

## ***Episcopal Address to the 2022 Synod of the ELDoNA***

In the Name of the Father and of the † Son and of the Holy Ghost. Amen.

Dear Brothers in Christ and Office,

Having the privilege of teaching the history of the Reformation this quarter, I am all the more mindful of the series of 500th anniversaries which continue to take place. Pastor Heimbigner was, I believe, the one pastor of this diocese to read Luther's *Invocavit* sermons during the weeks of Lent in the midweek services; certainly Luther's preaching of those sermons marked a significant moment in the course of the Reformation—one might argue that it was one of several defining moments in the early Reformation. A brief recounting of the history is worth consideration.

After his faithful confession at the Diet of Worms, Luther was secreted away to the Wartburg in early May of 1521. Living in the castle under the alias, Junker Jörg, growing out his beard and presenting himself as a knight. All the while, however, he applied himself to his studies, which Henry Eyster Jacobs summarizes as follows:

An exposition of the Sixty-Eighth Psalm, another book on *Confession*, an exposition of the *Magnificat*, a controversial treatise in answer to the Louvain theologian, Latomus, flowed with astonishing rapidity from his pen. Then he applied himself to the continuation of his commentary on the Psalms, and especially to the beginning of his Postils, or sermons on the Gospels and Epistles for the Sundays and Festivals of the Church Year, this time in German, as his previous work on the same subject had been in the Latin language.<sup>1</sup>

It was not until December 1521 that Luther began his translation of the New Testament; during a secret visit to Wittenberg, he was encouraged to undertake the task. Within three months the translation was completed and when published in September 1522, it would be known as the "September Bible."

However, Luther's absence from Wittenberg created a vacuum in which fanatics sowed dissension in the Church. Gabriel Zwilling (1487–1558) and Andreas Karlstadt (1486–1541) undertook their own purported reforms, destroying images, discarding vestments, changing the language of the liturgy according to their own whims, and giving the Lord's Supper to small children.<sup>2</sup> Then the 'Zwickau prophets'—followers of Thomas Muenzer—arrived in Wittenberg: "They depreciated the authority of the Holy Scriptures, professed to have immediate revelations and direct call from God, and attacked the validity of infant baptism." Luther returned to Wittenberg on March 6, 1522, and, beginning March 9, preached his series of eight sermons on the crisis. Karlstadt's radical notions of reform were set aside so that a proper reform could be undertaken, and thereby helped to establish, over the following years, Latin and German Masses which would be of tremendous aid in formulating a faithful divine service in keeping with its description in the Augsburg Confession: "Falsely are our churches accused of Abolishing the Mass; for the Mass is retained on our part, and celebrated with the highest reverence. All the usual ceremonies are also preserved, save that the parts sung in Latin are interspersed here and there with

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<sup>1</sup> H.E. Jacobs, *Martin Luther—The Hero of the Reformation*, (New York and London: The Knickerbocker Press, 1902) p. 200.

<sup>2</sup> *ibid.*, p. 211–212.

German hymns, which have been added to teach the people.” (AC XXIV:1–2) The reform of the Mass found in Luther’s 1523 and 1526 services and his publication of several postils which were intended for use from the pulpit were bound up together with the visitations which began a few years later. As Johannes Bugenhagen explained in the 1528 *Church Order of Braunschweig*:

Above all things we must and also want to have a superintendent, that is, an overseer, to whom, together with his assistant, the whole matter of all the preachers and the schools, whatever is related to teaching and unity...

The superintendent must see to such and similar matters so that the teaching of Christ may remain pure among us and disunity and disobedience are not awakened through inept preaching.<sup>3</sup>

The past year has seen the regularization of a pattern of Visitation which reflects adjustment to the economic and social changes which have buffeted our nation in the past few years. Travel has been increasingly problematic. I am appreciative of the efforts of pastors and congregations to accommodate the scheduling necessities of these circumstances. Every year there are always parishes that I am not able to visit; fortunately, I was able to visit Pastor Tolar and the saints in Alaska last year. I was particularly mindful of the need to travel north, since their 2020 visitation was the first to be cancelled by the onset of outbreaks of Covid-19.

My visitations did not unearth any matters of grave concern; several issues arose in several parishes which required episcopal involvement. Several matters were resolved; others are undergoing further resolution and I am endeavoring to engage those circumstances.

In general, there is a need for pastors to be more diligent in their personal study; I was pleased that several of the pastors keep very meticulous records of their study, and I believe that provides one of the best avenues for charting one’s ongoing intellectual growth. I know that local circumstances—including pastoral secondary employment—establish limits both for such personal study and for the observation of minor festivals, etc. Where congregations have not yet learned the Prayer Offices, it would be of value, as circumstances permit, to teach the Matins and Vespers to the congregations.

It has been quite heartening to see the continuing efforts to establish new missions. The shared efforts of the several pastors involved in support St. Bartholomew Ev. Lutheran Mission in Fort Myers is particularly striking, but that takes nothing away from the faithful endeavors of others to cultivate such missions. I am personally grateful to Deacon Smithey for his labors in Knoxville, and I know both a member and a catechumen in that place who share in that gratitude.

We are also heartened by the faithful brethren overseas. Rev. Filmore Alvarez continues his labors in the Philippines, and significant strides have been made, with establishment of a more permanent location for services, recognition by the government, and ongoing outreach in the community. He has kept me apprised of possibilities for additional pastors joining their fellowship, and we pray that the Lord will call faithful men who may aid in this endeavor. So, too, we are grateful for our ongoing fellowship with Pastor Marin and the saints of the Confessional Lutheran Church in Colombia (I refer you to his

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<sup>3</sup> Johannes Bugenhagen, *Selected Writings*, trans. by Kurt K. Hendel, 2 vols., vol. 2, (Minneapolis: Fortress Press, 2015) p. 1232, 1234.

attached letter). It is also encouraging to have recognized fellowship with the Mission Lutheran Church of Terapoto-Peru in this past year, and I am grateful to Pastor Rydecki for his conversations with their pastors, which greatly accelerated the process of doctrinal discussions.

The work of St. Ignatius Lutheran Theological Seminary continues; as hard as it is to believe, we are now nearing the end of the second year of the triennium. I am heartened by the dedication which both of our seminarians have demonstrated, and I look forward, Lord-willing, to the remainder of their time of study. If all things proceed according to plan, we will need to anticipate a later synod is 2023, to accommodate the need for examination of candidates after the conclusion of summer intensives next year.



We have also met with new and potential seminarians. Duncan Geldenhuys comes to us from the Australian Lutheran Church, and I am grateful to Pastor Warr for his long-time connection with Duncan, and for the many conversations which led him to our diocese. Mr. Geldenhuys has withdrawn from the Australian synod, and is concluding his second year of studies. There is a small circle of laity who have expressed the desire to establish a congregation in fellowship with this diocese. Mr. Geldenhuys is transferring into St. Ignatius as a remote (very remote) student; he understands the extraordinary

character of his program of study, as we will examine which classes he has taken that will be transferable to St. Ignatius, and his need to complete all classes still required for his training. (This means that he will bridge two trienniums of study.)

We have also met with Mr. Michael Schommer and his family, who will be coming to us from the Missouri Synod. Michael is finishing his undergraduate studies at Concordia-Wisconsin, and has announced his intention to move to Texas in the fall of this year so that he may be a layman in this parish for a year before beginning his studies. We pray that all goes well with this relocation and that the Lord of the Church will bless his studies.

I am greatly pleased by the work which the Committee on Seminary Degrees was able to carry out. As discussed at last year's synod, Dr. Heimbigner, Pastor Bernet, and I met earlier this year to determine the criteria for St. Ignatius Lutheran Theological Seminary beginning to offer the "Master of Sacred Theology" (S.T.M.). We look forward to bringing members of the diocese into such a course of study.

This diocese is now nearing its sixteenth anniversary. It is not lost on us that there are now two remaining founding members of this diocese, and therefore it is worth pausing



to remember why this diocese exists and what role the bishop serves. The circumstances of the birth of this diocese are bound up with rejecting the errors of the Synodical Conference regarding the office of the holy ministry, and therefore much thought was given to the entire topic of the ministry.

Fundamental to the existence of this diocese is that it is, in fact, a *diocese*; that is, it is 'a territorial jurisdiction of a bishop' (to use the language of Miriam-Webster). The Malone Theses (which were drafted and subscribed in June 2006 immediately prior to the formation of this diocese) declare:

It is our desire to conform ourselves to the dominant practice of the Church throughout all time on the issue of polity. We wish to distinguish ourselves from the democratic mind-set that is dominant in the Lutheran churches in America. It is the overwhelming witness of the church catholic that Episcopacy has been the accepted polity in the Church.

This is why, at the time of my consecration to the episcopate, the clergy of the diocese formally declared: "With the completion of this episcopal consecration the ELDoNA will have completely achieved its desire to re-establish the bishop's office in its midst. The consecration rite that is celebrated today is almost exactly the same consecration rite that was created by Archbishop Laurentius Petri in 1571. ... Archbishop Petri created this rite of consecration specifically for the Lutheran Church in Sweden and so it can be considered a thoroughly and completely Lutheran rite."

Agreement with, and conformity to, this understanding of the episcopacy is that to which every member promises to conform as a part of joining, and remaining in, this diocese by professing agreement with these theses. The diocese is precisely distinguished from "the democratic mind-set"; it eschews all Congregationalist and Presbyterian practice and sentiment. Our polity is Episcopal. The Diocesan Charter firmly states: "It is thus our intention in establishing this diocese to reestablish a position of oversight among us. As the term 'diocese' refers to an administrative area, so we desire that one would conduct such administration among us, for the sake of good order."

It is for this reason that there are no congregational 'resolutions' or 'memorials'; nor is there rule by a presbyterial council, serving terms of office. Instead, in the words of the Diocesan Charter, the "office of Bishop is a called office, and a 'grade' within the one office of the holy ministry."

By way of further defining the nature of the episcopal oversight, it is noted in the Diocesan Charter, "We shall stand together to uphold those principles which Dr. Chemnitz affirmed regarding the Superintendency," and it was observed that a key principle which Chemnitz pointed to for the necessity of the Superintendency is, "When Dr. Martin Chemnitz was called to the Superintendency of Braunschweig, he set forth several points regarding the office of Superintendent which are pleasing to us ... Likewise, we must all stick together, as we have in the past, and retain the practice that each does not build up himself or act as lord in his congregation and do what he pleases in preaching, administration of the sacraments, liturgical practices, discipline and other aspects of his office". These matters of unity are the sum and substance of a *Church Order*, and the *Church Order* which Chemnitz provided for his General Superintendency is one which elaborates these principles. (It is for this reason that I have, year by year, published various elements of that *Church Order* [Protocols, Visitation Articles, etc.], as time has permitted and circumstances have required.)



The historic order of Martin Chemnitz referred to in the Charter is the *Church Order for Braunschweig-Wolfenbüttel* (1569) which was co-authored by Martin Chemnitz and Jacob Andreae, both of whom would distinguish themselves as two of the three central authors of the Formula of Concord who, together with Nicolaus Selnecker, formed the inner circle in the creation of the *Concordia* (1580).<sup>4</sup> The finished *Church Order* was completed by Chemnitz and Andreae in twelve days, from October 17 to October 29, 1568.<sup>5</sup> The visitation was then conducted on the basis of this order. The first visitation was completed by November 15, 1568. To fill the depleted ranks of the clergy following the visitation, it became necessary to draw in more clergy from outside the duchy.<sup>6</sup>

Regarding the “Agenda, or Church Order: How Ceremonies Shall Be Established and Observed in the Churches of Our Principality,” the principle is enunciated: “Whenever the human precepts of the papacy are rebuked, the church of God shall be thoroughly and prudently instructed that, with such free ceremonial adiaphora, the meaning is not that no order in ceremonies is to be observed. For Paul says, ‘God is not a God of disorder’ (1 Corinthians 14[:33]), but desires that in the assemblies of the church all things shall be done decently, in order, and for building up.”<sup>7</sup> Thus, the goal was uniformity in adiaphora in keeping with that which is set forth in the *Church Order*:

And though Christians are not everywhere bound to the same specific ceremonies—for Christian freedom has its place in this article, as the ancients say, “Dissonance in rites does not harm consonance in faith”—nevertheless, because there is still all manner of benefit inherent in keeping ceremonies as uniform as possible, and because this also serves to maintain unity in doctrine, also because common, simple, weak consciences are all the less offended and rather the more improved, it is therefore viewed as good that, as much as possible, uniformity in ceremonies with the neighboring Reformation churches should be achieved and maintained. And for this reason, in the matter of ceremonies, all pastors in the churches of our principality shall henceforth strictly abide by and conform to the order described below, and it shall not be neglected without exceptional and considerable cause.<sup>8</sup>

Every aspect of the services of the Church were very carefully delineated, including the use not only of particular details in the rites, but also regarding vesture and the appointments of the altar. The uniformity with the *Church Order* was stipulated precisely because it was a matter of adiaphora: “And so in all the churches of this principality the ceremonies in the Order of the Mass may henceforth be conducted in all points with decency, order, and uniformity, as much as possible”.<sup>9</sup> (This understanding well comports with Augustana XXVIII [¶53].)

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<sup>4</sup> The creation of this *Church Order* eleven years before the publication of the *Concordia* is the reason why there is a separate *Corpus Doctrinae* published in the *Church Order*.

<sup>5</sup> p. xlvii.

<sup>6</sup> *ibid.*, p. xlvi.

<sup>7</sup> *ibid.*, p. 77.

<sup>8</sup> *ibid.*, p. 79.

<sup>9</sup> *ibid.*, p. 81.

Very specific liturgical instructions are provided in the *Church Order*, when Chemnitz deemed best. Thus, for example, with regards to the Exhortation in the Divine Service, Chemnitz provided three forms among which the celebrant may select, but then specifies: "After the Exhortation, let the priest sing the Our Father and the Words of Institution of the Supper of Jesus Christ to the following melodies."<sup>10</sup> At the same time, where matters may be adjusted according to local circumstances, that point is stated explicitly, as for example with regard to the timing for catechesis: "... we desire that this be done in all churches of our principality on Sunday before Vespers..."<sup>11</sup> In all regards, however, it is the calling of the general-superintendents, and the specific-superintendents under them, to insist on uniformity of practice with the *Church Order*, "obliging the parsons and deacons of their superintendency there to conform in all things according to our 'Church Order'".<sup>12</sup> In fulfilling their oversight, all such superintendents were obligated to uphold the *Order*, and discipline such clergy as deviated from it, as set forth in the *Order*,<sup>13</sup> and adherence to the *Church Order* was second only to examination of doctrine in the visitation responsibilities of the superintendents:

First, he shall summon each parson, preacher, or chaplain of the same place, in the absence of the others, and require him, above all, to give him an account of his teaching, in particular whether he presents to the church committed to him the chief articles of our holy Christian faith in accordance with the prophetic and apostolic Scripture and of the Augsburg Confession.

Likewise, whether he also administers the holy Sacraments and other ceremonies according to our published "Church Order" ...<sup>14</sup>

The same points are made by Johannes Brenz (1499–1570) in the 1559 *Church Order* for Württemberg when addressing "Articles on the Basis of Which the Local Superintendents Shall Conduct Their Visitation—Concerning Doctrine and Church Usages":

First, the superintendent shall summon every pastor, preacher, deacon, and subdeacon of the locality to him and, speaking to each in the absence of the others, require him first and foremost to give an account of his teaching. ...

Further, whether he administers the holy sacraments and other ceremonies according to our published church order [of 1553], and particularly whether he employs the private exploration and absolution prescribed by the order.

Further, whether he has established catechetical instruction using the catechism prescribed in our church order, with what zeal he teaches it, and whether he does the yearly exploration with the children according to our order.<sup>15</sup>

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<sup>10</sup> *ibid.*, p. 90.

<sup>11</sup> *ibid.*, p. 93.

<sup>12</sup> *ibid.*, p. 177.

<sup>13</sup> *ibid.*, p. 174, 175.

<sup>14</sup> *ibid.*, p. 170.

<sup>15</sup> *Godly Magistrates and Church Order—Johannes Brenz and the Establishment of the Lutheran Territorial Church in Germany 1524–1559*, trans. by James M. Estes, (Toronto: Center for Reformation and Renaissance Studies, 2001) p. 185.

As noted previously, the Diocesan Charter recognizes that the polity of this diocese is that the bishop has the responsibility of “oversight” and “administration”—terms which are broad so as to encompass all that has been associated with this polity in the historic sense.

All of this, and more, is caught up in the summary expression: “When Dr. Martin Chemnitz was called to the Superintendency of Braunschweig, he set forth several points regarding the office of Superintendent which are pleasing to us ... Likewise, we must all stick together, as we have in the past, and retain the practice that each does not build up himself or act as lord in his congregation and do what he pleases in preaching, administration of the sacraments, liturgical practices, discipline and other aspects of his office”. We have proceeded slowly in the formulation of the diocesan *Church Order*, though aspects of the work were undertaken from the first year, beginning with Visitations, and the assessment of faithful hymns of the *Evangelical Lutheran Hymn-Book* which had been excluded from later books. It is good to see aspects of this work now progressing, and I am appreciative of the assistance which various brethren have, at my request, provided in helping me with the task of establishing the *Church Order* with all its concomitant liturgical resources. In keeping with the commitments established in 2006, we are steadily progressing toward a greater uniformity in practice.

Beyond these matters of formal oversight with regards to such matters as are enumerated in a *Church Order*, it is further stipulated: “We request that the Bishop would offer counsel to us—individually and as a diocese—so that we would work toward a greater unity of practice. Such counsel shall be considered fraternal encouragement.” Again, the goal is not only liturgical unity, etc. such as set forth in the *Church Order*; the pastors and deacons of the diocese commit themselves to receiving the fraternal counsel of the bishop. Such counsel extends to many areas, but today I wish to address one, in particular. It is in the realm of such fraternal counsel that I now turn to the matter of ‘social media.’

On March 24, 2020, such fraternal counsel was offered to the clergy of this diocese in the document, “Service to the Church in this time.” In that document I wrote, in part, as follows:

2. Emotions are running high. Be restrained in your public comments. We aren’t virologists or economists. (I know we’ve got a wide variety of secular degrees and prior experience in our ranks, but no one in the relevant fields. )
3. We are pastors. These restrictions are the facts on the ground. Complaints about the facts on the ground do not make the situation better; let your response be like Jesus’ regarding the payment of the temple tax: “Then the sons are free. Nevertheless, lest we offend them...”. ... What the saints need is the Word and Sacraments, and our concern should be the best way of conveying such to them during this crisis, which is limited in duration. In some cases, this may actually mean more contact, not less.

In the main, although a wide variety of opinions regarding various restrictions, regulations, etc. are held by members of this diocese (and, indeed, some changed their views with regard to such regulations as the situation continued), most members of the diocese were relatively restrained in their public comments. All continued to faithfully serve the saints whom the Lord committed to their care. (Indeed, it was our privilege here at Salem to receive a long-term visitor from an LC—MS congregation which forsook gathering together



for a very long time during the many months when certain churches in Dallas suspended 'in person' services.)

However, there were some who appear to have chosen to disregard the fraternal counsel which was offered regarding those matter *not* pertaining to such faithful administration of the means of grace, and instead became overtly politically partisan in their statements on various social media to the point that several clergy of this diocese came to me (and to those who made such public statements) for clarification.

Part of the dilemma which confronts us is that when an individual Missouri or Wisconsin Synod pastor posts something to Facebook, records a YouTube video, or publishes a Blog or Podcast, no one imagines that he speaks for his synod. At the time of the establishment of this diocese (as Pr. Rutowicz can readily testify) one of the several reasons for the establishment of the episcopate was to make clear 'who speaks for us,' because in the small circle such as our own, the opponents of this diocese and those who are casually interested in what we teach and practice, may be confused by what they see on a particular pastor's page, podcast, or YouTube video. As the one who has had to 'put out the fires' on posts made by members of this diocese (or churches affiliated with this diocese) regarding everything from Covid-19, to purported anti-semitism, to human sexuality, to political parties, and political conspiracy theory, etc., I find that I must now set forth a set of guidelines for social media:

1. Pastors and deacons of this diocese will refrain from endorsing any candidate for political office. Statements regarding various matters of public policy are permissible (e.g., support for an end to legalized abortion; also opposition to women in combat—concerning which the diocese has a formal statement—is a position of this diocese), and on occasion encouraged, but are to be put in their context: the teaching of Holy Scripture. Not all things are expedient (1 Cor. 10:23) and the world will survive without your "hot take" on a wide variety of topics.

2. Members of this diocese will refrain from public obscenity/indecency. It is gravely disappointing that it is necessary that such a rule must be stated. If you have a question whether something is 'obscene,' you will inquire of the bishop (not 'I spoke with so-and-so in the diocese, and he thought it was okay.').

3. Pastors and deacons will be restrained in their interaction with the laity of other congregations affiliated with the diocese. The broad principle: Do not play 'internet pastor' to those laity not of your own congregation. This has happened on too many occasions.

4. As regards YouTube and Podcasts:

- a. Apart from the Diocesan YouTube channel (which I administer), broadcast/posting to YouTube of church services or sermons is, of course, permitted, as noted in the March 24, 2020 document. However, all members are strongly encouraged *not* to broadcast/post the communion portion of the liturgy.

- b. Other broadcasts/posts (e.g., "The Bookcase Behind Me" and "Ask The Pastor") are subject to review and/or removal at the discretion of the Bishop. (1) When a video or audio post is pre-recorded, a script which is pre-approved by the Bishop (or a person designated by him) will normally not be subject to removal; said script will be retained by the diocese. (2) If posted without such pre-approval, disclaimers pre-approved by the Bishop must be published to make it clear that the presenter is speaking only for himself. If, upon review, the Bishop determines that the published broadcast/post/podcast is in any fashion detrimental to the diocese, it shall be removed. All such broadcasts/posts published prior to this date are subject to removal, at the Bishop's discretion. (3) In the

event of a Podcast, which may be initially broadcast 'live,' it, too, shall have such disclaimers as are pre-approved by the Bishop. Again, if, upon review, the Bishop determines that the published broadcast/post is in any fashion detrimental to the diocese, it shall be removed.

5. In the event that a public social media post raises a question regarding its propriety, the one who has such a concern shall address the matter with the person who posted it in a spirit of gentleness (Galatians 6:1). In almost all circumstances, it should not be necessary to rush to inform the Bishop. However, what is absolutely forbidden is any attempt to rally members of the diocese regarding such matters; if a member has personally exhausted all attempts to deal with the matter in a one-on-one exchange, then the matter should be brought to the Bishop for final determination in the matter.

This brings us to another vital part of the exercise of the episcopal office: its centrality to the discipline of the members of the diocese. In the words of the Charter:

a) We acknowledge that the Bishop has the responsibility of oversight among us, and has the responsibility to investigate charges of false doctrine or immoral life where such doctrine and life are either public or manifest, or when they are affirmed by the testimony of two or more witnesses.

b) We acknowledge that upon such investigation, if the Superintendent/Bishop determines that the charges are accurate, he will admonish the member of the diocese to repent and amend.

c) We acknowledge that the Bishop has the authority to suspend the membership of any pastor or ordained deacon of the diocese if the charges are substantiated, and that he will give a report to the diocese of any such suspension. If the suspended pastor does not challenge his suspension in writing to the Bishop within thirty (30) days of written notification, he shall be considered removed from the diocese.

The responsibility for investigation resides with the Bishop. Authority to substantiate the accuracy of the charges resides with the Bishop. Authority to suspend a member of this diocese resides with the Bishop. The only time when a matter may be brought before the Bishop which is *private* in nature is when it is affirmed "by the testimony of two or more witnesses"—and obviously must have been previously pursued in keeping with Matthew 18. However, there is not an appeal of the judgment of the Superintendent/Bishop if he determines that the charges are *not* accurate. The Bishop has the authority to suspend a member if he deems the charges are substantiated (this action is, of course, predicated on the one accused *not* having repented and amended his life, in keeping with point [b]). If one who has been suspended from the diocese appeals that decision, it is only then that other members become involved in the process:

d) if the suspended member appeals his suspension, a review panel shall be formed consisting of the Bishop and two (2) other pastors or ordained deacons of the diocese, whose names shall be drawn by lot, and shall not include the suspended member. If, upon review of the charges, the review panel determines that the substance of the charges is accurate, and that removal of the suspended member from the membership of the diocese is warranted, the suspended member shall be removed from the diocese.

To correctly understand the principle at work in the charter, we turn to the words of St. Peter in his first Epistle: "But let none of you suffer as a murderer, a thief, an evildoer, or as a busybody in other people's matters." (4:15 NKJV) The apostle was addressing the Church

in the context of a “fiery trial” that would come to God’s people, during which they would suffer persecution. To those who innocently suffered for the sake of Christ, St. Peter wrote: “If you are reproached for the name of Christ, blessed are you, for the Spirit of glory and of God rests upon you. On their part He is blasphemed, but on your part He is glorified.” (4:14) The concern addressed in verse 15 is those who have brought judgment down upon themselves attempting to claim that they were suffering persecution, when in point of fact the reason for their suffering was their grave transgression. Arguably, it is not hard for us to understand what it means to be a murderer or a thief; *κακοποιος* / “evildoer”<sup>16</sup> seems more broad in meaning. In 1 Peter 2, the “evildoer” is put in perspective as one who is subject to punishment by the authorities: “Therefore submit yourselves to every ordinance of man for the Lord’s sake, whether to the king as supreme, or to governors, as to those who are sent by him for the punishment of evildoers and for the praise of those who do good.” (v. 13–14 NKJV)

Conferring with a pastor of this diocese regarding this passage in 1 Peter 4, he observed: “in the first three, there is a declining scale of civilly-punishable/censorable crimes making one unit, then the last term being a parallel idea, ‘a crime of a different and separate class,’ as Lenski says in his commentary (p. 208)— ‘as a murderer, or a thief, or a doer of anything deficient/pernicious, or as one illegitimately supervising those whose supervision is not given to you.’”

How shall we understand the “busybody in other people’s matters”? What is meant by *ἀλλοτρίεπισκοπος*? It is a *hapax legomenon*, which Strong (244) notes is derived from *ἀλλότριος* and *ἐπίσκοπος*. Strong defines such a person as “one who takes the supervision of affairs pertaining to others and in no wise to himself”, which is in keeping with the sense offered by Luther’s translation: “... *oder der in ein fremdes Amt greift*.” The seizing of another’s Office is a grave violation of the order which the English word “busybody” has a difficult time conveying. Understanding it as, in essence, ‘seizing another’s office of overseer’ fits the sense rather well.

Interference in the oversight and administration of the Bishop is a sin in the sense of 1 Peter 4:15 precisely because it is understood by this diocese that “We acknowledge that the office of Bishop is a called office, and a ‘grade’ within the one office of the holy ministry.” The responsibilities of this divine call are all those traditionally and historically associated with the episcopate, particularly as directly referenced, or alluded to, in the Malone Theses and Diocesan Charter. Among the most solemn of those responsibilities is the oversight of discipline, and so therefore I will be very clear in this matter. Any interference in this responsibility—whether by private collusion or coordination, ‘campaigning’ against a brother, or ‘lobbying’ for a course of disciplinary action—is sin and can constitute sufficient grounds for immediate suspension. Members of this diocese shall in all public regards always treat other members as brethren; thus, for example, there shall be no attempt to interfere in the regular transfer of members between congregations of the diocese, as members move within the territory of this diocese, and neither shall laity of congregations affiliated with this diocese be discouraged from attending congregations served by other pastors of this diocese—such actions constitute selective fellowship, which will not be tolerated (3 John 9–10). The *ἀλλοτρίεπισκοπος* strikes at the very order which has been established, and attempts to overturn discipline and replace it with bullying. This will not be permitted.

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<sup>16</sup> Only found in 1 Peter 2:12, 2:14 and here in 4:15.



As noted previously, a principle at work behind the establishment of the episcopal office is that “each does not build up himself or act as lord in his congregation and do what he pleases in preaching, administration of the sacraments, liturgical practices, discipline and other aspects of his office”; this is the reason why a Bishop/Superintendent establishes a *Church Order*: to establish order in preaching, administration of the Sacraments, liturgical practices, discipline and other aspects of the office. This is why a submission of sermons for my review, as requested, is a regular part of visitation. This is why I have steadily promulgated various aspects of the diocesan *Church Order*, and will continue to do so.

Thus I am very grateful for the efforts of several members of the diocese assisting me in this task as pertains to the contents of the *Church Order*. As for my own efforts, I will be presenting today and tomorrow my study of the “Common Service” which will set our labors in their historical context. The study is the distillation of what I have learned in my study of the liturgy over the past three decades—a study which has been dramatically intensified in recent years. It will require a good bit of our time together this year, but that will be but a fraction of a percent of the time needed to gain the information. To put it gently, it is information which has been collected through exhaustive labor and no small expense.

You will also receive the draft of the 2022 *Supplement* for the *Augustana Service Book and Hymnal* (ASBH), the working title for the larger project. This contains, in keeping with the goals set forth last year, the model diocesan Divine Service; the Propers for the Church Year; an interim text for the Small Catechism (taken from the 1912 edition), and most of the Hymns of the Day for the Diocesan Calendar. Obviously, there remains much to be done; some temporary substitutions for various Hymns of the Day have been/will be printed in this *Supplement*—the plan remains that the final version of the hymnal will have the appointed Hymns of the Day.

I have received several updates from chairmen of the various committees, and I look forward to their ongoing progress in these areas in which I have asked for their assistance. As they forward to me their various findings regarding liturgy, hymnody and catechesis, I will be able to assess their recommendations and add them to my own findings.

As regards hymnody, I thank Dcn. Oncken for his invaluable assistance in preparing the Hymns of the Day for publication. This has been a laborious process, and I am grateful for the many hours he has invested in this endeavor. I am also grateful for the labors of other members of the Hymnody Committee in identifying additional hymns for inclusion, especially Pr. Stefanski, who solved a particular conundrum of translation. Regarding original hymnody submitted to the committee: Please be patient. We are working through the process of assimilation of hymns, both ancient and modern.

The Liturgy Committee is making progress toward identifying various rites to forward to me for consideration; several of those have now reached me and are under review. Some completed rites were included in last year’s Missal. No further rites are scheduled for publication in the 2022 *Supplement*, save for an updated version of the Divine Service.

The Catechetical Committee is still in the preliminary phases of its work. Pr. Moll’s contribution of the 1912 translation of Luther’s Small Catechism is very much in keeping with the goals set forth last year, and gives us a baseline for the enchiridion. Progress has been made with contemplation of various historic Catechetical services, from the 16th century through those of Löhe and Walther.

I have not received an update regarding the review of the Tennessee Synod’s translation of the *Book of Concord*.

As we have noted in recent years, in accordance with AC XXIV and XXVIII, this diocese will continue to move toward greater liturgical uniformity. The following guidelines set forth liturgical usage at this time.

1. In the ongoing work of unifying our practice, the lessons for all services of the Church (including the Divine Service, Matins, Vespers, Compline, etc.) should be taken from the King James Version, New King James Version, or KJ21, unless otherwise authorized. The ESV, RSV, NIV, or even one's own translations may all serve to some benefit in Bible classes (for example), but should not be used in the lessons of the Divine Service and various Offices of the Church. The Historic One-Year series of lections (as found in *ASBH*) is to be used; if a congregation is following another lectionary, the transition to the Historic One-Year should commence no later than the beginning of Advent this year.

2. For the most part, the Office Hymns are set, and will be published in the *ASBH*; however, several hymns are still proving difficult to format for publication in the *Supplement*, so a limited number of substitute hymns will be printed in the initial *Supplement*. It is to be understood that they will be replaced in the completed hymnal.

3. Use of the diocesan Divine Service as published in the *ASBH Supplement* is authorized for those affiliated with this diocese, upon publication. Other Divine Services which are licit are the "Common Service" of the *Evangelical Lutheran Hymn-Book* (various editions) and the Page 5 and 15 services of *The Lutheran Hymnal*, as published. Other services which are licit for specific congregations include: *Lutheran Worship*, Divine Service I (Trinity Lutheran Church, Herrin, Illinois), and *Lutheran Service Book*, Divine Service Setting Three (Charity Lutheran Church, Burleson, Texas and St. Luke Parish, Kenai and Homer, Alaska). The use of *LW* and *LSB* is only licit for those congregations which were using them at the time of entrance into this diocese, and only where there was not a conversion to the use of *The Lutheran Hymnal*. No parish of the diocese presently uses the *ELHB*; however, because of its faithful publication of the "Common Service," it is not excluded from usage, if used as published. Further elaboration on this point of uniformity in the "Common Service" will be given in the my paper to this synod.

4. In matters of disagreement between the rubrics of various hymnals and the diocesan ceremonial published at last synod, the diocesan ceremonial has the greater weight as pertains to liturgical choices in our respective parishes. If there is a question regarding a point of ceremony, make inquiry of the Bishop.

As I noted in the conclusion to last year's Episcopal Address, "Perhaps there will be some outside of this diocese who will question such a concern at this time, and will invoke all manner of worldly concerns and contentions which might absorb the energy and time of the Church. We are not disengaged from such concerns, but the priorities of the world are not our priorities. We are not called to reform society. We are here to adore the Holy Trinity even as we live out our vocations in this fallen world." Looking to the coming year, we pray the grace of the Triune God to continue in such endeavors as the Lord of the Church has placed before this diocese. Among those duties is the conclusion of the studies undertaken by our seminarians. As the current schedule for the third year of the triennium will see the conclusion of next year's intensives on June 16, 2023, it is our intention that next year's diocesan synod and colloquium will be the week of June 26–30, and is scheduled to, as normal, take place here at Salem. The examination of the seminary candidates will take place at that time.

As a side note: This leads to a further consideration for long-term planning. Even as we anticipate this year's Family Camp in Florida, I believe it is worth thinking about having

the camp here in Texas next year, after the synod. The necessity of having the synod later in the year would otherwise complicate having both events; if camp commenced immediately after synod (beginning Saturday, July 1 and running through noon, Tuesday, July 5), this would presumably ease the travel burden for clergy attending both events, and also maximize the number of natural 'days off' for laity attending. Presuming camp began at noon Saturday, this would mean three days (at a minimum) would take place on the weekend and secular holiday. It would mean that clergy would be at Salem that Sunday (therefore, in some cases, requiring a Küster rite in the home parish that morning), participating in the regular Divine Service on a festival day (Festival of the Visitation). I offer this possibility for your consideration.

I offer a few observations regarding both the work of the diocese in North America, and our gifts in support of brethren abroad. Budgeted support for the work of the diocese remains quite modest. When the budgets for the diocese and the seminary are considered in terms of the baptized membership of the congregations affiliated with the diocese, it requires only \$.63 a week per member to support the diocese and \$.68 a week to support the seminary. If considered in terms of average attendance, the amount is adjusted to only \$1.51 a week for the diocese per attendee, and \$1.62 a week for the seminary per attendee.

As noted previously, I leave you to a consideration of the attached reports from overseas brethren to best assess their circumstances. Beyond those gifts offered by the diocese as a whole, I will bring various needs before the board of Salem's Confessional Lutheran Mission Fund which has already this year elected to provide \$500 for the help of the brethren in Peru. I trust that all the pastors and deacons of this diocese will give due consideration to what gifts the congregations which the Lord has entrusted to their care may be able to provide. The needs are significant for all of our brethren, and occasions such as festivals and ember days are occasions when additional mission offerings may be gathered.

The opportunities which present themselves both at home and abroad are numerous. We do not lack for work which needs to be done. Let us pray the Lord of the harvest for fellow laborers, even as we sow the seed of the Word.

*Rt. Rev. James D. Heiser,  
Bishop, The ELDoNA  
Tuesday of Quasimodogeniti, A.D. 2022.*