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LUTHERANS IN AMERICA HAVE ADOPTED a number of different arrangements to order their church affairs. Congregations of the old Synodical Conference have been traditionally governed by voters' assemblies chaired by elected laymen. The late Robert D. Preus referred to the Norwegian Synod, where pastors and not laymen chaired these assemblies, a custom probably in vogue also in the old ULCA. Voters' assemblies are of recent origin in Lutheran history. Lutherans have operated without voters' assemblies and do not make this an issue. As the name suggests, the Pennsylvania Ministerium, the first Lutheran Synod in America, was a synod of pastors; only later was an equal number of laymen added to the mix. Where pastors exercise authority, the system is called "conciliarist." When bishops have the final word, it is called "episcopal," and "presbyterian" where authority is shared between pastors and laity. Most churches have a blend of these procedures. This is even true of the monarchical Roman Catholic Church, in which a parish's financial affairs are often in the hands of a lay council chaired by the pastor. The laity in the Episcopal Church have a vote in parish and diocesan conventions, and district presidents in the congregationally organized LCMS have episcopal authority in supervising pastors and congregations.

At one time, membership in LCMS voters' assemblies was limited to males twenty-one and older. When the Constitution of the United States was amended to give eighteen-year-olds the right to vote, most LCMS congregations followed suit. Perhaps a lower percentage of eighteen-, nineteen-, and twenty-year-olds participates in LCMS voters' assemblies than participates in national and state elections. This age group has demonstrated good sense in their lack of interest in participating in the political process, and so the decision to lower the voting age has affected the government as little as it has the governing of our congregations. The constitutional amendment giving them the right to vote was no more than a compensation prize for their having to fight in Vietnam and not a result of their burning desire to get out and vote on the Tuesday after the first Monday in November. Young adults have other things on their minds—and well they should. At eighteen hardly any of them are married and fully employed, and most of them are struggling to

find funds to pay for the next four or more years of education. Responsibility begins later in life than it did a century ago. Only after more than half a century had passed did the LCMS allow for its congregations to align its practice with the constitutional amendment giving women the right to vote, an issue that still stirs a little dust, but not much.

On the surface it appears that the governing policy of LCMS congregations eventually reflects and flows with the political currents. A *prima facie* case can be made that throughout church history the church's governing procedures follow, or at least resemble, civil government. This is demonstrably the case with the ordination of women pastors that was allowed and then mandated by the socialist-leaning governments of Scandinavia. Dutch Lutherans took over Calvin's presbyterian system in use in Holland in which clerical preaching elders and lay ruling elders had equal standing. This balancing of pastor and lay authority was introduced into Muhlenberg's congregations in Philadelphia. LCMS synodical and district conventions operate in the same way, though the reason for this may be different.

Today many congregations have to work at encouraging their members to participate in voters' assemblies. Decreasing participation in voters' assemblies is matched by the waning participation in state and national elections. Only 11 percent of the party faithful participated in the Iowa Republican and Democratic caucuses on January 25, 2000. Such indifference in civil and church elections may suggest that the people are satisfied with the ways things are running; at least, that's what George Will suggests. He also points out that Hitler came to power in Germany with about 98 percent of the vote. Those who do not feel qualified to vote or who have no burning desire to do so should not do it. Increased congregational participation in voters' assemblies is no promise of church bliss. Prominent in recent LCMS history were the decisions of over three hundred voters' assemblies to leave the LCMS for the Association of Evangelical Lutheran Churches, which soon was absorbed into the ELCA and is now aligned with the Reformed. In many, if not most, of the congregations leaving the LCMS, marginal members exercised their options to vote and made the difference. The pastors literally got out the vote! Luther said that popes and church councils err. So do voters' assemblies.

A not uncommon assertion for a Reformation Day sermon is that Luther was responsible for a number of things like universal education and literacy, nationalism, a unified German nation, democracy, American independence from England, and

DAVID P. SCAER, a contributing editor for *LOGIA*, is Chairman of Systematic Theology and Professor of Dogmatics and Exegetical Theology at Concordia Theological Seminary, Fort Wayne, Indiana.

so on—Luther the great benefactor. These benefits are said to be results of his doctrine of the universal priesthood of all believers. If people are going to keep their pastors in check, they should at least know how to read their Bibles. We are all equal, so we all have an equal say in how things are done. Good Lutherans are good Americans. Or is it the other way around? It doesn't matter. Reformation Day is a good opportunity to claim the market on patriotism and democracy. Maybe someone who ordinarily would not have become a Lutheran will become one, because, after all, it is the American thing to do. It is also the rational thing to do. The Rationalists of the Enlightenment saw Luther as one of their own. He was also made a party to Pietism by prominent leaders in the establishing of the LCMS. Picturing Luther as the great democratizer is historical revisionism: the great Reformer sided with the princes in putting down the Peasants' Revolt in 1525, only eight years after he nailed the Ninety-Five Theses to the church door. Still, seeing Luther as the font of democracy makes for good press.

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So the first step is to make Luther responsible for American democracy, as we have shown. But there is a second step, which is bit more dicey. The LCMS's founding father, C. F. W. Walther, is obviously not responsible for American democracy, but did he conform his doctrine on the church and ministry to it? On this the feathers fly. One side says that Walther americanized the doctrine of the church, and the other side, that he was only putting Luther's doctrine of universal priesthood of all believers into practice, something that the Reformer wanted but was unable to do because of his circumstances. According to this second option, similarities between democracy and the practice of the universal priesthood were coincidental and not necessarily related. In favor of the first view of an Americanized LCMS are the parallels between laity voting in congregational meetings and citizens voting in state and national elections. Surely without a constitutional amendment giving eighteen-year-olds the right to vote, LCMS congregations would not have adjusted their constitutions. Universal priesthood parallels, or at least translates into, universal suffrage. But there is one objection to this argument. How likely is it that Lutheran Saxons, recently arrived in the hinterlands of Missouri, have adopted a form of government with ancient roots in England but not even extant in Germany? Not likely. In Germany kings and princes were still calling the shots and had required Lutherans to worship with the Reformed. That should settle the matter. The quasi-official LCMS position has traditionally been that our polity has its roots in Luther's doctrine of the universal priesthood of all believers, and not because some Saxon immigrants took over

American constitutional processes as soon as they arrived in this country. Case closed.

Not so fast. Enter Larry Rast with an article in the October 1999 issue of the *Concordia Theological Quarterly*.¹ Rast rehearses much of the LCMS history that all of us should know, but fewer and fewer probably do. The Saxon Lutherans, from whom the LCMS sprang, were led by Martin Stephan. Before they disembarked in their new homeland, the pastors who accompanied them recognized Stephen as bishop with authority over all things spiritual and temporal. The pope used to claim a double crown for himself. From Rast's evidence, it seems that Stephan was already a bishop in his own eyes and the pastors were the first to recognize it. There was an act of recognition, but no consecration. After landing in the New World things changed. Allegations made by several women led to his being forced out of the Lutheran church-colony, which, without their leader, was now threatened by internal disintegration. Carl Vehse, the prominent layman, took a commanding role in attempting to move from the newly adopted and soon discredited, episcopal form of church government to a democratic one: one man, one vote. In the end, Walther saved the day by discovering that the real power lay with the people and not a bishop or the clergy, but the people transferred their authority to the pastor with a divine, non-retractable call. Since nearly all of our readers have the *Concordia Theological Quarterly* at their disposal, there is no need to go over the historical particulars offered by Rast, who provides references for those requiring more study.

For the LCMS, the Saxon emigration combines the Israelites passing through the Red Sea and Mayflower motif of the pilgrims settling in Plymouth, Massachusetts: they miraculously flee the tyranny of a German state church, only to find other problems on the opposite shore with an equally tyrannical bishop from which they are also then delivered. As an historian Rast re-evaluates the evidence and puts another twist on LCMS *Heilsgeschichte*. This brief historical moment could be ignored, but the LCMS's ecclesiology is rooted in the rapidly occurring events of a few months. The church-ministry debate out of which Walther forged his doctrine was only a moment in time in comparison with the centuries-long debate that gave us our Nicene Creed and the Chalcedonian Christology. Humanly speaking, were it not for Walther's incontestable genius in devising principles to keep this small band of Germans from disbanding, the restoration of confessional Lutheranism would have faltered. Here is a condensation of the historical data offered by Rast.

The Saxons left Germany in November 1838. Two months later on board the ship, Stephan accepted an overture from the pastors to become their bishop. This is what Rast calls the "conciliarist" view, in that this action was taken by the pastors and not the laity. On May 30, 1839, just six months after leaving their homeland, and after about four months in Missouri, Stephan was removed from office by the same pastors and exiled to the east side of the Mississippi. Nature abhors a vacuum, and into the void Vehse forced his concept of a democratically controlled church. Not considered were the other options of an episcopally controlled church, which Stephan had made distasteful, or the "conciliarist" one, which the pastors exercised in removing the bishop. Carl Vehse had been state archivist in Saxony, and by anyone's stan-

dards was well educated and especially versed in and influenced by the revolutionary thought emerging from the Enlightenment in England and France, ignited by the French Revolution and spread in Germany by Napoleon's conquests. Vehse fancied himself a theologian and set down six propositions, among which was "the supremacy of the spiritual priesthood over the preaching office and argued that 'the office of the ministry is only a public service, and only when it is committed to an individual by a congregation is it valid.'" Along with two other laymen he wrote a book that "argued that Scripture and the Confessions demand a congregational form of government." Among its tenets were that "congregations, as congregations, are in honor to be preferred before the clergy," and "the doctrine of the universal priesthood of all believers must be maintained as a bulwark against reassertion of papal authority." Vehse listed his authorities as Luther and the Pietist Jakob Spener. Rast remarks, "The language of 'bulwark' brings to mind the American system of checks and balances." To this we add our own observation that the American Declaration of Independence was a rebuke of the tyrannical rule of a king, and the Constitution sees ultimate power in the citizens: "We the People . . . , in order to form a more perfect union . . ." In Vehse's view, and in the American one, the people are the solution.²

Though one group of LCMS historical authorities denies any American influence in this part of LCMS history, Rast shows that its leaders were well read on the democratic procedures of the country to which they were going. Vehse deliberately inflamed the passions of the people against their pastors and, according to Rast, offered a program that Nathan Hatch found to be typical of democratizing principles of American Protestantism: "refusal to defer to seminary-trained pastors; empowerment of the laity; and offering enthusiastically a vision of what the people could accomplish themselves." For Vehse, the laity possessed the keys of the kingdom immediately and the pastor only indirectly. He allowed for uneducated clergy in emergencies. In other words, Vehse's program was no different from what has always been common among American Protestants, and what is increasingly more common among some Lutherans. Vehse's authorities for advancing what he considered a Lutheran ecclesiology were Luther, the proto-Pietist Johann Arndt, and the arch-Pietist Jakob Spener, "whom he praises as a 'leader of those last, truly zealous messengers of the Gospel, the Pietists.'" It should be remembered that the universal-priesthood-of-believers doctrine was a favorite among the Pietists, for whom the ordinary worship of preaching and the sacraments was best supplemented by private devotions. Vehse called his opponents "the 'proud clerics' of the orthodox party." Though "Vehse" is hardly a household word, that spirit is alive and well in some quarters.³

Scandinavian immigrant Lutherans held to the same views as Vehse. But that is traceable, not to him, but to their experience in their home countries where bishops and clergy were civil servants accountable to the king. Most ELCA objection to fellowship with the Episcopal Church was centered in the upper Midwest where this heritage of distrust lingers.

Rast endorses most of Carl Mundinger's thesis that Walther took over into his own position Vehse's views that the church as

the universal priesthood possessed the keys, but safeguarded the ministry with the transfer theory of the ministry, *Uebertragungslehre*, the divinity of the call, the authority of the word of God, and permanent tenure of the pastor. By this view, congregations had ultimate power, but transferred it to the pastor who under ordinary circumstances had a permanent claim to exercise it. Walther's position was a theological construct

This polity should not be confused with a doctrine, even though this is exactly what has happened.

sued for a church moving in the direction of anarchy. Problematic for Rast is that "a good deal of Missouri Synod historiography (one might say 'all') has argued that the polity developed by our forebears directly from Scripture and the Confessions without any intermediary." It wasn't. Court historians, in defining Walther's position, have overlooked the historical cauldron in which he developed his position. "The result is an uncritical linking of polity and ecclesiology." Walther constructed a polity that addressed the democratic fever that had overcome the Saxon Lutheran colony in Missouri and threatened to destroy it. This polity should not be confused with a doctrine, even though this is exactly what has happened. Walther's construct worked then, because he safeguarded the office of the ministers who were regarded until the middle of this century with great respect. But in an age of individualism this construct has begun to disintegrate and often led to disastrous results, which have allowed congregations to become sovereign in their dealings with their pastors and the synod. Congregations who have transferred their authority to the pastor in the call are retracting that authority, something which was foreign to Walther. In these situations pastors are left at the mercy of the majority in voters' assemblies. For such congregations, the synod becomes no more than an advisory body, and they are no longer bound to its decisions in doctrine and practice, including such ordinary matters as hymnals. Today, liturgical anarchy has replaced a day not that long ago when quite literally all LCMS congregations followed the same order of services. Views of congregational autonomy not only have specific political roots, but they are grounded on an individualism in which "everyone [is] a minister."⁴

Rast is as much a historian as he is a realist. In an American environment, reestablishing an episcopal form of church government is as impossible as it is unnecessary. Democracy is a fact of life—even among the tradition-bound Eastern Orthodox churches where voters' assemblies make decisions about church property. Even in the Roman Church, the laity participate in parish and diocesan councils and university boards. Pastors of all denominations in the American situation

have to live within democratic heritage of the Enlightenment in church management. But it is an entirely other thing to adjust our history to give the impression that Walther and his successors ever believed that the church *as church* (*una sancta*) was established by God as a democratic institution like the United States. To insist that one form of church polity is divinely bestowed is sectarian.

Characteristic of congregationalism is that each congregation determines what the truth will be for it. We should be very careful that Lutheran procedures do not become an acculturation to the Pietistic-Enlightenment heritage common to American churches. Where the final decision is left in the hands of the congregation—and this is what the sovereignty of the congregation means—the pastor has little choice but to become a demagogue who must continually massage his congregation in order to survive. Then the preaching of law is compromised and addressing specific sins is rendered impossible. The people may not like it—and hence not like him. Examples include Moses, Jeremiah, and Jesus himself. Christ's doctrine is too sacred to be left to the politically persuasive talents of the preacher.

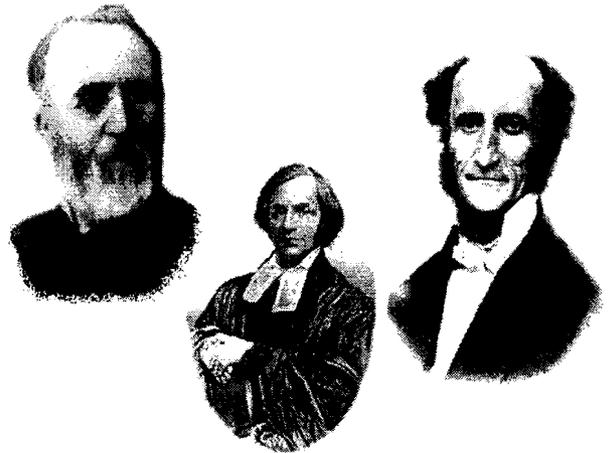
For the record, Bishop Stephan was deposed not by any congregation or the voters' assembly or other assembly of the people, but by courageous pastors. "What we have here is a Lutheran form of conciliarism!"⁵ Resorting to the idea of the universal priesthood as a basis of church authority came later. Tensions between congregations and their pastors and between congregations and the synod are on the increase. In some cases, Stephan's spirit is still with us, or it may be that some pastors are simply insensitive to congregational traditions that are special and should be preserved or adjusted only with patient sensitivity. In other cases, congregations are championing Vehse's view that pastors must be subservient to the congregations. Unless this problem is addressed without compromise, many more congregations will face internal strife, which hinders the gospel cause. Rast has provided the first step in historically analyzing the roots of the problem. A full-blown critical-historical study is needed. Again, it is a matter of courage, as with the first pastors who confronted Stephan. LOGIA

NOTES

1. Larry Rast, "Demagoguery or Democracy? The Saxon Emigration and American Culture," *Concordia Theological Quarterly* 63, no. 4 (October 1999): 247-268.
2. *Ibid.*, 260-261.
3. *Ibid.*, 262-264.
4. *Ibid.*, 265-267.
5. *Ibid.*, 259

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