

**REDUCTION IN FORCE (RIF):
A Danger to Congregations when
Applied to the Pastoral Office**

**A Discussion Document prepared
at the request of Circuits 3 & 4
of the Michigan District**

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SUMMARY

In 2010, delegates to the 64th regular convention of the Lutheran Church – Missouri Synod adopted Resolution 2-02, “to assist congregations and support workers in planning and implementing ‘reduction in force’ (RIF) policies.” Since then, well intentioned congregations with the advice and consent of Synodical officials have exceeded their God given authority by applying the guidance document commended by Resolution 2-02 to ordained clergy.

With a single poorly worded statement, the committee of laymen that authored the report commended by the 2010 convention delegates have overturned the unanimous voice of the Scriptures, the Confessions, as well as our fathers in the faith that cries out against such a practice which imperils the members of congregations who rob temples through such “usurpation of divine prerogatives”.¹

1 Marquardt, *The Church and Her Fellowship, Ministry and Governance* (St. Louis, The Luther Academy, 1990), 157.

INTRODUCTION

Delegates of the 64th regular convention of the Lutheran Church – Missouri Synod adopted Resolution 2-02, “to assist congregations and support workers in planning and implementing ‘reduction in force’ (RIF) policies.”² The report in the web version of the official newspaper of the LCMS states, “The resolution asks that a resource for a RIF process produced by the Synod’s School Ministry Department be shared with every congregation and ministry. It also encouraged congregations to use the resource when considering a RIF policy and that they consider ‘the spiritual, financial and emotional well-being’ of people affected when RIF policies are implemented.”³

With the best of intentions, congregations have taken this encouragement and have applied the guidance contained in this document to very difficult circumstances. While we are grateful at the desire expressed by such congregations to be considerate of “the spiritual, financial, and emotional well-being” of those most impacted by decisions to cut staff during difficult financial times, subsequent review and discussion of the RIF guidelines have prompted questions as to whether or not it is appropriate to apply the RIF process to ordained clergy. Some delegates to the convention have privately expressed anger and dismay that the document is being applied in such circumstances, and yet with certainty, this author can attest that such is the case.

This paper overviews the pertinent teachings of the Scriptures and our Confessions, and also presents relevant citations the fathers and respected teachers of our Synod as well as the theological opinions of the LCMS CTCR in order to examine the the Reduction in Force guidelines prepared by the Synod's School Ministry Department in relation to ordained clergy in light of those teachings.

2 See APPENDIX I for the text of the resolution and the report of the PROCEEDINGS of the 64th Convention.

3 “LCMS convention adopts congregational, district resolutions,” LCMS-Reporter Online, July 15,2010, <https://blogs.lcms.org/2010/lcms-convention-adopts-congregational-district-resolutions>, last accessed: 10/21/2015

THEOLOGICAL BACKGROUND

Practice within the church must always flow from the clear teachings expressed in the Scriptures lest human wisdom shaped by earthly concerns and worries override God's clearly revealed will and purposes. We dare not excerpt small snippets out of context from recent theological papers and consider it “good enough” to establish a theological position, but we must examine the Scriptures to see if these things are so.⁴

PRAY TO THE LORD OF THE HARVEST⁵

When our Lord sends out the twelve Apostles to preach and teach in the towns and villages ahead of Him, St. Matthew recounts that He told them, “Whoever receives you receives me.”⁶ Similarly, when the chronicler Luke recounts that a short time later, Jesus sent out seventy[-two] in like manner, our Lord said, “The one who hears you hears me.”⁷ These words of our Lord indicate the unique character not merely of the “office of the Ministry”, but how seriously the Lord considers what happens to the individuals who are sent in His name on the task He has for them.

This ought not surprise us. St. Paul was confronted with the intimate connection between Christ and the members of His Church on the road to Damascus when the Lord Jesus said to him, “I am Jesus whom you are persecuting.”⁸ Paul fleshes out a proper understanding of this intimate relationship when, as an apostle sent to teach the gentile Church, Paul relates in numerous places⁹ how we are, “one body in Christ, and individually members of one another,”¹⁰ and, “we are members of His body.”¹¹

It is for this reason that, as Christ sends out men to carry His Word to a certain place he tells them that if they, in their person, having been sent by Christ as His emissary are received and heard, Christ, Himself, is received and heard.

In the midst of these two sendings, St. Luke recounts that our Lord said, “The harvest is plentiful, but the laborers are few. Therefore pray earnestly to the Lord of the harvest to send out laborers into his harvest.”¹² Emphasized here is the fact that the Lord is the Lord who sends His laborers into His harvest. Therefore, it must be kept firmly in mind that no matter the procedures and structures established for that purpose, even when it is an individual congregation who acts as God's agent to “call” a man to labor in their midst, these things are the instruments by which God, Himself, “sends” a particular man to labor in a particular setting.¹³

4 Acts 17:11

5 Luke 10:2

6 Matthew 10:40

7 Luke 10:16

8 Acts 9:5

9 Romans 12, 1 Corinthians 12, Ephesians 3, Ephesians 5, Colossians 1-2

10 Romans 12:5

11 Ephesians 5:30

12 Luke 10:2

13 For the purposes of our present discussion, we leave aside the evangelistic overtones of these passages and merely note for reference that the Lord's sending is geographically oriented and not a call to hold an “office”.

We see, then, that the confession of the Lutheran Church properly upholds and guards the dignity of the Lord's prerogative in sending whom He will where He desires when, "It is taught among us that nobody should publicly teach or preach or administer the sacraments in the church without a regular call."¹⁴ We teach thus because we read in the Scriptures that it is the Lord of the Harvest who, through the instrumental action of the whole Church as His body, sends His laborers into His harvest.

To those who are thus sent, our Lord tempers their expectations and promises His care and concern as He says, "Whenever you enter a town and they receive you, eat what is set before you,"¹⁵ further they are told, "Acquire no gold or silver or copper for your belts, no bag for your journey, or two tunics or sandals or a staff, for the laborer deserves his food,"¹⁶ and finally, they are promised, "Are not two sparrows sold for a penny? And not one of them will fall to the ground apart from your Father. But even the hairs of your head are all numbered. Fear not, therefore; you are of more value than many sparrows."¹⁷

But only the dangerously deluded¹⁸ or the seriously recalcitrant and hard hearted would dare to turn out the one whom the Lord has sent to labor in their midst. To be sure, our Lord has warned those sent about such people saying, "Behold, I am sending you out as sheep in the midst of wolves," and, "you will be hated by all for my name's sake," going on to say, "When they persecute you in one town, flee to the next," and concluding with, "A disciple is not above his teacher, nor a servant above his master. It is enough for the disciple to be like his teacher, and the servant like his master. If they have called the master of the house Beelzebul, how much more will they malign those of his household."¹⁹

Yet, it is to be noted to what end such deluded, recalcitrant and hard hearted people will come when our Lord says, "But whenever you enter a town and they do not receive you, go into its streets and say, 'Even the dust of your town that clings to our feet we wipe off against you. Nevertheless know this, that the kingdom of God has come near.' I tell you, it will be more bearable on that day for Sodom than for that town."²⁰

Notice that the reason for "not receiving" is not given. It's a blanket statement, "whenever you enter a town and they do not receive you. . ." Whether it is for programmatic and business reasons²¹ or a personality conflict is irrelevant. The Lord has sent a laborer into the harvest and the people in that locality are refusing the labor that the Lord provides.

14 AC XIV

15 Luke 10:8

16 Matthew 10:9-10

17 Matthew 10:29-31

18 2 Thessalonians 2:11

19 Matthew 10:16-25

20 Luke 10:10-12

21 Cxref. RIF guidelines APPLICATION: "[RIF] Is used for removing competent faculty and professional staff whose positions must be eliminated due to budgetary constraints, changes in enrollment, or programmatic changes."

THERE ARE VARIETIES OF MINISTRY, BUT THE SAME LORD.²²

The English word, “ministry” appears a number of times in the ESV. The most common underlying word in the New Testament is διακονία, a word denoting “service.” It is instructive to note, however, that the term does not occur without a contextual note designating the “ministry” or “service” being referenced.

There is, for instance, the “ministry of condemnation”²³ as well as, “the ministry of righteousness,”²⁴ “the ministry of the Word,”²⁵ and the “ministry of reconciliation,”²⁶ There is, “this ministry,”²⁷ “his ministry,”²⁸ “my ministry”²⁹ which is clearly distinguished from some other ministry or someone else's ministry. We can see, then, the truth of St. Paul's words, “There are varieties of ministry, but the same Lord.”³⁰

There has been a tendency in our day to lump the “varieties of ministry” together and believe that because each is referred to by the singular word, “ministry,” that they all refer to the same thing. However, since the Scriptures are careful to distinguish and contextualize the meaning of the term, “ministry,” we ought to take heed and, following the pattern of sound words, do the same. It is helpful, then, when we encounter the word to know and understand which ministry is being identified and from whence the authority or command for that ministry originates.

CFW Walther does this when He says, “The pastoral ministry [Prdigtamt] is the highest office in the church and from it stem all other offices *in the church*.”³¹ By “in the Church,” Walther does not intend to refer to the building, the earthly corporation, or even the local congregation. Rather, the confessionally minded Walther no doubt has in mind the confessional definition put forward by Luther when he writes, “For, thank God, a seven-year-old child knows what the church is, namely, holy believers and sheep who hear the voice of their Shepherd. So children pray, 'I believe in one holy Christian Church.’”³²

While there is one Lord over all, He rules and reigns through different means. Among the elect who gather around the Word and the Sacraments, He rules through the Gospel and the Holy Spirit. This is the Kingdom of the “Right Hand” or God's rule and reign through His Word and the Gospel. We might also say that this rule and reign is with reference to the second and third articles of the Creed. This is, “the Church.”

But He is and remains the Lord of Creation and rules also in and through the created order. In that order, parents are given a “ministry” to “train up a child in the way he should go,”³³ and,

22 1 Corinthians 12:5

23 2 Corinthians 3:9

24 Ibid.

25 Acts 6:4

26 2 Corinthians 5:18

27 Acts 1:17,25

28 Acts 21:19

29 Romans 11:3

30 1 Corinthians 12:5

31 Walther, CFW, “Church and Ministry (Kirche und Amt)”, St. Louis: CPH, tr. J.T. Mueller, 289 (Thesis VIII, emphasis added)

32 Smalcald Articles, III.XII The Church, Tappert, 315.

33 Proverbs 22:6

“bring them [children] up in the discipline and instruction of the Lord.”³⁴ This, too, is a holy vocation; a role and responsibility given by God to the parents in a family, but the divine ordering of this office is not according to the Gospel or the Kingdom of the Right Hand, it is not an office “in the Church,” but it is according to Creation, or the Kingdom of the Left Hand.

As those who have been recreated by Christ and gathered into a local congregation, it is good, right and salutary that we, “Bear one another's burdens and so fulfill the law of Christ.”³⁵ Thus, the members of a congregation bear with the burdens of parenthood by establishing schools wherein the public office of teacher is entrusted with the authority of the parents to teach “reading, writing and arithmetic” and other academic subjects while at the same time the same teacher may be commissioned to publicly teach the Gospel in the place of the pastor.

In this way, the Lutheran School teacher is an auxilliary office to the office of pastor (as opposed to the teacher being an incumbent of that office themselves). The authority of the teacher is not derived from Christ directly and the teacher does not act as our Lord's representative, but from the parents and pastors as their representatives; deriving authority from each according to the “ministry” into which they are by God commissioned. Since, in their position, they “publicly teach” by teaching children who are not their own, the LCMS has historically upheld our confession of AC IV by issuing them a “call,” publicly recognizing especially their work to teach the Gospel as properly ordered. Likewise, there is a commissioning and “calling” of numerous “ministers” in the church who derive their commission and authority from the pastor and stand in his stead.

“Calls,” into such “ministries,” however are to be carefully separated and distinguished from the unique ordering of a man who is placed by God through the congregation to stand, “in the stead and by the command of Christ.”

In our nomenclature, we typically use the terms, “commissioned,” and “ordained” to differentiate the source of authority of each ministry. “Ordained,” is typically used to designate those whom God, Himself, has placed (ordered) as His representative and “commissioned,” being those who have been placed into service to represent either the pastor by performing a task at his behest (e.g., the school teacher, catechist, or DCE teaching the Faith) or functioning as a representative of the congregation or under the authority given by God to specific members in the congregation's midst (e.g., the school teacher teaching reading and mathematics or the DCE organizing activities for the youth acting under parental authority).

34 Ephesians 6:4

35 Galatians 6:2

ONE PASTORAL MINISTRY, MANY PASTORS

With the foregoing in mind, we turn our attention to a number of distinctive characteristics of the singular Office of the Pastoral Ministry.

Since commissioned ministries exist only by human right and authority, those who serve in those ministries serve according to their rank and ordering according to the human authority which established them. However, there is only one, singular, office of the Holy Ministry held in common by all its incumbents.

Among the incumbents of this singular office, none is greater or lesser than another and none comes before or after another. The Augsburg Confession implies such when it states, “the power of the keys or the power of bishops is a power and command of God to preach the Gospel, to forgive and retain sins, and to administer and distribute the sacraments,”³⁶ and it is made explicit in the Treatise on the Power and Primacy of the Pope which notes that, “Jerome, therefore, teaches that the distinction between the grades of bishop and presbyter (or pastor) is by human authority,”³⁷ and emphatically concludes, “the distinction between bishop and pastor is not by divine right,”³⁸ noting that St. Paul in Ephesians 4, “enumerates pastors and teachers among the gifts belonging exclusively to the church, and he adds that they are given for the work of the ministry and for the building up of the body of Christ.”³⁹

The sainted Dr. Marquart in his volume on *The Church* notes, “There is then 'by divine right' no superiority of some ministers of the Gospel over others,”⁴⁰ and issues the clear conclusion, “distinctions like those between 'pastor' and 'assistant pastor' (or better, between the German 'Pfarrer' [rector] and 'Prediger' [preacher]) exist by human right and order alone.”⁴¹ He does so on the same basis as is implied in AC XXVIII when he states, “This needs to be said expressly, lest the ministry be defined in terms other than those of Word-and-sacraments stewardship (I Cor. 4:1).”⁴²

ON REMOVAL FROM THE PASTORAL OFFICE

No better summary of our church's teaching on removal has yet been found than that found in Marquart's discussion from his book on *The Ministry*. It is here reproduced along with his footnotes for study and instruction.

The doctrine of the divinity of the mediate call into the ministry through the church has as its necessary corollary or twin the further truth that only God may dismiss His ministers from office. He does this either directly – by calling His servants away from the church militant into the church triumphant – or else mediately, through the church. The church may transfer a minister to another post by means of another legitimate call, or else depose him from office, the latter if and only if

36 AC XXVIII.5

37 TR 63

38 TR 65

39 TR 67

40 Marquart, “The Church,” p. 138.

41 Ibid. p. 139.

42 Ibid.

God Himself has made plain the man's unfitness to serve any longer on the terms set out in God's written Word.[28] In principle this means removal from office for one of three reasons – and these to be properly established, not simply assumed without proof (I Tim. 5:19): ungodly doctrine or life (Hos. 4:16; Rom 16:7; Tit 1:5ff, etc.) or incompetence (for example, not being “apt to teach,” I Tim. 3:2; II Tim. 2:24). A divine call, be it noted, binds both ministers and congregations. The former may no more “resign” arbitrarily from their charges, than the latter may arbitrarily dismiss them. To presume, without valid cause, to drive called ministers out of their divinely assigned tasks and responsibilities, is to interfere sacrilegiously with God's government of His church. It is to mistreat God's servants as if they were servants and hirelings of men (Ps. 105:15; Is. 55:8-11; Mt. 9:38; Lk. 10:16; I Cor. 4:1; Eph. 4:11; Heb. 13:17). Such lawless (II Thess. 2:3,4!) usurpation of divine prerogatives amounts to “temple-robbery” (see Acts 19:37 and Rom . 2:22).[29]

[28] “In such a case the congregation does not actually dismiss its minister, but only acts for God in doing so.” (J.H.C. Fritz, *Pastoral Theology*, 45).

[29] Luther wrote a letter concerning this problem. See *That a Pastor Should Not Be Silent at the Unjust Disposition of a Minister* (1531), *WABr* 6:77.8-79.99. Walther translates most of this letter and also provides quotations from Clement of Rome, and Cyprian, in *Church and Ministry*, 225-229, 243-245. Chemnitz, whom his translator, J.A.O. Preus, rightly calls “the father of normative Lutheran theology and . . . the forerunner of the period of Lutheran orthodoxy” (M. Chemnitz, *Loci Theologici* I:14), put it like this: “Therefore, as long as God endures in the ministry His minister who teaches correctly and lives blamelessly, the church does not have authority to remove someone else's servant. But when he no longer edifies the church by doctrine or life, but destroys [it], then God Himself removes him. Hos. 4:6; 1 Sam. 2:30. Therefore there are two reasons for which God removes unfaithful ministers from their office: (1) because of doctrine, when they teach error. . . (2) Because of life. . . For just as God calls, so also does He remove through means. But just as a call in keeping with the instruction of the Lord of the harvest, so also, when someone must be removed from the ministry, it is necessary that the church can show with certainty that this is the judgment and this is the will of God. And just as the call, so also does the deposition pertain to the whole church in a certain orderly way. Hence the ancient church with diligent inquiry and accurate judgment in its councils dealt with the reasons for deposition” (*Loci Theologici*, II, 703). Morlin, Chemnitz's contemporary, who had himself been unjustly driven out of office, wrote: “In sum, the world nowadays plays with the preaching office like hooligans with blind dice at their bench: whoever tells them a little something that doesn't please them, must be gone, and another be put in his place, who will do according to what we can endure and tolerate.” Again: “[They imagine:] The preacher has his office from them, since they pay him. Therefore he must do as they wish, or else they have every right and power to dismiss him, s every master has in respect of his servant. So also the dear N. regards the ministry [preaching office] and the call of a preacher as nothing other than a contract of the sort one makes with a cowherd or sowherd. . . But I ask, For God's sake, tell me whoever can: By whom was the preacher called and placed into his office through orderly means?” (Dedeken's *Thesaurus*, ½, 908, 913-914) For references to early Missouri Synod and Synodical Conference discussions of this matter, see “*Amtsentsetzung*” under “*Beruf*” in E. Eckhardt, *Homiletisches Reallexikon*, 371-375.

The salient points of Marquarts summary are also found in the CTCR document, “The Theology and Practice of the Divine Call,” where it is stated clearly, “A pastor should be removed only after cause has been sufficiently established by lawful procedure, after he has refused to accept instruction, etc. Proper causes simply make it clear that God has already deposed the man as a hireling or 'wolf.’”⁴³

43 CTCR, *Theology and Practice of the Divine Call*, 42.

THEOLOGICAL SUMMARY & CONCLUSIONS

It has been demonstrated above that the Lord of the Harvest and the Head of the Church is the one responsible for placing men to labor in His harvest field. Flowing from this is the emphatic testimony of our church that it is also the Lord alone who removes a man from office. When this happens, the church recognizes the Lord's actions and acts as His agent in turning a man out of office.

This does not negate the ability of those gathered in a specific place and time from using their gifts and resources to “bear with one another's burdens and so fulfill the law of Christ,” by establishing other offices and ministries in their midst. But these must be carefully distinguished and separated from the One Ministry of Christ. While some of these offices may hold responsibilities that are “auxilliary” to or in some way assist with the carrying out of specific tasks of the pastoral ministry (e.g., catechesis or mercy work), the source of their authority must always be firmly distinguished as deriving from human sources in contrast to the divine authority with which incumbents of the pastoral office act.

Since Christ is the head of the Church and pastors are His gift to the church for the work of the ministry, there are no grades or distinctions among incumbents to the office except by human authority. Thus, while the Church or a congregation may assign and distribute the work of the ministry in its midst, it must do so while remaining cognizant of the fact that the Lord of the Harvest has sent the individual to labor in their midst because in His mercy and grace He has decided that the man's presence is necessary to carry out the work He would have accomplished.

REDUCTION IN FORCE GUIDELINES – THEOLOGY IN PRACTICE

“The Synod, and every member of the Synod, accepts without reservation: 1. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and of practice; 2. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to wit: the three Ecumenical Creeds (the Apostles’ Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, the Large Catechism of Luther, the Small Catechism of Luther, and the Formula of Concord.”⁴⁴

With these words, each member of Synod, her congregations as well as her commissioned and ordained ministers, have bound themselves to the Scriptures and the Lutheran Confessions and agree to be guided by these in both faith and practice. Therefore, when we encounter a teaching that claims to derive from the Scriptures, we ought to take as our example the Church at Berea which, “searched the Scriptures daily, whether those things were so.”⁴⁵

And so, in this section, we undertake to measure measure the teaching expressed in words (“faith”) and the teaching expressed in actions (“practice”) which are contained in the “Reduction in Force” guidelines which the Synod has, “Resolved, That congregations be encouraged to use this resource when considering an RIF policy.”⁴⁶

REDUCTION IN FORCE – DEFINITION

A Reduction in Force (RIF) takes place when a change in the fiscal or operational position of a church/school requires the elimination of position(s) to ensure the on-going viability of the ministry.⁴⁷

The above quoted definition inadvertently conflates two distinct concepts by equating “a church/school” with, “the ministry.” The ministry of Christ is not constrained by “fiscal or operational” positions. Christ alone, as it's head, supplies the needs of the Ministry He has instituted.

In the Old Testament, we see how God directly supplied for the needs of the construction of the Tabernacle. We read that the Lord put skill and intelligence into the craftsmen “to know how to do any work in the construction of the sanctuary.” What's more, the Spirit of God moved the people to give for its construction so superabundantly that, “Moses gave command, and word was proclaimed throughout the camp, 'Let no man or woman do anything more for the contribution for the sanctuary.’”⁴⁸ In the book of Acts we read how the Holy Spirit moved the believers to support not only *the preaching of the Word* as it was carried out by the Apostles, but also to supply the needs of their neighbor as the people, “had everything in common”⁴⁹ and

44 Constitution of the Lutheran Church – Missouri Synod, Article II, “Confession”

45 Acts 17:11

46 LCMS 2010 Convention Resolution 2-02

47 LCMS School Ministry Department, “Reduction in Force Guidelines,” 2.

48 Exodus 36:

49 Acts 4:32

possessions were “distributed to each as any had need.”⁵⁰ We read elsewhere that St. Paul supplied his own needs and the needs of those who were with him,⁵¹ not making use of his right according to the Lord's command that, “those who proclaim the gospel should get their living from the gospel.”⁵²

So long as the risen and ascended Lord Jesus remains alive, the Gospel ministry which He has instituted and into which He sends His laborers remains “viable.” It is the Church gathered in a specific time and place around the Word and Sacraments in a Christian congregation that gives rise to the legal corporation, not the legal corporation which gives rise to the congregation or the Church. The ministry of the Gospel existed prior to corporate structures and modern notions of the viability of legal corporations and continues to exist independent of any corporate or legal structure.

The same does not hold true for the auxilliary ministries which congregations in Christian freedom under human authority may establish from time to time and increase or decrease as opportunity and resources allow. The viability of these ministries is constrained by the temporal considerations associated with the human institution which instituted them.

And so, we must carefully distinguish between the activities and ministries established and created by human authority from the one Gospel ministry which Christ, as the head of the Church, has established, and into which He places His laborers as He will. Though it can be a useful tool in many contexts, the Gospel ministry requires no “viable” legal corporation but exists wherever Christ sends a man to preach and administer the sacraments and gathers people to receive His mercy and grace.

THEOLOGICAL POSITION OF LCMS (sic)

CTCR OPINION CONCERNING THE DOCTRINE OF THE CALL

The LCMS Commission on Theology and Church Relations issued a report entitled “The Divine Call” which addressed the issue of whether or not the Divine Call of a pastor must always be permanent. The authors of the report stated:

Neither the Scriptures nor the Confessions explicitly address the details of the call process, including this issue.

It may well be the case that the length of service, like location and salary, is an issue that is entrusted to the church to administer “by human right”.⁵³

Contrary to what the authors of the RIF guidelines assert, the CTCR in it's report entitled, “The Divine Call,” the CTCR does not address the issue of whether or not the Divine Call of a pastor must always be “permanent.” The CTCR report *does* address whether or not the issuance of the

50 Acts 4:35

51 Acts 20:34-35

52 1 Corinthians 9:14

53 LCMS School Ministry Department, “Reduction in Force Guidelines,” 2.

Divine Call to a pastor must be, “*open ended.*”

This is an important distinction. The quotations provided by the authors of the RIF guidelines when taken in conjunction with their introductory comments lead to the reader to believe that the language of the CTCR document supports the conclusion that “Reduction in Force” is a legitimate cause for the termination of the call of an Ordained pastor when nothing could be further from the truth.

First, the quotations provided come specifically from the discussion as to whether or not, *at the time of the issuance of a call*, the term of the call may be fixed or if, at the time of the issuance of the call, it must be open ended without a fixed duration. For the first two statements, the specific question being answered by the CTCR, according to the first sentence of the paragraph in which these statements appear is, “May calls be issued for a particular location or a specialized field of service for pre-determined lengths of service (e.g., 3-5 years)?”⁵⁴

The authors of the RIF guidelines also quote the following statement from the CTCR document in support of their assertion that a call to pastoral ministry may not be “permanent”:

*The call to proclaim the Law and Gospel does not take place in a vacuum. It occurs within specific contexts and situations.*⁵⁵

This statement comes in a subsection of the discussion of “open-ended” calls entitled, “Pastor in Specialized Fields of Service.”⁵⁶ As can be seen in the extended quotation below, when read in the context of the CTCR document, this statement carries an entirely different focus and weight and expressly concerns whether or not at the time of issuance a call must be “open ended.”

The office of proclaiming of the Gospel and the needs of the congregation, as we have maintained, are often best served when the call is regarded as open-ended for those congregations in which the Word of God is being proclaimed and the sacraments are administered on a regular basis. The first of these criteria certainly applies to all who occupy the office of the public ministry. Thus the norm in the church is that an open-ended call be issued to everyone who serves in the office of the public ministry.

At the same time, the call to proclaim Law and Gospel does not take place in a vacuum. It occurs within specific contexts and situations. According to the second principle (recognition of the congregation’s needs) we may conclude that, in addition to regular Word and sacrament ministry within congregations, the church’s need for particular gifts or specialized skills at times is best met by something less than an open-ended call. We may proceed in this way (and have already done so) as long as we do not undermine the divine institution of the office or hinder in any way the proclamation of the whole counsel of God. Such has been the case with- in The Lutheran Church-Missouri Synod for much of its history with regard to theological professors, District and synodical

54 CTCR, “The Divine Call,” 37.

55 LCMS School Ministry Department, “Reduction in Force Guidelines,” 2.

56 CTCR, “The Divine Call,” 39.

officials, military chaplains, campus pastors, missionaries, church planters, etc.⁵⁷

AN ERRONEOUS ATTRIBUTION

The authors of the RIF guidelines also attribute the following statement to the CTCR opinion, “The Divine Call,”

*A calling entity may terminate a call under the provisions of the entity's constitution and bylaw or policies in a spirit of Christian love and concern for the worker.*⁵⁸

However, an electronic search of the CTCR opinion fails to turn up this sentence anywhere in the text.

This sentence does appear in a document entitled, “Rubrics Governing Calls And Placement Procedures for Ministers of Religion – Commissioned”⁵⁹ especially in reference to Bylaw 6.44 “which speaks of the termination of faculty positions at Synodical colleges, universities and seminaries,”⁶⁰ and further refers to “the Synod's Commission on Theology and Church Relations in its report to the 58th Regular convention of the Synod, Pittsburgh, PA, July 10-17, 1992, p. 67.”⁶¹

57 Ibid. - While outside the confines of our discussion concerning *Reduction in Force*, I would note that this discussion here presented by the CTCR draws into question the conclusions of the COP policy document, “Calls vs. Contracts for Ministers of Religion - Ordained” adopted February 2009 and revised September 2011, which refers to Resolution 6-14 of the 1981 LCMS Synodical convention which is quoted as stating, “A solemn call is an official request, offer, or agreement extended by an eligible calling body in the name of the triune God to a person eligible to receive such a call into an educational ministry of the LCMS. Offers extended to such eligible persons but erroneously referred to as ‘appointments’ or ‘contracts’ are also to be considered calls.” and concludes, “While the above resolution refers only to educational ministry, the definition of a solemn call contained therein also applies to those in pastoral ministry. Therefore, offers extended to pastors which are erroneously referred to as ‘appointments’ or ‘contracts’ are also to be considered calls.” (See: “Calls vs. Contracts”, <http://www.mnsdistrict.org/s/Call-Contract-Ministers-of-Religion-Ordained.pdf>, p. 2, last-accessed: 10/26/2015).

58 LCMS School Ministry Department, “Reduction in Force Guidelines,” 2.

59 p. 5, http://www.pswcic.org/images/File/School%20Ministries/Principal%20Manual/District%20Information/H_%20Rubrics%20Governing%20Call%20and%20Placement%20Procedures%20for%20Ministers%20of%20Religion-Commissioned.pdf, last accessed 10-26-2015. It is noteworthy that, though the authors do not cite this document as the source of the quotation, the document is referenced by name in the “Resources” section of the RIF guidelines with a note to obtain a copy from the district office.

60 Ibid.

61 Ibid.

A FAULTY CONFESSION

This omission would be insignificant if the RIF guidelines were restricted to “Ministers of Religion – Commissioned” and therefore applied only to the auxilliary offices established in Christian freedom by human authority. However, the following paragraph opens their application to “Ministers of Religion – Ordained,” stating:

Additionally the LCMS distinguishes between two offices of ministry. The first is divinely instituted or mandated. We call that the office of the pastoral or public ministry. This office is held by one man in each congregation, known as the Pastor, or with a number of pastors on staff, the Senior Pastor. Because the office of pastor is established by God himself and mandated Biblically and because all other ministries of the congregation flow out of that office, a call into that office is tenured and may not be concluded or terminated for any cause other than the persistent teaching of false doctrine, immorality, or malfeasance.⁶²

While the authors of the RIF guidelines correctly note that incumbents of the “divinely instituted or mandated . . . office of the pastoral or public ministry,” may not be removed, “for any cause other than the persistent teaching of false doctrine, immorality, or malfeasance,” they incorrectly state, “This office is held by one man in each congregation.”

We have already seen that the historic teaching of our church follows Holy Scripture's teaching that Christ sends laborers into His harvest field. Our confession of faith emphatically states that we agree with the teaching of Jerome that, “the distinction between the grades of bishop and presbyter (or pastor) is by human authority,”⁶³ and we conclude that, “the distinction between bishop and pastor is not by divine right.”⁶⁴

Recognized teachers of our church, both historic and contemporary clearly teach the opposite of the RIF guidelines document with regard to this issue. In addition to the above referenced sources, we add the testimony of Francis Pieper, in his standard dogmatics text used on our seminary campuses since it was published, who considers the office of the Ministry, the highest office of the church. In support of this teaching, he quotes Luther who says, “If the office of the Word is conferred on a man, there are conferred on him *all offices which are administered in the Church through the Word*” and Luther is further quoted as saying, “*To whom ever the office of preaching is committed, to him the highest office in Christendom is committed*”.⁶⁵

Further, under the heading, “The Equality of the Servants of the Church,” Pieper states, “The fundamental truth that *Christ is the one and only Master in the Church* regulates also the relation of the servants of the Church to one another.” His point is that, because Christ is the head of the church, all “[s]uperiority or subordination among them [the ministers of the Church] is *not*

62 RIF Guidelines, 2-3.

63 TR 63

64 TR 65

65 Pieper's Dogmatics, volume 3, pp. 461-462 – emphasis added

a divine, but a human arrangement.” He points to the fact that it is not the person of the minister who rules, as if the office is somehow intrinsic to the person holding it, rather, specific persons are placed by Christ in the church to publicly speak Christ's Word on His behalf. The person is merely Christ's instrument wielded by Christ Himself to govern His church, “because only Christ rules the Church through His Word.”⁶⁶

In a ministry context with more than one ordained clergyman, that one of their number is designated as “Senior Pastor,” does not mean that he holds the office of the pastoral ministry and the other ordained clergy do not, rather, it is a designation that he is first among equals with specific responsibilities for administration and organization. As previously seen, we confess this implicitly in AC XIV and explicitly in AC XXVIII and in the Treatise.

ERRONEOUS PRACTICE

With the best of intentions, congregations have taken the encouragement of Synod and have applied the guidance contained in this document to very difficult circumstances. Unfortunately, by following the guidance contained in the RIF guidelines, congregations and their members have been led astray from the clear teachings of Scripture and a proper confession of the faith as they have removed men from positions into which our Lord Jesus Christ has placed them.

It is possible to generously explain the lapses in the theological discussion contained in the guidelines by attributing it to ignorance on the part of the laity who prepared it, such an excuse cannot hold for those who hold offices of doctrinal supervision within our fellowship.

Furthermore, while there can be no doubt that this side of eternity human beings will err and may not always be consistent in upholding a proper confession through their practice, the commendation of this document by the Synod in convention along with the ongoing support by those holding the office of doctrinal supervision in condoning the practice of subjecting ordained clergy serving in the office of Word and Sacrament ministry to a “Reduction in Force” represents an institutional departure from the Scriptures and the Lutheran Confessions to which each member of Synod by oath subscribes.

66 Pieper's Dogmatics, volume 3, pp. 460-461

CONSEQUENCES OF A FAULTY PRACTICE

The words of our Lord and the Head of the Church to those whom He sends as laborers into His harvest field are clear, “The one who hears you, hears me, and the one who rejects you, rejects me, and the one who rejects me, rejects him who sent me.”⁶⁷

There can be no mistake. The turning out of a man that Christ has placed into office is a rejection of Christ. The consequences of such rejection are dire, for our Lord says to those whom He sends, “I tell you, it will be more bearable on that day for Sodom than for that town [that does not receive you].”⁶⁸ If this is so for the towns and villages who may be ignorant of Jesus' work and ministry, how much more dire are the consequences for an institution established with a primary purpose of the care and defense of those whom the Lord sends when said institution condones and endorses the very practice that portends ruin and destruction upon the town that carries it out. For our Lord elsewhere has said, “Whoever causes one of these little ones who believe in me to sin, it would be better for him if a great millstone were hung around his neck and he were thrown into the sea.”⁶⁹

When such actions are undertaken with the intent to, “maintain the viability of the ministry,” the sin is compounded, as those involved usurp for themselves headship and lordship over the church and place themselves in the position of the church's helper and savior. In such cases, the words of Dr. Marquart poignantly drives the point home. As he writes in regard to the removal from office of those whom Christ has placed into it, Marquart is abundantly clear when he says, “only God may dismiss His ministers from office.” Referencing “the son of perdition who opposes and exalts himself above all that is called God”,⁷⁰ Marquart states, “To presume, without valid cause, to drive called ministers out of their divinely assigned tasks and responsibilities is to interfere sacrilegiously with God's government of His church. It is to mistreat God's servants as if they were the servants and hirelings of men. Such lawless usurpation of divine prerogatives amounts to 'temple-robbery'.”

67 Luke 10:16

68 Luke 10:12

69 Mark 9:42

70 2 Thessalonians 2:3-4

APPENDIX I
PROCEEDINGS OF THE 64TH REGULAR CONVENTION – RESOLUTION 2-02

**To Assist Congregations and Support Workers
in Planning and Implementing “Reduction in Force” Policies
RESOLUTION 2-02 - President’s Report, Part II (TB, pp. 17–23)**

Whereas, In 2009, the Synod’s School Ministry Department produced a written resource for implementing a “Reduction in Force” (RIF) process; and

Whereas, Some congregations are unaware of this resource; and

Whereas, Some congregations are not adequately prepared to express care to their impacted workers (spiritual, financial, and emotional); and

Whereas, Impacted rostered workers are ineligible for unemployment benefits;
therefore be it

Resolved, That Synod and its districts share this resource with every congregation and ministry; and be it further

Resolved, That congregations be encouraged to use this resource when considering an RIF policy; and be it finally

Resolved, That congregations consider the spiritual, financial, and emotional well-being of all impacted workers when implementing RIF policies.

Action: Adopted (9)

(During the brief discussion of the resolution, it was agreed by common consent to delete the word “electronically” from the first resolve. Res. 2-02 was then adopted as changed [Yes: 1,091; No: 19].)