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THE NEW CONSTITUTION AND BYLAWS: ACHIEVEMENT AND PROMISE

Peter Schmiechen

At a meeting of church leaders in 1986, a committee presented a preliminary report on the feasibility of restructuring the national offices. When someone asked whether the committee had approached its work by considering a normative ecclesiology, the answer was negative. At the time there were numerous organizational, political, and financial reasons for restructuring. But that exchange prompted me to offer theological reflections on the church. At the invitation of the editors of Prism, I am pleased to continue the effort.

I have read and re-read the revised Constitution and Bylaws from cover to cover as statements intended to stand on their own. I assumed that the changes were adopted as amendments to the Constitution and Bylaws as a whole. My reflections are primarily theological rather than political in nature. To be sure, attention is given to how things are organized, the relations between the parts, the distribution of power, and the implied distribution of finances. But my concern has been to discern how structure embodies faith statements and other values. What is the vision of the church that emerges from these documents? If these documents are a plan for a church, what is the specific nature and mission of such a church?

Some have dismissed the restructure process with the claim that issues of structure are inconsequential. They have claimed that our problems are spiritual in nature, rather than organizational. On such terms, new structures will not solve the crisis we face. While I too have argued that our church faces spiritual crises, I cannot accept such a judgment about structure. Structures embody spiritual realities, be they good or bad. Why liberate persons from demonic structures if structure is irrelevant? The disregard for this subject suggests a kind of disembodied

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spirituality, seeking to transcend the problems of worldly life by ignoring them. I think the way we worship, teach, relate to one another, name these relations, and invest them with commitments of time, money and fidelity—in short, the way we structure our lives—creates the known world in which we live. The way we do things re-presents our faith and our vision for the world. We do not live in spite of, or against structures, but in, through, with, and among them. The widespread felt need for the United Church of Christ to restructure—to be sure, for very different reasons—reflected precisely this affirmation that the structure of the church goes to the heart of our faith.

The new documents represent a major achievement and can lead to many positive developments for the life of the United Church of Christ. I say this as one who has been critical and cautious on many issues along the way. Having studied the documents, it is time to praise this achievement. The fact that it took fifteen years testifies to the difficulty of the task. Indeed, the United Church of Christ has been ecumenical not simply by commitment, but by having within a diversity of ecclesial traditions. Moreover, the biblical and theological revolutions of the 20th century have undermined many of the ecclesial guidelines that were supposed to show us the way. In a world where the old ways of organizing the church have unraveled and where God is mixing things up, the task of restructuring the United Church of Christ was tremendous. This restructuring has resulted in positive achievements that pose interesting choices and which leave some unfinished business.

POSITIVE STEPS FORWARD

Reorganizing and Connecting

Eleven offices, counting the general minister and president, have been reorganized into four, with the Pension Boards and the UCC Foundation retaining distinct status. The number of members on all boards has been reduced from about 650 to about 200. All five officers are now elected by General Synod, as are most of the members of the new boards. With the inclusion of smaller agencies into the four covenanted ministries, and with some reallocation of endowments, the new structure assures all ministries greater equity and support. Considering the legal issues, special interests, the weight of traditions and habits, and the long-standing assumption of radical decentralization, such consolidation is a major achievement.

The change, however, is more than consolidation of numbers, as important as that may be. It also involves a major change in the way agencies relate to one another and to the whole church. The four major bodies, called covenanted ministries, are equal ministries of the church, united in multiple ways. All executives, now elected by General Synod, unite in multiple ways. All executives, now elected by General Synod, constitute a Collegium of peers to oversee all aspects of the national church. A new Office of Common Services is attached to the Collegium, which also works directly with the Executive Council. What is of interest is the solution to the status of the General Minister and President's office. Instead of having it separate from three covenanted ministries, or elevated above them, the President and related offices constitute one of the four covenanted ministries named Office of General Ministries. The President chairs the Collegium and is responsible for the care and nurture of "the church" and its internal covenants with other churches; the President also facilitates planning and the implementation of the total mission (Par. 64). While the intention may not have been to elevate the office of the President or increase its powers, the practical effect of this solution actually does so.

Reaffirmation of Traditional Mandates

Two mandates that have marked the United Church of Christ since its inception are reaffirmed: ecumenism and social justice. The church is called to be ecumenical from start to finish. The foundational theological affirmations in the Preamble and at other crucial points are evangelical in nature. They are devoid of denominational rigidity and refuse to impose standards from particular traditions on all members. The focus falls on Christological affirmations: Jesus Christ as Head of the church, Son of God and Savior, (Par. 2) and trinitarian affirmations: God as Father, Jesus Christ as Lord and Savior and the Holy Spirit (Par. 10). The unity of the church in Christ is thereby affirmed. The church is called to manifest that unity internally and with other Christians. Our relations with the Christian Church (Disciples of Christ) and our ecumenical work with other Christians are both repeatedly affirmed.

This church is also called to embody the justice and peace of Christ and to work for such in the world. The aspect of justice and peace that is given special attention in this edition of the documents is obviously inclusivity: We are given a mandate to be a church open to all people—irrespective of race, class, age, gender, sexual preference or physical/mental state—and to become a multicultural and multiracial church. This theme runs through the entire document as a mandate, as requirements for membership on boards and councils, and as a vision for a new church and society. Indeed, American society has always strug-
appear virtually inseparable. One might say that there is a whole lot of binding going on! But more on this later, since the document retains the affirmation of autonomy and leaves some gaps unfilled.

A New Opportunity

I cannot proceed without also mentioning a very significant achievement for the seven seminaries, though obviously not on the same scale of the three issues above. This is the creation of a Council for Theological Education. The Council will foster direct conversation between the seven seminaries and all parts of the church on all matters of theological education and ways we can work together for strengthening the ministries of the church. My colleagues are grateful for this new form of engagement with the church. While we regret that the document did not incorporate our proposal for a Theology Commission, it is good to see that this issue is clearly listed under the responsibilities of the President (Compare paragraph 237).

INTERESTING CHOICES

The new structure contains some interesting choices worth mentioning simply because the path taken is not obvious. Perhaps over time we will all find that they were appropriate, or we might find that further realignment is needed. The first example is the placement of the former Stewardship Council in Local Church Ministries and General Ministries. Depending on whether we see Stewardship from the standpoint of where the funds are raised or where the funds go, its placement can go in different ways. The latter approach would make it more of a church-wide function, with all agencies bearing responsibility for it. Such an approach could place it in the Office of General Ministries.

The same question can be raised regarding the former Office for Church Life and Leadership. Ordained ministry is not confined to local congregations—as chaplains, administrators in health and human service institutions, missionaries, and teachers give testimony. Furthermore the Office for Church Life and Leadership was vested with the task of oversight, an episcopal function that could rightly be placed in the Office of General Ministries. I have yet to hear a theological rationale for placing it in Local Church, nor has the concern of ordained ministers outside congregations ever been taken seriously.

UNFINISHED BUSINESS

It is not surprising that a careful study of the documents reveals some unfinished business. My admiration and respect for the achieve-
evidence of a new and stronger relation between the covenanted ministries and General Synod. All the passages affirming this appear fixed and unqualified. But then there is the non-inclusion of the ministries in Article V and the absence of a definition of covenanted ministries in paragraph 57. Was a definition omitted in order to avoid the delicate issue of what exactly is their relation to the church? Are they free-standing entities that agree to relate in certain ways—which might be withdrawn—or are they truly a part of the church, bound in joy and sorrow, in sickness and in health? In effect, how far does the new relation to General Synod really go? Something is held back suggesting that perhaps they are free-standing. Perhaps they are both, which means we are still in a transitional situation learning what it means to be united. As much as I applaud the advances in the documents, the caution on this issue is disturbing, given the retention of the paragraphs on autonomy (paragraphs 18 and 54).

Resolutions of General Synod

No mention is made in the documents of the status of resolutions by General Synod. The documents indicate that Synod issues policies (paragraph 258), actions, decisions and advice (paragraphs 581 and 19), delegate and assigns (paragraph 61) and even produce mandates (paragraph 38a). But there is no mention of resolutions. This is unusual, since no action of Synod has caused more debate, unrest, and in some cases division, than resolutions on a wide range of current issues. It would have been helpful if the new documents intentionally reaffirmed this practice or clarified when and how it should be used. At the heart of the issue is the status of such actions by General Synod.

The traditional answer has been that such resolutions are recommendations from Synod to all parts of the church, even though Synod is a representative body (paragraph 53). We have repeatedly been informed that Synod speaks to the church and not for it. I call this answer the free-church defense: The church consists of various free-standing parts that may choose to offer counsel to one another, but no one is bound to anything anyone says. The free-church defense is widely used by conference leaders and pastors to calm church members who are deeply hurt at the discovery that they are on the other side of a synod action.

This way of dealing with the issue has problems. First, it destroys the very connection between General Synod and congregations or members that is so vital to the unity of the church. Even the “highest regard” clause in paragraph 19 cannot overcome the distancing that occurs in these situations. If the free-church defense continues to be
used, we will be saying on the one hand that we are bound by covenan-
tal relations but congregations and members can ignore parts of the
church. But which policies, actions, advice or counsel of Synod are we
free to ignore? In effect, the more this tactic is used to deflect reactions
to Synod resolutions, the more we unbind the connection members
have with Synod.

Second, resolutions have a double life. While they may not be bind-
ing on congregations and members, they are accepted by the national
organization as binding. What is offered for consideration to congrega-
tions actually becomes official policy for the agencies. Such policies then
are written into the publications, educational materials, worship mate-
rials, regulations on ministry, and general work of national agencies.
They also become expectations regarding practice in the life of the
church. In effect, they have been translated into legislative policies.
Thus, while a congregation may be free to respond to a resolution ac-
cording to its conscience, all materials coming from the national struc-
ture infer compliance with the action of Synod. In a real sense, the
congregation is being bound by the synod action if it wishes to utilize
UCC materials and continue to be a part of the church’s common life.
For both of these reasons, it would be helpful if the documents clarified
whether resolutions are position papers for discussion or legislative
policies.

I raise these concerns in spite of the fact that I am in agreement with
most synod resolutions. The issue is: What is the most helpful way to
challenge the minds and hearts of congregations? For several decades
we have tried to change the church and society with the political power
of synod action. It has deeply divided the church. If we claim to be a
coventhal people, are not there alternative ways to confront, nurture,
and change hearts and minds in the direction of God’s will? Is a legisla-
tive, political process the only way for a spiritual community to engage
in processes of change?

Third, another issue of unfinished business is the status of ordained
ministry, especially in light of the placement of the article on ministry.
In the new document it appears as Article VI, between Article V. Local
Churches and Article VIII. associations and conferences. I assumed
that this placement wished to establish a connection between congre-
gations, which are the basic unit of the church (compare paragraph 9),
and ministry. But aside from two unrelated references to ministers,
there is no reference to ministry in the article on Local Churches. The
matter becomes more serious when one examines Article VI on Minis-
try. This article affirms that certain forms of ministry require ecclesias-
tical authorization (paragraph 21), that ordination sets a person apart
for ministry (paragraph 22), and that such ordained ministers preach,
teach, administer the sacraments and rites, and exercise pastoral care
and leadership (paragraph 23). But in neither Article V nor VI is there
a theological rationale for ordained ministry in the life of the church!
Please note that the issue is not whether every congregation must have
an ordained pastor, but: Can a congregation be a congregation without
preaching, teaching, sacraments, pastoral care and leadership? The
Reformation rationale for ordination, in spite of the elimination of reli-
gious orders and the affirmation of the priesthood of all believers, was
that the very essence of the church requires certain things. They risked
reestablishing a special class by ordination because they considered
these things to be essential for the life and mission of the church.

Since the articles were untouched by the recent changes, the prob-
lem does not stem from this restructuring process. But it does cause
one to wonder whether there is a connection between a church ethos
that has no rationale for ministry and the many problems we face in
ministry. Low self-esteem among clergy, the absence of recruitment
for ordained ministry, the general neglect of worship, preaching,
and education in our common life—all these come to mind as issues where
a great deal more attention, resources, and creative energy are needed.
But the Constitution does not prove to be a resource in the same way
that it is on other essential issues for the life of the church.

Fourth, a final issue will serve as the transition to the next section.
We were repeatedly told that we needed to reorganize the church for
the 21st century! Whatever that means, I find the new documents virtu-
ally devoid of any reference of the present church situation. We are
part of a church that has lost 25 to 30 percent of its members; its giving
has declined or is flat; 20 to 30 percent of congregations cannot afford
a full-time ordained pastor; the number of new ordinands is at an all-
time low; conference staff are unable to handle the demands of the
care and nurture of pastors and congregations; and there is general
agreement that in general, members suffer from biblical and doctrinal
illiteracy. In what way does the new structure reflect a recognition of
any of these issues? Where is the reallocation of time, funds, and
human resources? What new structures have been created to deal with
any of these issues? In effect, does the distribution of resources and
personnel reflect the need to rebuild the church in the next decade?

IMAGES OF THE CHURCH

In spite of some interesting choices and unfinished business, the
new documents represent a major turning point in the life of the
United Church of Christ. There is great promise here because the documents contain several powerful images of the church, which we can now enumerate.

The Confessing Church

At crucial points, the documents offer affirmations regarding God, Christ, the Spirit, and scripture that locate the United Church of Christ on the confessional map. Though brief, these statements are profound and deserve far more consideration than usually received. One of the statements in the Preamble is quite wonderful, though subtle. Paragraph 1 declares that the United Church of Christ was created “to express more fully the oneness in Christ of the churches composing it, to make more effective their common witness to Him, and to serve His kingdom in the world.” We do not create the oneness of the church. Our oneness in Christ is a gift from God, which already exists. The church exists by sacramental grace and evangelical preaching.

The Ecumenical Church

This is the first mandate reaffirmed by the new documents. We are by commitment, history, and composition an ecumenical church. Such an existence is precarious and filled with frustration. There is no reason to work at such a project except for the fact that Christ wills that we, who are so different, be united.

The Justice Church

As the second mandate, a passion for justice marks the United Church of Christ, energizes its life, and defines the vision for the future. Like ecumenicity, the documents press issues of justice, peace, and inclusivity at every point.

The Gathered Church

True to the free church, congregational origins of several major branches, as well as at the influence of the American experience, the United Church of Christ understands itself as a community of congregations. The congregation is the basic unit of the church. Yet such congregations freely covenant with one another to create unions and partnerships for ministry. Even the new documents list eight councils created by General Synod and seven self-created groups—all with seats on the Executive Council.

The Autonomous Church

The documents retain the affirmation of the autonomy of the local congregation, associations, and conferences. I found no reference to the autonomy of the covenanted ministries, though I have suggested that it may be inferred. I list this image of the church because it is there in the documents. Though many find it to be an invention of 19th and 20th century American individualism—quite contrary to historic Congregational traditions of earlier times—it has become part of the faith and life of the United Church of Christ. The fact that it contradicts the other images listed creates an interesting dilemma for the life and faith of the church.

The Covenantal Church

The new documents appeal to the rich language of the covenant to define relations, expectations and our common life, in spite of the idiosyncratic UCC dogma of autonomy. From Article III until the end, it is clear that these documents envision a church bound by covenantal relations. Here one should note the marvelous constitutional maneuver in paragraphs 17–19 retained from the earlier edition, which builds a fence around paragraph 18 on autonomy. In paragraph 17, the mutual obligations of congregations and other parts of the church are defined in the strongest possible terms. In paragraph 19, local churches are admonished to hold in high regard the actions of associations, conferences, and synod. Though paragraphs 17 and 19 are not new, they take on new force in light of Article III.

The strong covenantal language, along with the connectionalism inherent in the traditions, suggests that the association is really the basic unit of the church—and not the congregation. A congregation only has standing in the United Church of Christ by virtue of being part of an association. Ministers are ordained and hold standing only through associations. Add to these elements the mutual obligations of paragraph 17, and the result is that a congregation cannot be a member of the United Church of Christ without being in covenantal relations. It will be interesting to see if any association or conference puts this to the test. But the frustration is that, after its role in the Church and Ministry Committee, the association is the weakest part of the church. Somehow we need to examine ways to enliven this part of the structure.

AN EMERGING ECCLESIOLOGY

What then is the ecclesiology that emerges from the documents? Our church is more than a confederation. But it is not easy to find a single phrase to define our communion. Indeed, the United Church of Christ is not easily named by traditional theological or historical
categories. The ecumenical vision has produced a gathering of many different traditions at the table. Our affirmation of inclusivity extends the limits even more. We have discovered in some forty-three years that it is possible to live together in the face of considerable variety, difference, and even tension. Perhaps we can find help in understanding such a complicated form of existence by reference to changes in other sectors of the society.

- Unlike business corporations, colleges and seminaries are loosely coupled. That is, they combine multiple styles of organization—hierarchical and egalitarian—and make decisions in a variety of ways: appeals to authority and persuasion. In such an organization, members are obligated by organizational charts and structures, yet also free to tell the president what to do.

- The hot topic in many institutions is the creation of operational task forces that bring together people from all over the organizational chart to achieve maximum success. Such operational structures coexist with traditional structures. In the United Church of Christ we see the emergence of such operational forms as the Collegium and Office of Common Services, or even the Executive Council, which bring together officers and representatives to govern on behalf of General Synod. In many respects, operational structures have more power than traditional offices; that may well be true of the new Executive Council—for example, note the extensive list of powers and duties in paragraph 226.

- A final example is our willingness to live with layers of images, practices, and doctrinal traditions. Few persons or organizations achieve such single-mindedness and internal consistency that only one thing defines them. The church certainly illustrates an ability to live with layers of traditions and practices. All sorts of things are handed down in Scripture, tradition, hymns, and liturgies that represent contradictions and tensions. We never completely resolve everything but carry forward much of the old, in spite of our bold declarations to be intentional about things.

The church described by the new documents has a definite character—compared to other traditions—but that character is loosely coupled, is as interested in operational arrangements as strict organizational charts, and is definitely layered with multiple traditions—for example, at least six images of the church, with autonomy and covenant in sharp contradiction. It is a church that claims key Christological images: Head of the Church, Savior, Lord, Son of God, Body of Christ. It shuns hierarchy and affirms a radical egalitarianism born of Baptism and the Lord’s Table, which therefore drives it to be ecumenical and inclusive. It wants to affirm logical order and allocate responsibility and power, but it also emphasizes collegial relations. One will not find a simple, single way to describe this church, but it definitely has a constellation of values that give it character, shape, and substance. For this reason it has promise for the future.

THE MEANING OF COVENANTAL RELATIONS

That promise, however, will depend on what is meant by covenantal relations and how the church interprets and receives such language. One reading is to see the image as harking back to the covenant theology of the Reformed tradition, revived by 20th century biblical theology. In the Mosaic covenant, the covenant binds people with God and one another by the gracious action of God. The radical egalitarianism among the human members appeals very much to our culture. But we need to remember that such inclusiveness is only initiated, nurtured, and sustained by the sovereignty of God. In one tradition flowing from the Mosaic covenant, Israel has no king because God is king.

It would be a new day if such a reading were shared by leadership and members. The difficulty is that the Christological affirmations, which transpose the Mosaic covenant into the New Covenant, are primarily in the Preamble and early parts of the documents, with brief references at later points. But not much is said throughout the documents about the meaning of covenantal language, nor is there reference to historic documents that would be guideposts for expounding on this image. The only intermediate norms provided are the often repeated words: mutuality, collaborative, consultative, collegial, and hold in highest regard. Such words give some direction, though they are not entirely clear. Without a definite theological context for such words, a second reading is quite possible. These words represent the key values of contemporary liberal social theory and group dynamics. They are the key concepts for strategies of conflict resolution and organization development by means of group process. They do not, in and of themselves, carry any theological significance.

If the second reading is either intended or used by the church in receiving the documents, then we are back to the dominant American religious practice: religion is a voluntary association of like-minded people. The basic unit of such religion is the individual, who freely chooses to be religious, autonomously decides what to believe and do—for example, shops around—and persists in relations with others only to the extent that they enhance the self or meet self-interests. In this reading,
covenant means a contract between human beings on the basis of self-interest. For a long time, we assumed that the church was based on this principle of agreement. In the past thirty years, however, we discovered that we did not agree on very many things. If there is no agreement, what then holds us together? I believe that the church of agreement has failed and is dying. We must admit that we do not agree and that our social processes will not bring us together, no matter how civil they appear. It is at this point that the biblical covenant tradition assumes that community begins by divine initiative—compare the Christological claims in the early sections: Christ is Head, Savior and Lord. Community is, to be sure, nurtured by mutuality, consultation, and collaboration. But such practices are possible only in the context of God's grace and peace, wherein one and all see themselves in the presence of a sovereign God who claims us in spite of our sin.

The promise, therefore, of the new documents is the opening to a biblical understanding of community based on the image of covenant. What is new in the gospel is not our pledge to be collegial but Christ crucified and risen, inviting us to be together at the table. While I believe the writers of these documents know this, the issue is whether all the readers know it? The new documents require a reading informed by a specific theological tradition that is counter-cultural—one that we ourselves resist. Our infatuation with autonomy is not simply our fear of human authoritarianism, but ultimately our fear of God. If we ever entered a real and new covenant, God would change us. The new covenant does require mutuality and respect, but in such a radical form that we usually prefer to qualify it by keeping our distance. Robert's Rules of Order allows us to be in charge.

To say that the new documents require a particular reading of the language pushes us to the importance of shared values and practices within the life of the church. It raises the old issue of worship, preaching, teaching, fellowship, and deeds of justice and grace. Only in a church that knows about covenants, and practices such covenental relations, will these documents be intelligible. This in turn brings us back to the issue of the current church crisis. The crisis involves decline in numbers and dollars, but also in number of leaders, and generations cut off from any knowledge of the covenental traditions. The older community of belonging has been replaced by communities based on personal need. The current situation in the church undercuts the shared values and faith in a sovereign God who makes possible covenental relations. Without a faith and life nourished by the shared values of Baptism and Lord's Table, the phrase "covenental relations" becomes a group process technique. In this sense, the current church crisis is also a constitutional crisis.

If, then, we want these new documents to build a new structure for our common life, we are going to have to attend to the disarray in the current church situation. There is little in the documents to suggest that our church saw fit to re-organize in radical new ways for this crisis of faith and witness. The documents could just as well have been written for a unified, spiritually healthy, growing church in a stable society. But that does not describe our church or our society. For this constitution to work, we must rebuild the church for this new day. The document is rich in resources and is bold to call us back to the source of our common life and our unity. So let us receive it with gratitude and pledge to "seek God's will and... to walk together in all God's ways" (paragraph 6).