

## Amendment meant for 'clarification' draws opposition

An amendment to the Synod's Constitution adopted by this year's Synod convention and sent to LCMS congregations for ratification is drawing some opposition. But the chairman of the floor committee that offered the amendment says it is simply a "clarification" that would not change the way the Synod historically has operated.

An organization that calls itself "Consensus" last month sent a letter to congregations urging them to vote against "Constitutional Amendment A." For the amendment to gain final approval, two-thirds of the congregations that vote must support its ratification.

The amendment, adopted 780 to 322 at the July convention and submitted in August to the congregations, would change the wording of Constitution Article XI F 2. That section deals with duties of the Synod's Board of Directors.

The Constitution says that the Board of Directors supervises the property and business affairs of the Synod "except in those areas where

it has delegated such authority to an agency of the Synod ...." The amendment would change that to read, "except to the extent management authority and duties have been delegated by the Constitution, Bylaws, or resolutions of the Synod to other officers and agencies of the Synod ...."

The purpose of the amendment, says Northwest District President Warren Schumacher, is to eliminate the ambiguity of the word "it" in the phrase "except in those areas where it has delegated such authority." Is this a reference to areas where the Synod has delegated authority elsewhere than to the Board of Directors, or where the Board of Directors itself has delegated its authority?

Schumacher, who chaired the convention floor committee that proposed the amendment, said it would make clear that the Constitution is in agreement with the Synod's Articles of Incorporation and Bylaws. The Articles, as also amended by the convention, use

wording similar to that in the proposed constitutional amendment. Changes in the Articles of Incorporation do not require ratification.

The letter of opposition sent to congregations by Consensus says, "Instead of stating clearly how the authority of the Board of Directors is limited, it would be necessary to look to the Bylaws, and then consult with the Commission on Constitutional Matters (CCM)." The letter is signed by two convention delegates, Richard Kretzschmar of Virginia Beach, Va., and Benjamin E. Clayton of River Ridge, La.

Kretzschmar and Clayton write that the amendment "attempts to give the CCM the ability to divide up the authority of the Board of Directors and assign that authority to other boards and officers."

Schumacher said there's nothing new in the amendment.

"The ratification of the amendment to the Constitution reaffirms how the LCMS has conducted its business, and the role of the Board

of Directors," Schumacher said. "The amendment states more clearly what already is and has for generations been our governance structure."

He said that if the amendment is not ratified, nothing will change as to how the Synod conducts its business. But failure to adopt it, he said, "will engender confusion and misunderstanding, confusion and division within the Synod."

Synod legal counsel Leonard Pranschke told *Reporter* that there were opposing views among the floor committee and members of the Board of Directors as to whether "it" in the constitutional phrase at issue referred to the Synod or to the Board.

"Why have ambiguities in your important governing documents?" Pranschke asked. He said that by adopting the resolution to amend the Constitution, the convention made clear that "it" refers to the Synod, not to the Board.

The deadline for voting is Feb. 16.