

2x2 Foundation

2x2virtualchurch.com

591 Hermit Street • Philadelphia, PA 19128

August 26, 2015

Presiding Bishop Elizabeth Eaton, ELCA

Dear Bishop Eaton:

Two troubling problems challenge Lutheran laity today.

1. Lay leaders need to know — Are we are dealing with bishops, whom we expect to operate under Christian principles of love, forgiveness and reconciliation? Or do we operate in a legal arena where winning trumps all? The reliance on lawyers and courts makes enemies of interdependent entities. Laity want to believe we are on the same side! Yet our synod seems to view bringing small congregations and their leaders to their knees as sport.

While claiming immunity from the law under Separation of Church and State, synod leaders use the law against member congregations.

Synod Assembly—the constitutional “final word”—hasn’t the time, expertise or independence to handle disputes rising from this inequity. Furthermore, when **they take actions that violate their authority**, as with our congregation (**Redeemer, East Falls, Philadelphia, now known as 2x2 Foundation**), there is nowhere to turn. The legal offices of the church, we found, serve regional and national interests—not congregations. Congregations have a voice only if synod leadership allows it.

2. Property is vital to a congregation’s ability to innovate and transform. Some synods see congregational property as the only solution to their own fiscal crises—a self-defeating view and a violation of our historic polity. Monetary value of church property always outweighs mission’s monetary value. Any church can be a target.

When money from closing churches runs out, laity are the next targets. We can imagine conversations behind closed doors. How can we be sure to win? Which members can be influenced to assist synod? Which should be targeted as potentially leading what is seen as resistance (as if resistance is evil)? Which member has the deepest pockets? It doesn’t tax our imagination. We lived this very scenario!

Our congregation’s sad experience with the ELCA illustrates these challenges. We have been excluded from the ELCA for seven years, but still deal with SEPA’s destructive and vindictive leadership.

We may be the congregation that steadfastly protested, but we are not alone. The ELCA has all but abandoned our region of Philadelphia—a large population (about 200,000) with suburban-like demographics. One by one, land values are claimed and nothing is put back. The end of White Flight? Lutherans, who fled to the suburbs decades ago, return for property and endowments left behind.

We abandoned Lutherans still live here. The nearest churches are the next targets. SEPA has no mission plans for our neighborhoods. We do. And we were proving our success!

There is more economic potential in an open congregation than in a closed congregation. We remain a worshipping community 15 years after our death sentence was issued. Our website has 100,000 visitors each year on the first tier of sharing and grows every year—more than most churches regardless of membership! We find mission opportunities we never imagined pre-internet. Despite being “closed,” some \$300,000 was donated to us during the last six years. We found funding for a 6-week summer day camp to serve 88 children in foster care and provide employment for 8 young people. The camp would have restored the endowment seized by SEPA. SEPA interfered, returning to our neighborhood to spread defamatory gossip. The vendetta’s details are hateful and sordid. No Lutherans dare investigate.

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This is sheer bullying. **We are no longer affiliated with the ELCA. Our mission is not SEPA's business.** Neighborhood groups who choose to work with us should not be subject to SEPA threats of litigation—as happened this summer. The vendetta needs to end so we can practice our faith in our neighborhood.

Gossip carries enormous weight. Former pastors, respected and loved by our congregation, were recruited to sway opinion for SEPA with tales that are unrecognizable—a breach in pastoral ethics, true or not. These pastors left 15-25 years ago. Had they returned before talking, they would have found only three people remaining from their time! We had grown six-fold in recent years. Acting in ignorance, our pastors fed into synod's strategy for survival:

- Target small, debt-free congregations.
- Neglect them for about ten years. (This is a published strategy!)
- Remove existing clergy, isolating both the congregation and its lay leaders.
- Insist the congregation accept “mission status” as a condition for providing any services, thus requiring the forfeiture of property rights and making any pastors working with the congregation answerable to synod.
- Infiltrate the congregation council to influence voting. First, flatter. Second, bribe. Third, threaten.
- If voting doesn't go synod's way, remove congregational leaders by edict. Claim administrative authority that goes against promises made to congregations. Do the voting for them.
- Shut down dialog. Head for court. Hide behind separation of church and state.
- Sue lay leaders individually. Threaten to break them economically.
- Rely on pastors and parishioners to care about their safety and comfort more than discipleship.
- Send more than allotted to the national church to create an illusion of success and discourage questions.

The court ruling in our case stated **if the law were applied, Redeemer's arguments have merit. This should be troubling to all in the ELCA.**

SEPA behaved even more atrociously in another land grab—First Lutheran, Collingdale.

SEPA closed this church in 2010 and set about selling the property, not realizing the congregation had sold its land to the owner of a day care center **ten years** earlier—as is its right. The congregation had a strong relationship with the day school and continued to use the sanctuary. They felt good that they had found a way to continue a Christian witness without draining their resources for property costs.

Disposition of assets should have been resolved during the SEPA's negotiations as they closed. SEPA was at the settlement table before they realized the property was not theirs to sell. Claiming an entitlement not in the constitution, they demanded the owner of ten years release the property to them immediately. She refused. Wouldn't you? Even if the congregation voted to close, they had a right to dispose of their property.

SEPA claimed a fraudulent sale — 15 years after the fact. The same pastor was present both before and for several years after the sale. They didn't go after the pastor or the church council who SEPA claimed wrongfully sold the land. SEPA already had the congregation's cash assets. They sued the buyer—a good woman, not a Lutheran, the mother of several adopted children, who purchased the land to operate a community day school, moved her family into the parsonage, and graciously allowed the congregation to continue using property she now cared for.

One more example: During our 80 visits to SEPA congregations, we encountered an engineer who told us he had offered to help one of our neighboring congregations solve a structural problem. He received a call from the bishop advising him not to help the congregation. She intended to close it.

These are predatory behaviors that punish “interdependent” congregations for initiative and innovation.

Redeemer never voted to close. SEPA voted for us—without our knowledge—three years after denying us representation in Synod Assembly and two years after locking us out. We have a constitutional right to challenge all of these and other actions, but how? The venue and rules are controlled by SEPA. There is

no way to assure constitutions are followed! There wasn't even a way to call attention to the fact that Synod Assembly never voted on our appeal! (The judge noticed before ruling he had no jurisdiction.)

Our continued success proves our congregation is innovative, mission-oriented, and viable. The seizure and squandering of our land is a black mark on the ELCA. **If Lutheran law were applied, it would still be our property, used for mission in our neighborhood—as its donors intended.**

Here are some ideas that might fix serious failings in the ELCA.

- **Protect congregational polity.** Predecessor bodies of the LCA and ELCA expressly forbade regional bodies from owning property. They were not to be in the real estate business. Synods are tempted to covet what does not belong to them. Mission ceases to be a consideration.
- **Establish an independent ombudsman's office. There are two sides in every conflict. But the Bishop controls the voice and venues for resolution.** Bishops need to know they can be challenged in a forum they do not control. Lay leaders need enforceable constitutional protection. This would help create an atmosphere where clergy and laity can innovate with less fear of reprisal. Recognize Synod Assembly is not capable of dealing thoroughly and fairly with problems between a bishop and congregation.
- **Get rid of Involuntary Synodical Administration.** It violates founding Articles of Incorporation and is a **euphemism for theft**. At the very least, review how bishops use this concept.
- **Define “interdependent.”** It should strengthen ties not absolve responsibility and numb conscience.
- **Provide congregations equal access to the expertise of legal offices** funded with their offerings.
- **Discourage the use of courts by church leaders.** Bullying threats of litigation side-step scriptural alternatives and cripple mission.
- **Consider a non-geographical synod that congregations can opt to join.** Bishops might be more inclined to work with congregations if congregations had options. Congregations need an environment where they can innovate without designs on their property. Alternatives might preserve mission outposts that geographical synods are content to abandon for short-term monetary gain.
- **Respect lay leadership.** If our congregation's lay initiatives had been inspired by clergy, they would be praised.

We remain Lutherans.

Sincerely,

Judith Gotwald

591 Hermit Street, Philadelphia, PA 19128

One of 82 members evicted from Redeemer Lutheran Church in 2009

Now of 2x2 Virtual Church and 2x2 Foundation