

Guidelines for Officers: Church Admonition and Discipline

Paragraphs are numbered to facilitate reference. The order of the paragraphs does not imply any significance or importance. The alphabetic letters identify Scriptural and other quotations in Parts II and IV.

- Part 1 Introduction

- Part 2 The three steps of church admonition and discipline

- Part 3 The rules and principles on which church admonition and discipline rest

- Part 4 Scriptural references and other quotations used in these guidelines

Scriptural quotations are taken from the **New King James Version**. Quotations are taken from John H. C. Fritz, D.D. **Pastoral Theology** (hereafter F) and from **The Pastor at Work** by various authors (hereafter VA). Both books are published by Concordia Publishing House, St. Louis.

Part I: Introduction

1. Male references are made throughout this document, but all of this material refers to female Christians as well.
 2. Italics has been supplied by the editor of these notes to indicate matters of great importance.
 3. The words in parentheses in Parts II and IV are explanatory; they are not part of Scripture, but are added by the author of this document.
 4. Throughout these Guidelines the assumption is that the Church Officers, using these notes, are totally convinced Christians, who believe with all their hearts that the 66 books of the Old and New Testament are the infallible, inerrant Word of God, which words the Prophets and Apostles of the Lord were ordered to write by inspiration of the Holy Spirit.
 5. Congregations must first be thoroughly informed about Church Admonition and Discipline; if this has not been done, it is not advisable to practice Church Admonition and Discipline until this is done.
 6. In dealing with this subject the position of the Pastor of the congregation needs to be understood. The Ministerial office is the only office established by God in the congregation. *All other offices* are auxiliary offices to the office of the ministry. For a recent study of this subject we refer the officers to the report issued by the Commission of Theology and Church Relations of the LCMS in September 1981, entitled *The Ministry – Offices, Procedures, and Nomenclature*. The entire report deals with this subject, but officers desiring a brief summary may turn to pages 34 and 35.
 7. On the other hand, the Pastor must never be made the depository of gossip and complaints in the congregation. Nor is it permissible to draw the Pastor into the First Step of Admonition according to Matthew 18:15. However, he may become part of the process during the Second Step of Admonition, and he must become a part of the Third Step according to Matthew 18:17.
 8. It should also be emphasized that no congregation, Pastor, Board of Elders, or any member may assume that there is an option about these matters: the option just to forget about Church Admonition or Discipline. This is commanded by God, both in the Old and New Testaments, and is mandatory according to the Gospels and Epistles. The purpose is always to gain the brother, i.e. to get him to repent of his sin and be assured of Christ's forgiveness, salvation, and eternal life; the purpose is to keep him out of *hell*!
- Can you imagine anything more serious? Our Lord Jesus Christ died for the purpose of saving sinners! (See F and CC.)

Part II: The Three Steps of Church Admonition and Discipline

The three steps of admonition and church discipline are stated by our Lord in Matthew 18:15-17. The words are as follows:

A Verse 15: “Moreover if you brother sins against you, go and tell him his fault between you and him *alone*. If he hears you, you have gained your brother.”

B VA p 72: “If a brother sins ‘against you’, or wrongs you personally, has poor MS (manuscript) support—if by an ungodly life he gives offense, you are to speak to him ‘between thee and him alone.’ Let your approach be in the spirit of meekness.”

C. “Considering yourself lest you also be tempted.” (Galatians 6:1) “If he repents, you should rejoice because you have gained a brother and saved his soul from death.”

D. “Let him know that he who turns a sinner from the error of his way will save a soul from death and cover a multitude of sins.” (James 5:20) If not, you may have to repeat the step.” (End of VA quotation.)

E. Verse 16 of Matthew 18 “But if he will not hear you, take with you one or more, that ‘*by the mouth of two or three witnesses every word may be established.*”

F VA p.72 “But if he persists in his impenitence, take with you one or two more—friends of his, respectable people, men who are spiritual men, whose judgment the offending brother will respect. These ‘one or two more’ help not only to convince the brother of his wrong, but also to establish his impenitence should the matter of his sin be brought to the attention of the congregation. This step too may have to be repeated a number of times before it succeeds in its purpose.”

G Verse 17: “And if he refuses to hear them, tell it to the church. But if he refuses even to hear the church, let him be to you, like a heathen (unbeliever) and a tax collector (sinner)”.

H VA pp 72-73 “Before taking the third step in church discipline, the Pastor should make sure of three points. In the first place, he should make certain that the first two steps in church discipline have been taken and that thus far every attempt to bring the guilty person to repentance has failed. Only when public offense has been given can we dispense with the first two steps in admonition. For this we have the precedent of St. Paul, who reprovved Peter openly for his hypocrisy at Antioch (see BB.) St. Paul also exhorted Timothy ‘those who are sinning rebuke in the presence of all, that the rest also may fear (see also Q)’. But even in cases of public offense, wisdom and love may dictate that the offending person be dealt with privately. If he heeds this admonition, his penitence should be publicly announced to the congregation, so that all may know that the brother has been admonished and has repented.”

I “In the second place, the Pastor should make sure that the offending brother is one who can rightfully be excommunicated. Only those may be excommunicated who call themselves brother or sister and are communicant members of the congregation (see U). Furthermore, the offender must be known to have committed a mortal sin, one with which faith cannot exist, one which drives the Holy Spirit from the heart. As examples of those sins Paul mentions ‘fornicators, covetous, idolaters, railers, drunkards, extortioners’ (see U) and in Galatians 5:19-21 he includes ‘adultery, fornication, uncleanness, lasciviousness, idolatry, witchcraft, hatred, variances, emulations, wrath, strife, seditions, heresies.’ Or the person may be guilty of denying a fundamental doctrine, necessary to salvation, as for example, the Deity of Christ, the vicarious atonement, or the resurrection from the dead. (2 John 10,11; titus 3:10; Romans 16:17-18; John 8:42-46.)

J “In the third place, before proceeding with the final step, the Pastor should be certain that the guilt of the person has been established. In order to establish guilt it is necessary that there be two witnesses to the same act at the same time or that the person accused admits the sin in question. (Matthew 18:16; 1 Tim. 5:19; Deut. 17:6)”

K “Jesus commands, ‘Tell it unto the church’. The motive behind this third step again is one of love. By telling it to the church we want to employ the united testimony of the congregation to plead with the erring brother in an effort to restore him.” (VA p. 72)

(References L to LL are found in Part IV.)

Part III: The Rules and Principles on Which Church Admonition and Discipline Rest

(References to 1-8 are found in the Introduction, page 1)

9 When a Christian falls into sin or doctrinal error, and his sin or error is known to a witness by direct, personal observation or hearing, that witness is to admonish him “alone”. The witness is not to mention or discuss the sin or error with *anyone*. He must go to the sinner or errorist, admonish him in all humility and Christian love, and seek to bring him to repent. (See A, E, and G)

10 If the sinner or errorist is repentant, he must be assured of Christ’s forgiveness and the forgiveness of the admonishing brother. The matter is settled. It may *never* be mentioned again, unless the very same error or sin occurs again and again in the life of the individual. (See A, D, W, X, and Y)

11 If the sinner or errorist is not repentant, the second step of admonition must take place. One or two reliable, respected Christians should be chosen to accompany the witness to admonish the sinner or errorist. (See E and F)

12 If he accepts the admonition, is humbly repentant, he must be forgiven and the matter must be forever buried, unless the very same error or sin is committed by this same individual repeatedly. (See N)

13 If he does not accept the admonition, then the matter must be brought to the attention of the Voters Assembly for Church Admonition. (See G, H, I, J, and K)

14 In the case of a public offense, the first and second step of admonition need not be followed, because the sinner himself has by his public sin put the case before the congregation. (See BB, EE, and Z)

15 Everything in a Christian congregation is to be governed by two cardinal principles set forth in Scripture: the Law of Love and the Law of Order. Therefore, before taking a case to the congregation, the Law of Love may require that the sinner or errorist would be admonished *privately*; to convince him that the person(s) admonishing him are truly motivated by Christian Love. (See GG, HH, II, JJ, see also DD)

16 Excommunication must be voted unanimously. If one person objects (i.e. votes “no” against the excommunication procedure) the objector must be dealt with first. This stops the excommunication. Efforts must be made by the voters and the pastor to convince him of his erroneous position. He must be asked for the reason for his opposition to the excommunication; the voters must judge whether his reason(s) is valid or not. If not valid, they must try to explain to him that the congregation is obeying the command of Christ in carrying out the excommunication of self-excommunication, because the unrepentant sinner needs this; that in so doing the Christians of the

congregation are doing the most loving thing possible for the sinner. If the recalcitrant voter persists in his attitude, he must be warned that by so doing he is defending the sinful action of the person under church discipline, thus sharing in the guilt of that person. Therefore, he is placing himself under church discipline and will be excommunicated, should he persist. After the case of the recalcitrant voter has been settled, the voters need to return to the original case of excommunication. (See D and CC)

17 When a congregation must admonish a sinner or errorist, a resolution must be adopted and duly recorded in the minutes, stating the reason for the admonition, the person's name and address, and the fact that he is being asked to meet with the voters on a specific date and time. This must also be stated in a letter, addressed to him. The letter may be delivered to him in person by two Elders, or the letter may be sent by registered mail with a return card which the addressee must sign, proving with his signature that he has duly received the letter.

18 In case the person to be admonished is unable to attend on the date requested the process is repeated until the person is able to attend. (See U and V)

19 If it is proved that the person to be admonished refuses to attend as requested, he will eventually be declared "self-excommunicated" by the voters and will have to be so informed. (See S and T)

20 If the person to be admonished does attend, as requested, but rejects the admonition and will not repent, he will finally be declared excommunicated, and must be so informed, so that he may repent of his sin or renounce his error. (See G, H, I, J, K, L, and M)

21 The excommunicated person must be placed on a special list. Members and the pastor should be careful in their contacts with him, so that nothing in their behavior towards him will cause him to think that the excommunication is not a serious matter, or that it may be passed off lightly. He should be on a list where he is treated as an unconverted person.

22 If the person accepts the admonition, repents of his sin, or renounces his doctrinal error, the congregation must forgive him as soon as his repentance has been established as a fact. (See N)

23 Excommunication proceedings can be instituted only when there are two or more witnesses; no proceedings may be started with one witness. (See O, P, Q, and R)

24 A witness need not be present to give testimony. He can give it (the testimony) in writing, provided his signature is properly attested by two reliable witnesses, whose signatures appear on the document containing his testimony, or provided it is notarized.

25 The weight of the evidence of three witnesses is more than that of two; the weight of four is more than three.

26 Legal counsel may be retained by either party, although scholars on this subject of church admonition insist that no attorney should be permitted in the voters meeting when such a case of admonition is being considered. If such legal counsel is considered, he must be thoroughly briefed on congregational rules and regulations governing church discipline and admonition.

27 Excommunications must be ratified at a subsequent, properly convened meeting of the Voters Assembly; this is to give every communicant member the opportunity to voice objection or approval of the congregation's action.

28 No congregation may be dilatory in dealing with church admonition, or even refuse to carry out Christ's command about these matters. (See F)

29 It is to be understood that church discipline deals with questions of fact and questions of law. The statements of the Word of God on law and doctrine are final, they may not be questioned.

30 All voters need to recognize that in church discipline cases the congregation is turned by the Lord's command into an august, spiritual court. (See CC)

31 Evidence may be circumstantial, but such evidence must be used with great care; there must be no reasonable doubt. E.g. a pregnant woman shows by her condition that she has had intercourse; that is circumstantial evidence. If her husband has been out of the country for more than a year, it is circumstantial evidence that he has had extra-conubial intercourse; but this does not in itself prove adultery; she may have been raped.

32 Since the minutes of the congregation of extreme importance in cases of this kind, every effort must be made that they are totally correct and contain all the information and particulars of the case. Because of this it may be advisable to obtain a special secretary, such as a neighboring pastor. The minutes should be read and corrected and approved before the close of the meeting in which the excommunication was resolved. The attempt to approve such minutes at a later date is not possible; memories are not that good, as a rule.

33 Not everyone can be taken into church discipline. The insane and mentally deficient must not be submitted to church discipline, for they are not responsible for their actions and words. Children, likewise, may not be admonished by the congregation because their parents are responsible for disciplining them.

34 Parol (oral) evidence is admissible. A witness is a person who testifies as to what he knows by his own observation and hearing. Thus the Apostles were witnesses to the resurrection of Christ, because they had seen and heard the Lord Jesus on Easter orning

and later, even though they had seen Him die on the cross. (See R, Q; see also D and P)

35 An entire congregation cannot be excommunicated; for there is no body authorized to do so. At any rate, there are always some members of such a congregation who are true Christians. Not the brotherhood, but the impenitent brother should be excommunicated. However, it is possible for Synod to expel an entire congregation when that congregation has broken the fellowship with the rest of Synod.

36 In very sensitive cases the Voters Assembly may order a small group, such as the Board of Elders, to admonish on their behalf, the sinner or errorist. This may be necessary, especially when female members need to be dealt with.

37 Suspension: Suspension is also called “excommunication minor”, or “the little excommunication.” The Pastor has no authority to excommunicate anyone, but he may have proof that a member has committed a mortal sin, continues therein, and will not repent; as when a member has committed theft and refuses to return the stolen goods. In that case the pastor may have to suspend the member from Holy Communion. However, suspension cannot last a prolonged period of time. A suspension should be resolved as soon as possible. (F page 135)

38 The Confessional Seal: A pastor should never reveal what has been told him by way of private confession. A Pastor who becomes guilty of such offense, C.F.W. Walther remarks, deserves to be deposed from office. (See F page 134)

39 Announcement of Excommunication: The public announcement of the excommunication ought to be written carefully. After it has been made public, the document should be filed in the congregation’s archive. (F page 292) (See F p. 243 for a sample statement.)

40 A Christian’s attitude towards and excommunicated person: Any intercourse or familiarity with an excommunicated person, which might give the impression that such a person is still considered to be a Christian should be avoided (2 Thess. 3:15 speaks of the attitude towards an erring brother before, not after excommunication.) Excommunication does not disturb the natural relations that exist between husband and wife, parents and children, etc. F page 243) although a Christian ought not take such a person as a business partner. (F page 244)

41 Reinstatement: When an excommunicated person has been brought by the working of the Holy Spirit to acknowledge his wrong, the voters should hear his confession of doing wrong and be convinced of his sincere repentance. The Pastor does not have the authority to reinstate the person; this must be done by the voters. However, the Pastor makes the official announcement to the congregation. This announcement should be written carefully and should express the joy of congregation and Pastor the repentance of this person. Let us remember that the angels rejoice over the repentance

of a sinner. (F page 244) The announcement of the reinstatement should become a part of the congregational archive.

42 Synod is organized, in part, to protect the rights of congregations, pastors, teachers, and all members. For this purpose a Commission of Adjudication and a Commission of Appeals are set up in the Districts and in Synod. Those who believe that they have been wronged in matters of church discipline may appeal their case, first to the District, and then to Synod. These processes are set forth in Article VIII of the Bylaws of Synod. (See *Handbook*, page 179, 1981)

43 There is one other area of judicial work in which a congregation needs to be involved. When the occasion arises, this is when one *brother* wishes to go to law in a secular court about a dispute in a secular matter with *another brother*. In that case the New Testament demands that a different course be followed by the two brethren who oppose each other in a certain matter. Instead of summarizing this section of Scripture, we let it speak for itself. It is found in 1 Corinthians 6:1 – 7:

1 Dare any of you, having a matter against another, go to law before the unrighteous (non-Christian), and not before the saints (Christians)?

2 Do you not know that the saints will judge the world (when we are in heaven)? And if the world will be judged by you, are you unworthy to judge the smallest matter?

3 Do you not know that we shall judge angels (evil angels, demons)? How much more, things that pertain to this life?

4 If then you have judgments concerning things pertaining to this life, do you appoint those who are least esteemed by the church to judge? (referring to secular courts)

5 I say this to your shame. Is it so, that there is not a wise man among you, not even one, who will be able to judge between his brethren?

6 But brother goes to law against brother, and that before unbelievers!

7 Now therefore, it is already an utter failure for you that you go to law against one another. Why do you not rather accept the wrong? Why do you not rather let yourself be defrauded?

44 Ministers of the church have no command to investigate *secret sins*; they have in this matter only the command to forgive sins. But whenever an evil report, which cannot be traced to a definite source, is in persistent circulation concerning a Christian, or if a Christian, by an evil report that has been spread, is directly accused of a certain sin, the Pastor must call the person's attention to it and ask him whether or not what has been heard is true. If, however, the person denies any guilt and protests his innocence, and if no guilt can by any witness or otherwise be established, the Pastor does not refuse to such a one the Sacrament. Secret sins cannot be judged by a Pastor, not by anyone else. (F page 133)

45 If a suspended person dies during the time of his suspension, he cannot be denied a Christian burial, because the case had not progressed to an excommunication. However, in that case it may be well to give the Elders all the particulars before the funeral to avoid confusion in the congregation.

46 Should an excommunicated person, while critically ill, request private communion, the Pastor should request two Elders to go with him to the apparently dying man without delay. The Pastor and Elders should hear the man's confession concerning the sin for which he was excommunicated and listen to his statement of repentance. This should also include the promise that, if God lets him recover, he will also make his confession to the congregation. In that case private communion must be administered. Christian burial must be given. The Elders should make a complete report at the next Voters meeting. (F page 246)

Part IV: Scriptural References and Other Quotations Used in These Guidelines

(References A to K are found in Part II, page 2)

L **Matthew 18:18** “Assuredly, I (Jesus) say to you (the Christian congregation) whatsoever you bind on earth (‘to retain the sins of the impenitent in excommunication, so long as they do not repent. If this power [of the keys] is exercised in accordance with Christ’s injunction and order, the sentence is valid before God in heaven.’) will be bound in heaven and whatever you loose on earth will be loosed in heaven.” (‘The congregation has the power to loose, to forgive, the sins of the penitent sinner.’)

M “Every local congregation...has this peculiar (special) church power. But it must never be forgotten that this power is given to edification (building faith) and not to destruction. (2 Cor. 13:18) It is intended to be a wonderful means for gaining poor sinners and for comforting the weak.” (P.E. Kretsmann, *Popular Commentary* N.T. Vol. I, p. 101)

N “For when thy sins torment thee in thy conscience, thou mayest, in order to awaken a special joy, use the words of Christ, Matthew 18:18, ‘Whatsoever ye shall loose on earth shall be loosed in heaven.’ If, therefore, thou hast been absolved by a servant of God or by another pious Christian, and really art attentive to this promise of God, whereby He absolves thee from sins and receives thee into His grace...then thou hast found the safest haven of peace and joy. For God does not lie and deceive, only believe thou steadfastly His promise.” (Luther 12, 1952)

O **Deuteronomy 17:6** “Whoever is worthy of death shall be put to death on the testimony of two or three witnesses, but he shall not be put to death on the testimony of one witness.”

P **Deuteronomy 19:15** “One witness shall not rise against a man concerning any iniquity or any sin that he commits; by the mouth of two or three witnesses the matter shall be established.”

Q **1 Timothy 5:19-21** “Do not receive an accusation against an Elder (Pastor) except (only) from two or three witnesses. (20) Those who are sinning rebuke in the presence of all, that the rest also may fear. (fear to sin) (21) I charge you before God and the Lord Jesus Christ and the elect angels that you observe these things without prejudice, doing nothing with partiality.”

R **2 Corinthians 13:1** “By the mouth of two or three witnesses every word shall be established.”

S **1 Corinthians 5:2,4,5** (2) You are puffed up. And have not rather mourned that he who has done this deed (intercourse with his father’s wife) might be taken away from

you,... (4) in the name of our Lord Jesus Christ when you are gathered together, along with my (St. Paul's) spirit, with the power of our Lord Jesus Christ, (5) deliver such a one to Satan for the destruction of the flesh (sinful nature), that his spirit (soul) may be saved in the day of the Lord Jesus."

T **1 Corinthians 5:6-7** (6) "Do you not know that a little leaven (yeast, sin) leavens the whole lump? (7) Therefore purge out the old leaven that you may be a new lump, since you truly are unleavened. For indeed Christ, our Passover, was sacrificed for us."

U **1 Corinthians 5:11, 13** (11) "But now I have written to you not to keep company with anyone named a brother, who is a fornicator or covetous, or an idolater, or a reviler, or a drunkard, or an extortioner – not even to eat with such a person. (13) But those who are outside (of the congregation) God judges. Therefore 'put away from yourselves that wicked person.'"

V **Matthew 7:6** "Do not give what is holy to the dogs, nor cast your pearls before swine (people to whom nothing is sacred).

W **Matthew 18:21b-22** (21b) "Lord, how often shall my brother sin against me, and I forgive him? Up to seven times? (22) Jesus said to him (Peter), 'I do not say to you, up to seven times, but up to seventy times seven.'" (always)

X **Luke 6:41-42** (41) "why do you look at a speck in your brother's eye, but do not perceive the plank (great sin) in your own eye? (42) Or how can you say to your brother, 'Brother, let me remove the speck that is in your eye,' when you yourself do not see the plank that is in your own eye? Hypocrite! First remove the plank from your own eye, and then you will see clearly to remove the speck that is in your brother's eye."

Y **Luke 17:3-4** (3) "Take heed to yourselves. If your brother sin against you, rebuke him; and if he repents, forgive him. (4) And if he sins against you seven times in a day, and seven times in a day return to you saying, 'I repent,' you shall forgive him."

Z **Revelation 2:2, 14, 15,20** (2) "I (the Lord speaking) know your (church at Ephesus) works, your labor, your patience, and that you cannot bear those who are evil and you have tested those who say they are Apostles and they are not, and have found them liars.(14) But I have a few things against you (church at Pergamos) Because you have those who hold the doctrine of Balaam, who taught Balak to put a stumbling block before the children of Israel, to eat things sacrificed to idols, and to commit sexual immorality; (15) Thus you also have those who hold the doctrine of the Nicolaitans (Libertines who turned Christian liberty into license, preaching religious sensuality and immorality, introducing many heathen customs into the Church) which things I hate. (2) Nevertheless I have a few things against you (church of Thyatira), because you allow that woman Jezebel, who calls herself a prophetess, to teach and beguile My servants to commit sexual immorality and eat things sacrificed to idols."

AA **1 Timothy 3:5** “For if a man (a ‘bishop’, ie. a shepherd, or pastor) does not know how to rule his own house, how will he take care of the Church of God?”

BB **Galatians 2:11 – 14** (11) “But when Peter had come to Antioch I withstood him to the face, because he was to be blamed; (12) for before certain men came from James, he would eat with the Gentiles, but when they came he withdrew and separated himself, fearing those who were of the circumcision (Jews who observed the Ceremonial Law of Moses). (13) And the rest of the Jews also played the hypocrite with him, so that even Barabas was carried away with their hypocrisy, (14) but when I saw that they were not straightforward about the truth of the Gospel, I said to Peter *before them all*, ‘If you being a Jew, live in the manner of Gentiles and not as the Jews, why do you compel Gentiles to live as Jews.’” (i.e. observe the ceremonial law of Moses)

CC **2 Thessalonians 3:14-15** (14) “If anyone does not obey word of this epistle, note that person and do not keep company with him, that he may be ashamed, (15) yet do not count him as an enemy but admonish him as a brother.”

DD **Hebrews 13:17** “Obey those who rule over you, and be subservient, for they watch our for your souls, as those who must give account (about their faithfulness in ministering to the souls in their care). Let them do so with joy and not with grief, for that would be unprofitable for you.”

EE **3 John 9-10** (9) “I wrote to the church, but Diotrephes who loves to have the preeminence among them does not receive us, (10) therefore, if I come, I shall call to mind his deeds, which he does, prating against us with malicious words; and not content with that, he himself does not receive the brethren (refused to receive the missionaries whom John had sent and refused to acknowledge their authority) and forbids those (Christians) who wish to, putting them out of the church.” (excommunicating them for their willingness to accept the authority of the missionaries)

FF **Ezekiel 3:16b, 17, 20, 21** (16b) “The Word of the Lord came to me (to the prophet Ezekiel) saying (17) ‘Son of man, I have made you a watchman for the house of Israel; therefore, hear from my mouth and give them warning from Me. (20) When a righteous man (a Christian brother) turns from his righteousness and commits iniquity, and I lay a stumbling block before him (temptation or test which is to bring the evil to his attention, so that he might overcome it with God’s help) he shall die; because you did not give him warning, he shall die in his sin, of his righteousness which he has done shall not be remembered, but his blood I will require at your hands. (21) Nevertheless, if you warn the righteous man that the righteous should not sin, he shall surely live because he took warning; also you will have delivered your soul.”

GG **1 John 3:18, 23** (18) “My little children, let us not love in word or in tongue, but in deed (with our hearts) and in truth. (23) This is His commandment: That we should believe on the Name of His Son Jesus Christ and *love one another* as He gave us commandment.”

HH **1 John 4:11** “Beloved, if God so loved us, *we also ought to love one another.*”

II **1 Corinthians 14:40** “Let all things be done decently and *in order.*”

JJ **Titus 1:5a** “For this reason I left you in Crete, that you should *set in order* the things that are lacking.”

KK **The Little Excommunication:** (F page 134) “A Pastor may be compelled to suspend a member from communion as when church member has evidently committed a mortal sin, continue therein, and will not repent, has offended an individual, or an entire congregation, or because he has been offended by someone who will not be reconciled. (Matt. 5:23-26; 18:21-35; Luke 17:3; etc.) If under such circumstances the Pastor would admit such a one to communion, the Pastor would profane the Sacrament.

LL **The Confessional Seal:** (F page 135) “When private confession is made, it is in the very nature of the case that there really exists a silent agreement between both parties that whatever is confessed is said between them only in the strictest sense...and dare not be revealed. The Pastor should be known to be a man who can hold his tongue. Hippocrates even made physicians promise under oath not to reveal the secret ailments of their patients, and this oath is still in use. Even in court while under oath he dare not reveal a confessional secret, not does the court expect or demand it. Some years ago a judge in Minnesota held a pastor in contempt of court, because he refused to break the confessional seal in court. However the Supreme Court of the USA reversed the decision of that judge.

Addenda

RE: Page 2, E and F: Two or three witnesses rule

“The Biblical two-witness requirement is more protective than any of the above (provisions in secular law) because of the quality of the witnesses involved. They were not just anybody who chanced to have heard a statement or witnessed an event. They were assumed to be, as stated in your Introduction, 4, totally convinced Christians or, in other words, saints. So the Biblical two-witness rule offers a far more reliable guarantee of trustworthiness.”

RE: Page 5, III, #24

“The provision for written testimony would not satisfy the requirements of a judicial inquiry. However, there is no machinery for taking a deposition where the witness is under oath and subject to cross-examination. But the situation is more like an administrative proceeding in which the strict rules for judicial inquiry are not applied. If the person under disciplinary action insists, he should be allowed an opportunity to confront the witness before the testimony of that witness is counted. In this situation reliance is placed on the guarantee of trustworthiness mentioned in the preceding paragraph. We would approve the rule.”

RE: Page 6, III, #25

“This has no counterpart in our legal system that I know of. That, too, may be referred to the fact that here the witnesses are saints. The legal system, on the contrary, necessarily weighs the testimony of each witness, observes his demeanor and attitude, background, personal interest in the case, if any, etc., and then accepts, discounts, or rejects his testimony. This necessarily follows when witnesses are just anybody. So the secular does not weigh witnesses by number.”

RE: Page 6, III, #26

“As to legal counsel, we agree with those who say that no attorney, at least one who is not a convinced Christian, should be admitted to the Voter’s Meeting. To require this should be to interfere with the congregation’s constitutional right to the free exercise of a religion—an exercise that includes and requires performance of this high duty. We cannot guarantee that today’s secular-humanist, civil rights courts would recognize the constitutional justice of the rule as against the new emphasis on civil rights. Your rule should not be changed on that account.”

RE: Page 6, III, #31

“Your illustration of circumstantial evidence is excellent....Your illustration explains circumstantial evidence perfectly.”

RE: Page 6, III, #34

Strike the word “parol”; it is confusing. Remove the () around “oral”.

RE: Page 7, III, #38

“The law recognizes the Confessional Seal. Obviously, none of these three professions can adequately perform their duties (pastors, physicians, lawyers) toward those that should be helped, unless full information is received. In order to encourage the penitent, patient, or client to give full information the professional is prohibited by ethics from revealing these confidences and cannot be forced to reveal them by any tribunal.”

This entire document had been submitted to a veteran lawyer and seasoned Christian in the LCMS, Mr. Fred T. Hanson. His notes are dated December 5, 1983, at McCook, Nebraska. The following additions and corrections are taken directly from his critique.

AOG – 1984

(A. O. Gebauer, former Pastoral Circuit Counselor, NID LCMS)