.³⁸ The Constitution did not outright refuse a pastor membership in the Synod in this case. Membership depended upon agreement in doctrine, as defined by unconditional subscription to our confessional basis of Scripture and the Lutheran Confessions. That said, if the use of unorthodox worship resources risks communicating false doctrine to the faithful in the pew, then it is the responsibility of the Synod to address it. Rather than requiring the pastor in question to cause a disturbance in his congregation by replacing the former hymnals with new ones, for instance, it offers another option: He can join the Synod under the express requirement that he use the unorthodox hymnal in “open protest.” Furthermore, he was to (this time in the language of the uniformity of ceremonies) “strive” to introduce an orthodox Lutheran hymnal. Doctrinally pure worship materials were not forced upon the congregation. The pastor was allowed time to persuade them evangelically to accept an orthodox hymnal, yet he was required as a condition of his membership in the Synod to make a clear confession of his orthodoxy by protesting these older (presumably Union or Reformed) resources. The Synod’s ultimate decision in this matter was consistent with how it responded to the question about enforcing ceremonies against consciences: Even though a ceremony may raise concerns or depart from what other Synod congregations are doing, the pastor’s first responsibility is to instruct the congregation under his care before making a change that could potentially cause great controversy. Instruction — not coercion — is the means to uniformity.

Second, the 1847 convention also identified worship practices that could potentially communicate something false under certain circumstances. However, since such practices were not prohibited by Scripture or the Confessions, neither did the Synod prohibit them. One such instance had to do with Reformed-influenced practices associated with the Lord’s Supper, such as the actual breaking of the bread (*fractio panis*); another was the use of the corporate form of general confession and absolution. It is important to take into account the context for this young church body. Alongside the Saxon immigrants of Perry County and the congregations of the Saginaw Valley (under the influence of men sent by Wilhem Löhe), there was the influence of Pastor Wilhelm Sihler, first president of Concordia Theological Seminary, Fort Wayne. He led several congregations out of the Ohio Synod and into the Missouri Synod at its founding. Sihler expressed opposition to the Ohio Synod’s use of Calvinist language in the Lord’s Supper and its practice of confession and absolution, as well its permissiveness toward clergy serving Reformed or Union congregations.³⁹

This is likely why the proposed 1847 Constitution specifically cited ceremonies that “might weaken the confession of the truth or condone or strengthen a heresy.” It suggested that, because the Reformed used ceremonies in

³⁸ “If it is impossible in some congregations to replace immediately the unorthodox hymnals and the like with orthodox ones, then the pastor of such a congregation can become a member of Synod only if he promises to use the unorthodox hymnal only under open protest and to strive in all seriousness for the introduction of an orthodox hymnal” (*CHIQ*: 3). This likely had in view pastors serving congregations that had inherited Union or Reformed worship resources — a common concern in the early 1800s, when confessional Lutheran resources were scarce. Nevertheless, the use of orthodox hymnals is an example of how thin the line separating doctrine and practice can be. On the worship concerns behind this constitutional article, see Jon D. Vieker, “The Fathers’ Faith, the Children’s Song: Missouri Lutheranism Encounters American Evangelicalism in Its Hymnals, Hymn Writers, and Hymns, 1889–1912” (unpublished Ph.D. dissertation, Concordia Seminary, 2014), 48–50.

³⁹ Gerhard H. Bode Jr., “The Missouri Synod and the Historical Question of Unionism and Syncretism,” *Concordia Theological Quarterly* 78, no. 3–4 (2014): 39–58, this point at 48–50.

order to contradict Lutheran teachings, those practices should be rejected in the Synod.⁴⁰ It adds: “To this belongs the breaking of bread in the Lord’s Supper; the formula of distribution: ‘Christ says’; the taking of the consecrated bread and cup with the hands; the use of ordinary bread instead of the host except in an emergency; and others.”⁴¹ These practices were developed in Reformed circles as objections to Lutheran doctrine, implying that the Sacrament was not Christ’s body and blood. Yet the citation of these Reformed abuses was dropped in the adopted version of the Constitution. These were serious theological problems, yet it was also understood that the Synod did not share the beliefs behind these practices and so did not need to explicitly reject them in its Constitution.

A similar situation prevailed in the consideration of general confession and absolution. The Augsburg Confession clearly declared the Lutheran retention of private confession. While Lutheran churches also continued to practice corporate confession and absolution, the Reformed rejected the private version. In German Reformed or Union congregations of the 19th century, corporate confession and absolution was deemed the sole acceptable practice. The proposed Constitution explicitly stipulated that Synod pastors should insist upon the practice of private confession: “Where private confession is in use, it is to be kept according to Article 11 of the Augsburg Confession. Where it is not in use, the pastor is to strive towards introducing it.”⁴² However, it also implied a rejection of general absolution, as practiced by the Reformed. This raised problems since orthodox Lutherans had long practiced the corporate form and had not rejected it on theological grounds, nor claimed that Scripture prohibited it. To that end, the approved Constitution qualified this stricture: “Yet in congregations where the total abolishing of general confession and absolution is hindered by unsurmountable obstacles, general confession may be kept along with private confession.”⁴³

Unlike the case of using Reformed or Union worship resources, which was only to be done under protest, here the pastor was given the right to continue using general absolution without any such conditions. Though the Reformed had used general confession and absolution as a mutually exclusive alternative to private confession, Lutherans did not see it that way. The Synod *preferred* private confession because the Lutheran Confessions urged its retention. Yet Lutherans had long practiced general confession and absolution, believing it to be in accord with Scripture. To reject something other Lutherans affirmed simply because another Christian body misinterpreted it would have run afoul of the basic dictum cited by Luther himself in the Large Catechism: “Misuse does not destroy the substance, but confirms its existence.”⁴⁴

In each of these cases, the Missouri Synod took specific worship-related practices into consideration independently and came to different conclusions about different practices. In the first case, where doctrinally impure worship resources were in use that might contradict the orthodox Lutheran faith, pastors were allowed to use them under protest in order to instruct their congregations about potential errors. In the second, Reformed worship

⁴⁰ The footnotes (*Bemerkungen*) to the proposed Constitution make clear the danger of adopting Reformed practices that may give the appearance of compromise — or, in fact, actually compromise — the doctrines the church holds as constituting its unity simply under the pretense of Christian freedom: “Much less could it give in such matters and adopt such new ceremonies which were connected with their new heresies and were so to speak a confession of such false doctrine in action, as e.g., the breaking of the bread in the celebration of the Lord’s Supper, which was supposed to depict the breaking of Christ’s body on the cross . . . in all of these things the Lutheran Church could [not] and cannot cede to the Reformed and adopt their churchly forms and customs, partly, as said, in order to preserve Christian freedom, so that nothing is foisted upon it as essential and necessary what God has left free (Gal. 5:1); partly to avoid all bad appearance, as if it was not in great and holy seriousness in stating the pure doctrine and refuting false doctrine, when it adopts ceremonies of the false teachers just in that place where it should avoid them most strictly, namely where, e.g. in the Lord’s Supper, the false teaching enters the churchly act and use; partly, in order not to give offense to its own children by such adoption.” Roland Ziegler, “A Translation of Parts of *Die Verfassung der deutschen evangelisch-lutherischen Synode von Missouri, Ohio und andern Staaten nebst einer Einleitung und erläuternden Bemerkungen*” (unpublished paper), 5–6.

⁴¹ *CHIQ*, 11.

⁴² *CHIQ*, 11.

⁴³ *CHIQ*, 11.

⁴⁴ Large Catechism V 59 (KW, 464).

practices related to the Lord’s Supper or corporate confession and absolution were not expressly prohibited because Synod members did not practice them with the same intent or understanding.

These approaches reflect a pastoral sensitivity to congregational dynamics and the discretion needed to bring about change. It was well within the scope of the Constitution to require that these practices be changed immediately as a condition of membership. Yet it was also acknowledged that this might cause greater harm by bringing about a change without adequate instruction or with the force of law that would bind consciences. Instead, the Synod trusted its faculty and clergy to instruct those under their care about the dangers, then allow pastors latitude in addressing them congregationally. While this may produce a degree of variety in worship that some found less “desirable” or “wholesome,” it was necessary so as not to confuse the church’s scriptural confession with ceremonial matters that were important — even *theologically* important — yet not expressly mandated or forbidden in Scripture.

Questions for Discussion:

1. How did the early LCMS understand what made uniformity in ceremonies desirable? What dangers did it seek to avoid by not forcing congregations to adopt ceremonies under coercion?
2. What sorts of practices raised concerns for the early Missouri Synod? Are some of those practices still with us, and, if so, what are they?
3. Are there contemporary examples of forces that seek to compel us to treat an indifferent matter (an adiaphoron) as something we are required to accept or adopt?
4. How should an ecclesiastical supervisor address a circumstance in which a pastor insists on a specific practice that is neither commanded nor forbidden in Scripture?

CASE STUDY 6

Lay Lectors (1989)

Another example of how Missouri Synod Lutherans have attempted to resolve the relationship between uniformity and variety in practice can be found in its approach to the lay reading of lessons in public worship.⁴⁵ While there is no single passage of Scripture that stipulates who may — or who may not — read the biblical lessons in public worship, it is clear from the New Testament that public reading was part of first-century worship. For instance, St. Paul urges the young pastor Timothy to “devote yourself to the public reading of Scripture, to exhortation, to teaching” (1 TIM. 4:13).⁴⁶ Throughout the history of Christianity, a member of the clergy (often called a “deacon” or “lector,” yet still either ordained or usually on the path to ordination) would ordinarily read those lessons. Within the Missouri Synod, this “public reading of Scripture” was customarily reserved for the pastor. In any event, there was no expressly stated position of the Synod on the matter.

⁴⁵ 2023 Overture 4-09, “To Rejoice in Proclamation of God’s Word by His Called and Ordained Servants,” was referred to the CTCR by the 2023 Synod convention. In its response to the submitting congregation, the Commission suggested that it would seek to address the overture’s concerns regarding the liturgical reading of lessons in this report.

⁴⁶ The Greek term for reading here, *anaginosko* (ἀναγινώσκω), can mean either “public reading” or simply “reading.” Likewise, translators interpolate the phrase “of Scripture,” which is not in the original Greek. Prior to the RSV (1952), English translations simply had “to reading, to exhortation, and to doctrine.” Luther’s German translation also has only “reading” (Lesen). What Paul means by the phrase, however, may be something more specific. Luther understood this as a public reading, for instance, in LW 28:329.

In this connection, it is important to highlight how the Synod arrives at its doctrinal positions and how it regards them. The confessional basis for membership in the Synod — for individual rostered church workers and congregations alike — is Holy Scripture and the Lutheran *Book of Concord*. However, in times of internal controversy or external opposition, the Synod may wish to express its collective position through the adoption of doctrinal statements or resolutions, which must be in harmony with Scripture and the Confessions. When a doctrinal statement or resolution is adopted, the members of the Synod are required to honor and uphold those statements and resolutions until or unless they are rescinded. At the same time, the right of brotherly dissent from the doctrinal position of the Synod is also granted to all members, who agree (by virtue of their membership in the Synod) to follow the guidance of the bylaws in doing so. That includes engaging in conversation within their fellowship of peers (defined as “those who are competent to evaluate the issue critically”), expression of that dissenting position to the CTCR, and finally submission of an overture to the Synod in convention. This process is not intended to stymie dissent, but to conduct it orderly and productively. This means respecting the conscience of the dissenter, as well as both the consciences of others who affirm the position of the Synod and the collective will of the Synod expressed in convention.⁴⁷

As the practice of laity reading the biblical lessons liturgically became more frequent in our denomination, it also became more controversial, and therefore a need to address it arose.⁴⁸ Most controversial was the use of women for the practice. In its 1985 report, *Women in the Church: Scriptural Principles and Ecclesial Practice*, the CTCR sought to address this directly.⁴⁹ Earlier Synod resolutions had taken the position that the New Testament statements forbidding women from teaching or exercising authority, and instead instructing them to keep silent in the church, meant “women ought not to hold the pastoral office or serve in any other capacity involving the distinctive functions of this office” (1969 Res. 2-17).⁵⁰ *Women in the Church* sought to explain this further by detailing four “distinctive functions of the pastoral office” that women should not exercise. They included: “preaching in the services of the congregation, leading the formal public services of worship, the public administration of the sacraments, [and] the public administration of the office of the keys.”⁵¹ While the report admitted that Scripture did not provide a comprehensive listing of such “distinctive functions,” it proposed those four as essential to avoid confusion with the Office of the Public Ministry. However, it did not specify the public reading of lessons as one of those functions.

Later, however, the report does address the question of whether it is appropriate for women to participate in this reading of the lessons. Its response addressed the broader issue of laypeople reading the lessons — male or female:

All Christians have access to the Scriptures. They do not require the church as an institution or another person to read and interpret them on their behalf. The reading of the Scriptures belongs to the priesthood of all believers, men and women. Moreover, there is no ceremonial law in the New Testament regarding the reading of Scripture in the context of public worship. Nor is there explicit apostolic prohibition of such reading by women. Nevertheless, it is the opinion of the CTCR that the reading of

⁴⁷ On this, see sections 1.6–1.8 in the LCMS *Handbook*.

⁴⁸ Whatever the actual practice in congregations, there were only four overtures related to lay readers — men or women — submitted to the six conventions from 1977 to 1989 (one in 1977, one in 1986, two in 1989).

⁴⁹ CTCR, *Women in the Church: Scriptural Principles and Ecclesial Practice* (St. Louis: The Lutheran Church—Missouri Synod, 1985)

⁵⁰ 1969 *Proceedings*, 88.

⁵¹ CTCR, *Women in the Church*, 42.

the Scriptures is most properly the function of the pastoral office and should therefore not ordinarily be delegated to a lay person, woman or man. Pastors and congregations should therefore exercise great care in making decisions permitting the lay reading of the Scriptures or any other activity in the formal liturgical services which might be perceived as an assumption of the pastoral role or a disregard for the Scriptural principles concerning the service of women in the church (e.g., 1 COR. 11:3–16; 14:33B–35).⁵²

Two things should be noted. First, the CTCR report states that there is no specific scriptural directive governing the reading of lessons in public worship, let alone forbidding women — or the laity in general — from doing so. Second, at the same time, the CTCR also urged against the practice. It said that the public reading of Scripture in worship was “most properly the function of the pastoral office” and thus should not “ordinarily” be given to the laity — again, “woman or man.” To do so might give the impression of “an assumption of the pastoral role.” In essence, where there is neither scriptural command nor prohibition, the church must not make a command or prohibition as if it were biblically required. Nonetheless, the church *may* urge against, or even choose to restrict, a given practice should it stand to create confusion or cause dissension. In keeping with what the Lutheran Confessions often do, this reiterates St. Paul’s argument that “God is not a God of confusion” (1 COR. 14:33) and “all things should be done decently and in order” (1 COR. 14:40).

A different opinion on the issue would emerge at the 1989 Synod convention. When a convention resolution addressed the question of women reading the Scriptures in worship, it cited the first point of the CTCR report approvingly. In fact, it directly quoted the following from the report: “There is no ceremonial law in the New Testament regarding the reading of Scripture in the context of public worship. Nor is there explicit apostolic prohibition of such reading by women. Nevertheless, it is the opinion of the CTCR that the reading of the Scriptures is most properly the function of the pastoral office and should therefore not ordinarily be delegated to a lay person, woman or man.” Yet it came to the exact opposite implication. Whereas the CTCR had urged against the practice, 1989 Resolution 3-14 argued that, because it is permissible, then it is an entirely free matter left to the discretion of congregations. Thus, congregations may permit the lay reading of Scripture, “recognizing decisions in this regard lie in the arena of Christian judgment.”⁵³

Should laypersons read the Scriptures in public worship? The Missouri Synod never directly answered that question, and it did not answer that question because (it argued) there was no clear statement in Scripture either commanding or forbidding it. The CTCR urged against it, though acknowledged it was an adiaphoron. The Synod in convention — which determines the doctrinal position of our church body — also considered it a matter of Christian freedom yet offered no direction on whether it should or should not be done. It is important to acknowledge that the Synod did not say the lay reading of public lessons in the church is necessary and therefore *should* be practiced. That is because the Synod did not believe Scripture addressed that point, either. If it had made that point, then it would have stated positively what Scripture does not state positively and thus become a matter of doctrinal division that threatened our unity in the faith.

⁵² CTCR, *Women in the Church*, 45.

⁵³ 1989 *Proceedings*, 118.

Excursus: Women’s Suffrage

A parallel to this issue may be found elsewhere in recent Synod history: the adoption of women’s suffrage. The LCMS had long practiced male-only voting membership. This is entirely understandable given the emphasis upon the role of the voters assembly as the primary instrument for decision-making within the local congregation (and, by extension, the Synod convention as the primary instrument for decision-making within the Synod more broadly).⁵⁴ Some were concerned that allowing a woman to vote in congregational or Synod assemblies would contradict New Testament passages concerning a woman’s public role in the church (such as 1 COR. 11:3–10; 1 COR. 14:33–35; AND 1 TIM. 2:11–14).⁵⁵ As early as the 1956 convention, the Synod sought to address concerns regarding women’s suffrage. That convention reaffirmed the longstanding practice of adult-only, male-only voting membership, even requiring the 10 “nay” votes at the convention to give their reasons for voting against the resolution to the secretary of the Synod. Nevertheless, the report of the commission making this proposal at the convention stated clearly that Scripture does not address women’s suffrage. Ultimately, it affirms the practice as a “Scripture-sanctioned” and “time-tested” custom that the Synod may retain if it wishes (as the 1956 convention voted to do).⁵⁶

That position would change in 1969, when the Synod convention voted to allow women’s suffrage. In a resolution cited above — 1969 Resolution 2-17 — the convention affirmed that Scripture did not have a congregational assembly, or other expressions of church polity, in mind in the prohibitions against women speaking publicly, teaching or exercising authority over men. These prohibitions had to do with holding the pastoral office and exercising its distinctive functions, that is, with the public preaching office in the church — the Office of the Public Ministry. In this sense, it took the same exegetical position as 1956, namely, that Scripture neither commanded nor prohibited women’s suffrage, yet it came to a different practical implication for the life of the church.⁵⁷ Women could participate in congregational assemblies; serve as delegates to Synod conventions; and hold positions on boards, commissions and committees. It concluded that the congregations and other entities of the Synod had “liberty to alter their policies and practices in regard to women’s involvement in the work of the church according to these declarations, provided the polity developed conforms to the general Scriptural principles that women neither hold the pastoral office nor ‘exercise authority over men.’”⁵⁸

⁵⁴ It is also worth saying that there were many subtle exceptions to this practice within the Synod, even if outright voting membership was not granted to women (as the United States itself did not until the ratification of the Nineteenth Amendment in 1920). For instance, women had the right to express their voice in matters of excommunication or in vetoing the calling of church workers who may not possess the requisite biblical qualifications for their office. On this, see John Fritz, *Pastoral Theology* (St. Louis: Concordia, 1932), 315, and Theodore Graebner, *Pastor and People* (St. Louis: Concordia, 1932), 126. Additionally, the National Evangelical Lutheran Church (Finnish) practiced women’s suffrage at the time of its merger with the Missouri Synod in 1964, when its congregations were incorporated into existing Synod districts. It is uncertain whether they retained suffrage. On this, see Harold Austermann, “A History of the National Evangelical Lutheran Church to Merger with the Lutheran Church—Missouri Synod” (unpublished Bachelor of Divinity thesis, Concordia Seminary, 1970).

⁵⁵ For more on this, see LCMS Commission on Theology and Church Relations, *The Order of Creation: History, Theology, Definition* (St. Louis: The Lutheran Church—Missouri Synod, 2022).

⁵⁶ 1956 *Proceedings*, 569.

⁵⁷ This is worth comparison with a 1982 opinion of the exegetical department of Concordia Theological Seminary, Fort Wayne, which stated unequivocally — even against the earlier findings of the 1956 report that likewise *opposed* women’s suffrage — that women’s suffrage in the church “is contrary to at least ten clear testimonies of the Word of God.” See “The Opinion of the Exegetical Department of Concordia Theological Seminary concerning Woman Suffrage,” 8. www.ctsfw.net/media/pdfs/CTSFWOpinionWomensSuffrage.pdf.

⁵⁸ 1969 *Proceedings*, 88.

Notice again, however, what the 1969 resolution does not say. It does not require congregations to adopt women’s suffrage. It does not force women to vote. It does not oppose the consciences of those who choose to remain with the traditional practice of the Synod, nor does it claim there must be uniformity of practice on this matter within the Synod precisely because it is a custom of the church on a position that Scripture does not address. On the contrary, it urges “cautious and deliberate action in the spirit of Christian love.” Had this been a matter of doctrine, then the case would have been different. The Synod would have required unity, and it would have required unity based upon the clear Word of God. In this matter, however, it believed Scripture neither prohibited nor required the exercise of voting rights by women. It took this position in part because Scripture does not require certain forms of polity, such as congregational assemblies or Synod conventions, just as it does not require bishops or state churches (as was customary throughout European Lutheranism since the Reformation).⁵⁹ Ultimately, the Synod did not believe women’s suffrage threatened the unity of the church, even where congregations could have different practices. As 1995 Resolution 3-05 said, “Honest Christian conscience can and does exist on both sides of this issue, but such difference of opinion is not divisive of Christian fellowship.”⁶⁰

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In the case of lay readers (as in the case of women’s suffrage), we have an example of the tension between uniformity and variety in practice. Neither the CTCR nor the Synod claimed that this was a matter of doctrine, that is, the clear teaching of Scripture and the Lutheran Confessions. The CTCR believed uniformity in the practice of lectors was desirable — much like the first Constitution of the Synod — but did not believe a variety in that practice damaged the doctrinal unity we share. The Synod in convention, however, approached it differently, not claiming that uniformity in this matter was desirable, yet urging the “responsible” exercise of variety.

When the Synod makes decisions on matters of this nature, it should be said that such decisions are never permanent or inviolable. We submit all church decisions to the rule of Holy Scripture — and the Lutheran Confessions as accurate expositions of that Word of God — and that in turn means we must be willing to change those decisions if and when we determine they are not in accord with God’s Word. There are clearly delineated processes in our bylaws for the reconsideration of doctrinal statements and resolutions which a member of the Synod believes to contradict the Scriptures and Lutheran Confessions. Even more so, in cases where we claim that a matter is free, or one that Scripture does not directly address, we must also be willing as a church body to reconsider our position. The Synod is free to consider a new resolution proposing a new position. This is especially true for certain practices neither commanded nor prohibited, such as lay lectors or women’s suffrage. There may be good reason for changing those practices, whether that involves resolving a preventable conflict within our church body or providing a united front against certain cultural movements, or simply the fact that we desire a common form of this or that practice. The point is that we must reason together. We must work together as fellow brothers and sisters in Christ. We must bear in mind the consciences of others within our fellowship, we must follow our duly agreed upon Synod Constitution and Bylaws, and we must seek to find solutions to our problems that neither

⁵⁹ This point was expressly made by C.F.W. Walther in his first presidential address in 1848. See Carl S. Meyer, ed., *Moving Frontiers: Readings in the History of The Lutheran Church—Missouri Synod* (St. Louis: Concordia, 1964), 174–175.

⁶⁰ 1995 Proceedings, 120.

compromise the unity we have in doctrine, nor turn something that is an adiaphoron into a law binding upon consciences.

Questions for Discussion:

1. How does the recency of a case study impact the way that these issues are evaluated?
2. How does our evaluation of adiaphora change when we have a personal investment or strong opinion about the issues involved?
3. To what extent should the Synod provide guidance, stipulate practice or set forth “rules” to settle a divisive issue that is in fact a matter of adiaphora? Is it helpful or harmful when it does?
4. How much of the wider church (circuit, district, Synod, other Christians) needs to be taken into account, and to what extent, when making a decision about a potentially divisive practice of adiaphora?

What Now?

This study document has not sought to provide precise answers to which ceremonies or other practices in the Missouri Synod require uniformity and which ones allow for variety. Nor does it seek to identify what is properly adiaphora and what is not. The Commission can categorically say that, where Scripture or the Lutheran Confessions directly address matters of doctrine or practice, those matters require unity and are not up for debate, compromise or change.⁶¹ There are many practices that do fit within the category of practices expressly commanded or forbidden by Scripture. That list includes admission to the Lord's Supper, the avoidance of unionism and syncretism, the call and ordination of pastors, the responsibility of the pastoral office for preaching the Word and administering the Sacraments, the prohibition of women's ordination, or the restriction of certain distinctive functions of the pastoral office to men.

Yet many of the practices at issue in the Missouri Synod historically, or those detailed in the preceding case studies, are not clearly addressed by Scripture or the Lutheran Confessions. Likewise, many of the worship practices often cited in the LCMS debates over proper practice fit into this category — things like instrumentation in worship, specific rites or ceremonies within the order of worship, conduct of the liturgy, vestments, certain forms of lay assistance in worship, among others, are not directly addressed by the Scriptures, nor are they part of the doctrinal content of the *Book of Concord* that the Synod has always considered obligatory.⁶² However, the fact that something is an adiaphoron does not mean the Synod is prevented from collectively adopting or urging a common practice. This has been the case for many issues in our history, such as the decision to require the use of doctrinally pure worship materials, the rejection of women's suffrage before 1969, or later restrictions on women serving as elders or assisting in the distribution of the Lord's Supper.⁶³ We may adopt — and have done so frequently — a common practice not required by Scripture, in accordance with our duly prescribed procedures for adopting Synod resolutions, provided we do not maintain that Scripture clearly commands or prohibits certain practices when it does not. In that event, such a decision may invoke Formula of Concord X, which binds us to oppose practices being required as necessary that are truly adiaphora.

How then should we proceed when we *disagree* about whether something is truly an adiaphoron or not? How should we address a contested practice that needs change or reconsideration? One can get the impression that appealing to the Constitution, Bylaws and resolutions of the Synod on matters of either doctrine or practice

⁶¹ In this sense, we reject the relativistic approach to doctrine and practice that characterizes many in the ecumenical movement or among other Lutheran church bodies globally. For an example, see the Lutheran World Federation, *Now There Are Varieties: A Study Document on Lutheran Identity in the Global Lutheran Communion* (Geneva: The Lutheran World Federation, 2023).

⁶² It is of more than passing interest that the 1956 Synod convention — the same convention that reaffirmed the practice of women's suffrage — passed a resolution (1956 Res. 3-18) appealing to then-Article III 5 concerning liturgical uniformity. It specifically resolved that “pastors, teachers, and theological students who have a special interest in liturgics continue to be warned to exercise an appropriate measure of caution in these matters, so that the consciences of our people and clergy be not disturbed, and that our Synod be on guard lest ‘Romanizing tendencies’ develop in our midst.” It further asked that the Praesidium and district presidents examine liturgical practices in light of Article III 5 and “deal vigorously with offences arising in the area of liturgical practices” (1956 *Proceedings*, 550–551). The appeal to uniformity in practice can again be used *for* or *against* various forms of liturgical worship.

⁶³ On the last, see 2016 Resolution 5-14, “To Reaffirm Biblical Teaching on Man and Woman in the Church,” 2016 *Proceedings*, 163. For another worship-related example, see 2016 Resolution 4-04A, “To Appeal to the LCMS Congregations, Workers, and Institutions within Christian Freedom and for Love's Sake to Retain a Common Order of Service for the Lord's Supper,” 2016 *Proceedings*, 147.

(adiaphora or not) is an attempt to stint conversation or prevent change. That is not — or ought not be — the case. Rather, those processes established by the Synod are intended to provide for orderly discussion of contested matters, undertaken in a way that respects the consciences of *all* members of the Synod — whether agreeing with the existing position or dissenting from it (see especially 2023 *Handbook*, Bylaw 1.8). The purpose is not bureaucratic officiousness or partisan politicking, but the facilitation of theological conversation like that of Acts 15, where members of the Synod discuss and debate matters of importance, yet bear “with one another in love, eager to maintain the unity of the Spirit in the bond of peace” (EPH. 4:2B-3).⁶⁴

Despite its many changes in phrasing and scope over the years, the article of the Synod Constitution precipitating this study has retained a primary goal of encouraging uniformity in church practice. We see this in every iteration of the Constitution. At the same time, it has also come to grant that a “variety of responsible customs and practices” may be permissible, provided they do not injure the doctrine we share in common as the basis for our fellowship nor sow seeds of division within that fellowship. When and where we find practices that raise doubts about the faith we confess or cause offense, we can and should attempt to discuss those matters and seek to persuade one another of the better practice.⁶⁵ Where the Synod has no position (as defined by a doctrinal statement or resolution), we are free to debate those matters publicly, whether in seminary publications, theological periodicals, district conventions, pastoral conferences, circuit meetings, even — with great care given to the medium — in online forums. Where the Synod has a position, more discretion is necessary. The process for dissent encourages potential dissenters not to air their disagreement publicly, but first to address the issue within the fellowship of their peers. That usually involves private discussion among fellow clergy, and preferably conversation with those who are “competent to judge” (ordinarily the called theological professors of the Synod, at a seminary or otherwise, who can evaluate their arguments critically), before expressing that dissent to the Commission on Theology and Church Relations and potentially submitting an overture to the Synod in convention. Again, this process does not seek to inhibit, but *facilitate* productive, orderly conversation about doctrine and practice that the members of the Synod hold as the basis for their unity.

The ultimate goal of such conversation and dissent, as with our agreement concerning doctrine and practice in the first place, is “to conserve and promote the unity of the true faith” — the very first objective of the Synod. Note that this does not state that my opinion is the true faith. That true faith is found in Scripture, and in the Lutheran Confessions as accurate expositions of that pure Word of God. What makes our fellowship a true fellowship is not a synodical constitution, bylaw or resolution, but agreement regarding this “doctrine and all its articles” (Formula of Concord: Solid Declaration X 31) that our shared submission to Scripture and the Confessions entails. If we are going to truly engage and hope to persuade one another of the biblical faithfulness of a practice, then it will require us to enter such conversation on the basis of virtues clearly taught by those Scriptures we confess. A pastor must “not be arrogant or quick-tempered or a drunkard or violent or greedy for gain, but hospitable, a lover of good, self-controlled, upright, holy, and disciplined ... hold firm to the trustworthy word as taught” (TITUS 1:7B-9A). Any leader in the church must “be dignified, not double-tongued, not addicted to much wine, not greedy for dishonest gain ... hold the mystery of the faith with a clear conscience” (1 TIM. 3:8-9). The entire priesthood of believers must embody what St. Paul says to the church at Ephesus:

⁶⁴ It is not merely coincidental that the Constitution appeals to both Acts 15 (as reason for establishing the Synod) and to Ephesians 4 (as basis for the first objective of the Synod, namely, “to conserve and promote the unity of the true faith”).

⁶⁵ For instance, C.F.W. Walther, again in his first presidential address, celebrated rather than lamented the fact that the church’s authority does not exist primarily in constitutional force, but in scriptural agreement and the power of persuasion: “We have merely the power to advise one another ... the power of the Word, and of convincing.” *Moving Frontiers*, 170.

WHAT NOW?

Having put away falsehood, let each one of you speak the truth with his neighbor, for we are members one of another. Be angry and do not sin; do not let the sun go down on your anger, and give no opportunity to the devil. Let the thief no longer steal, but rather let him labor, doing honest work with his own hands, so that he may have something to share with anyone in need. Let no corrupting talk come out of your mouths, but only such as is good for building up, as fits the occasion, that it may give grace to those who hear. And do not grieve the Holy Spirit of God, by whom you were sealed for the day of redemption. Let all bitterness and wrath and anger and clamor and slander be put away from you, along with all malice. Be kind to one another, tenderhearted, forgiving one another, as God in Christ forgave you. (EPH. 4:25-32)

Above all, we must trust one another, not assuming the worst, and seek to edify one another in word and deed. Theological discussion is not a battle to be waged and won, but a humble, mutual submission to God's Word for the sake of our own faith, that of our neighbor's faith, that of the whole church, indeed, that of a lost world.

The cases examined in this document do not definitively establish the relationship between uniformity and variety in our practices. They show, rather, how the church has always wrestled with this distinction. At times, that has resulted in greater uniformity. This was obviously the case with the date of Easter or the rejection of certain practices under persecution in the 16th century. At other times, greater diversity was permitted, such as freedom from Jewish practices among Gentile believers in Acts 15 or the decision not to enshrine certain prohibitions or requirements for worship in the original LCMS Constitution. What these case studies reveal is that, with appropriate time and patience, conversation and study, greater understanding may be reached regarding where uniformity is more desirable and where greater diversity may be appreciated. That is part of what it means to be the Synod, to commit to a life together in doctrine and practice, and to work together to better understand and share that common doctrine and, where appropriate, common practice.

