

# Congregationalists on the Merger

Readings in the History and Polity of the National  
Association of Congregational Christian Churches

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Rev. Dr. Arlin T. Larson, editor

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## PREFACE

Learning about the National Association of Congregational Christian Churches is not easy. No comprehensive history has been written. Only a few of the founders remain active. No seminary offers a course tailored to it. Months or years of participation, informal contacts, and overhearing the scuttlebutt are usually required. The "Congregational History and Polity" course is designed to accelerate the learning curve by immersing the student in modern Congregationalism's traditions and practices, as well as in the more comprehensive Congregational story.

We see this as essential for seminarians seeking a firm foundation in the community they are preparing to serve. Equally important is educating the many ministers who come to Congregationalism from other traditions. Church members seeking a better understanding of their faith may also appreciate a package that brings widely scattered materials together.

The first volume, for instance, *of Readings in the History and Polity of the National Association of Congregational Christian Churches* collects Congregational reflections of the nature of the church(es) as recorded in the *Congregationalist* magazine. The articles collected are neither comprehensive nor definitive; we are not even certain to what extent they are representative. What can, however, be said is that the authors are men and women active in the Association whose views the magazine's editors deemed worthy of distribution.

At the very least the readings collected inform the reader of the parameters of discussion within the NACCC. They will additionally provide an introduction to leaders of the Congregational way and hopefully some insight into this movement's peculiar contribution to the Body of Christ.

This project is in its early stages. We would appreciate your suggestions and notice of our errors and omissions.

Rev. Dr. Arlin T. Larson, editor



# GLIMPSES OF THE GENERAL COUNCIL

## I. Burton Protests Executive Committee Reports.

One of the few times when a notoriously noisy assembly hall was quiet enough to hear the proverbial pin drop was Tuesday afternoon, June 24, when Rev. Malcolm K. Burton of Pontiac, Michigan, presented a protest against the Report of the Executive Committee of the General Council. This protest was divided into three parts.

### Replies Never Reported

The first concerned the omission from the Report of two matters known to Mr. Burton personally. One was the assurance given by the Executive Committee to certain individuals that their participation in the Uniting Synod of June 1957 would not involve them in membership in the United Church of Christ. The second concerned letters admittedly received from the Continuation Committee and from Judge Henry A. Middleton of Ohio, answers to which gave interpretations of the rights of individuals and churches in accordance with opinions held by the Executive Committee. The contents of these replies have never been reported to the churches, even though record does appear of their having been authorized.

### Beyond Constitutional Powers

The second part of the protest has to do with actions of the Executive Committee in going beyond the provisions of the Constitution of the General Council. Nothing in that constitution authorizes the Executive Committee to expend large sums of money for the promotion of some other denomination. "Unless it can be shown," said Mr. Burton, "that the Congregational Christian Churches are in the United Church there is nothing . . . which would authorize expenditure of time, effort and financial substance upon the United Church of Christ by the Executive Committee of this body." He went on to call attention to the fact that neither by the churches themselves, nor by the General Council, nor even by the Uniting General Synod has any action been taken that even claimed to make the Congregational Christian Churches part of the United Church.

### Inconsistencies At Cleveland

Thirdly, the protest concerned the inconsistencies in the action of the Uniting General Synod itself. Space does not permit a full report of this, but among other things attention was called to the resolution that the Basis of Union and Interpretations had been "legally adopted," whereas the actual declaration of union proclaimed the Union of the Evangelical and Reformed Church with the *General Council* of the Congregational Christian Churches. This, in Mr. Burton's words, is "a hybrid proposal which had never been discussed in either communion." "While avoiding the direct claim of a union of the two communions," added the speaker, "the General Synod through use of this more obtuse language made a claim suggestive of even more sweeping implications." (Copies of the entire protest may be obtained from Rev. Malcolm K. Burton, 97 Mary Drive, Pontiac, Michigan.)

## II. Reports on Progress Challenged

On Thursday morning the Minister and Secretary of the General Council gave a report on the progress and development of the United Church since June 1957. Questions from Dr. Henry David Gray of Hartford, Connecticut, brought a clear admission that the Congregational Christian Churches are not a part of the United Church of Christ. With reference to the constitution now in process of preparation, Dr. Ronald Bridges, co-chairman of the Constitutional Commission, was questioned about a statement he was said to have made in a Maine church on June 8, that the constitution was to be for the General Synod only. In his reply Dr. Bridges quoted from the Interpretations of the Basis of Union that it will "define and regulate only as regards the General Synod but describe the free and voluntary relationships which the churches, associations and conferences shall sustain with each other." A direct question as to whether those who reported that he had made the clear statement that it would be "for the General Synod only" had misunderstood him, brought no unequivocal reply. In answer to another question, Dr. Bridges said that just as the Constitutional Convention at Philadelphia in 1787 went beyond the terms of its original call and prepared a constitution for the United States instead of merely revising the Articles of Confederation, so the Constitutional Commission of the United Church might go beyond the terms of the Basis of Union "if so directed by the Holy Spirit."

## III. Annuity Fund and Grant Mortgage Questions.

Resolutions were adopted purporting to give assurance that ministers who do not go into the United Church would not lose their rights in the Annuity Fund, and that churches holding grant mortgages from the Church Building Society would not have to pay those mortgages if they refused to become part of the new denomination.

## Midwest Office Opens

The National Association of Congregational Christian Churches opened its Midwest Office on June 9, at 176 West Wisconsin Avenue, Milwaukee 3, Wisconsin. At such date in the autumn as Rev. Neil H. Swanson, Jr., now pastor of the First Church in Wauwatosa, takes over the duties of Executive Secretary of the Association, this will become the central administrative office.

On June 9 Miss Robbie Lee Redmond became Office Secretary. Miss Redmond has been a high school teacher of commercial subjects for the last four years, and is well qualified for her task. Mr. Swanson, who is now serving as Midwest Regional Secretary of the National Association, reports that she has already accomplished a considerable amount of work. The date when Mr. Swanson will be able to take over full time duties will depend on the filling of his place as pastor at Wauwatosa, and will be announced in a future issue of THE CONGREGATIONALIST.

The cover picture is a view on the Sheepscot River, from North Edgcomb, Maine. The Marie Antoinette House, two doors away, also has a view looking over the river to Old Fort Edgcomb, built in 1808 on Davis Island, just below Wiscasset, Maine.

(Photo courtesy M. J. Bradshaw, Bangor, Maine)

## THE COURT OPINION

In the April CONGREGATIONALIST (p. 3) "A Late Bulletin" announced that Judge A. O. Dawson of the Federal Court, Southern District of New York, had denied the motions made by the Evangelical and Reformed Church, the General Council and defendant Congregational boards, and the American Board of Commissioners for Foreign Missions, to dismiss the case filed against them last June by the First Congregational Church of Burlington, Iowa, three other churches, and ten individual members and ministers. THE FREE CHURCHES for September 1957 gives a summary of the complaint in this suit.

### Not Settled in "Cadman v. Kenyon"

Three motions to dismiss had been made by the attorneys for the defendants. The first, made by the General Council and Boards, claimed that the issue had been settled in the "Cadman Case," of 1949-53, in which the judgment of the trial court favorable to the plaintiff had been dismissed by higher New York courts. One of the reasons set forth by Judge Dawson for denying this motion was that the several Congregational boards and the Evangelical and Reformed Church were not parties to that case, nor was the adjudication in the New York courts binding upon the present plaintiffs. Regarding the further claim of the defendants that the Committee for Continuation of Congregational Christian Churches was actually the plaintiff in both cases, Judge Dawson states, "The facts as to the Continuation Committee are not undisputed and those facts cannot be determined on this motion but should be determined, if properly pleaded, at the trial where the parties will have an opportunity for examination and cross-examination."

The assertion by the Congregational defendants' attorneys that the Court had no jurisdiction because the Continuation Committee had deliberately selected non-resident plaintiffs and persuaded them to bring this suit, is answered by the point that the plaintiff churches and members are real parties in interest with substantial rights involved in the outcome of this litigation.

### Suit Based on Present Facts

The Evangelical and Reformed Church sought dismissal of the suit on the grounds that the plaintiffs have known for over eight years of the participation of that body in the proposed merger. The plaintiffs contend that the suit is brought upon facts as they existed in 1957. "Under the circumstances," says the Court, "and under the present posture of the facts, it appears that there is not sufficient merit to this motion of defendant to warrant the granting of dismissal as to it."

In the motion made by the American Board, which claimed that this Board is not "doing business within the Southern District of New York," the Court finds that the close tie-up with the Missions Council, which has its office in New York, makes this claim invalid. This Board had also asserted that, as a Massachusetts corporation, it was not subject to the suit in New York, to which the Court replies, "It appears that the common questions of law and fact as to the interpretation and validity of the 'Basis of Union' and 'Interpretations' may arise which will affect the American Board as well as the other defendants and plaintiffs here."

### All Motions Denied

The formal part of the opinion closes with the words, "All motions of the defendants are therefore denied. In making this determination the Court wishes to make it clear that it is not passing upon the principal issues involved in the litigation; all that it is deciding is that those issues cannot be determined on a motion but must await the trial of the action."

A concluding statement by the Court that more Christian charity and understanding would have made it possible to adjust the differences so that the time and money might be devoted to the promotion of Christianity rather than to litigation, will meet with the approval of all Christians. But when the attempt to arrive at an understanding of the rights of dissenting churches, at Omaha in 1956, was turned down by the General Council, those who had rights involved could see no alternative to court action.

# THE PHILADELPHIA MEETINGS

The Editor of THE CONGREGATIONALIST attended the meetings of the General Council of Congregational Christian Churches and the General Synod of the United Church of Christ, held in Philadelphia June 29-July 7, for the purpose of presenting to the readers of this periodical a first hand account of both meetings. The impressions here recorded are his own and may or may not have been shared by others.

## The General Council

### A Friendlier Spirit

The first impression of this meeting was that of a spirit with marked contrast to that which had been noticeable at most previous Councils since 1946. The bitterness and sarcasm so conspicuous at these meetings were conspicuous by their absence here. Even when a mere half-dozen Continuing Congregationalists rose to record their votes against the resolution to transfer the functions of the General Council to the General Synod of the United Church of Christ and the motions to amend the By-Laws so as to make the General Council a phantom body, there were no audible guffaws or snickers at the small number compared with the overwhelming majority.

No doubt many reasons could be given for this changed atmosphere. Among them, this writer believes, were the uncompromising but irenic words of the Chaplain, Dr. Howard Conn of Minneapolis. Dr. Conn made it clear that he did not approve the actions slated to be taken, but in pointing out that we are all disciples of the same Lord, he said, "Some are going into this union from high idealism, some reluctantly, and some by reason of principle are not going in at all."

When the "enabling resolution" was before the meeting, Dr. Henry David Gray, Rev. Erwin A. Britton, and Dr. Conn made brief statements. Typical of these were the words of Mr. Britton, who said in part:

"It would appear, whether we desire it or not, that some parting of the ways is at hand. Here and in the days to come I am concerned about the spirit in which we act toward one another. On far too many occasions in the past we have, in the heat of conflict, said things to and about each other which were unkind and uncharitable. I hope none of us carries that attitude into the future. We ought to have—at the very least—as much concern for one another as we have for our fellow-churchmen in the Methodist and Baptist and Presbyterian Churches. Indeed as men and women nourished by a common tradition we ought to have more, however sharp and critical our disagreements have been.

"It took a generous spirit for Paul to write to the Church at Philippi, 'Some indeed preach Christ from envy and rivalry, but others from good will. What then? Only that in every way, whether in pretence or in truth, Christ is proclaimed, and in that I rejoice.' I believe upon all of us is laid the obligation to pray, not that those differing from us shall come to see things in our way, but that each of us in his own way and through the Churches in which he may be called to serve, may effectively glorify Christ. Anything less is unworthy; anything more is unnecessary."

### Sadness at Parting?

It appeared to this writer that in marked contrast to some of the preceding Councils there was little

enthusiasm for what was being done. May it perhaps be that however great the idealism which prompted many, some of the rank-and-file Congregationalists who have unquestioningly followed their ecumenically-minded leaders have now, as they think of the demise of the General Council, and as they part from their brethren who from principle are not going into this union, are saddened at the prospect? In any case, it is sincerely to be hoped that the prayer urged by Mr. Britton, as reported earlier in this article, will be fulfilled in the attitude we have toward one another.

## The United Church General Synod

When the third General Synod of the United Church of Christ convened on July 3, still another attitude and spirit was in evidence.

There was, happily, none of the bitterness and sarcasm, but neither was there concern over the "parting of the ways" or any evidence that the spokesmen for the United Church of Christ believed that if each of us in his own way proclaimed Christ, anything more would be unnecessary.

### Zeal for Conformity Never Dies

The only concern expressed for the 1793 Congregational Christian Churches which, with their 324,520 members, have not become part of the United Church of Christ, was the oft-expressed desire to see all of them eventually brought into the new communion. In view of the spiritual heritage of which both the uniting denominations are proud, from those who suffered as heretics and non-conformists in generations long gone by, it seems strange that the new church showed, on this occasion, so little recognition that those of today who refuse for conscience's sake to conform are their brother-Christians and partakers of the same heritage.

The days of heretic-hanging and imprisoning those who stand by their own beliefs have, happily, gone by. But zeal for ecclesiastical conformity seems to be as strong as ever.

## A Statement From Dr. Herbst

Upon Dr. Herbst's election as President of the United Church, the Editor of THE CONGREGATIONALIST asked him if he would care to make a statement to the Congregational Christian Churches remaining out of the union. Dr. Herbst proved to be very friendly and courteous, and his statement is printed herewith:

"The United Church of Christ sends

GREETINGS IN THE NAME OF THE LORD.

It will be a matter of profound sorrow if ultimately there is a single church which does not hold fast to its fellowship with the great body of churches which have hitherto expressed their substantial unity in faith and purpose. The General Synod of the United Church of Christ has voted 'to extend to the Congregational Christian

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*Continued from page 4, column 2*

Churches which for any reason delayed becoming part of the United Church of Christ, every courtesy, every evidence of our sincere desire for Christian fellowship with them and every service of the boards, instrumentalities and agencies of the United Church of Christ.'

We shall do everything in our power to implement this resolution. We stand ready, as you may give us opportunity, to serve and work with you, at any time, in the service of our Lord and of His Church."

Signed: Ben M. Herbst, President of  
The United Church of Christ.



## CHURCH UNION AND RELIGIOUS FREEDOM

Carolyn T. Abbot, Westford, Massachusetts

The proposal to create the Reformed and Catholic Church by uniting Episcopalian, Presbyterian, and Methodist Churches with the United Church of Christ is startling. If the new plan of union should follow the pattern of the United Church of Christ, the new denomination could, without the consent of the local churches, join with United Churches of Christ abroad to form a world Church. The Report of the Committee on Free Church Polity and Unity as presented to the General Council of Congregational Christian Churches in 1954 shows that Congregationalism has been lost in the United Church of Christ established in other countries.

Proponents of a united Protestant Church assert that denominations are abhorrent and divisive and that they fragmentize the body of Christ. The truth is that denominations have been the natural outgrowth of religious freedom. Through them we have had the opportunity to enjoy freedom of worship, freedom of inquiry, voluntary fellowship, voluntary consultation, the expression of a variety of opinion, and separation from error. The body of Christ is the great company of believers, each with personal talents. How could we, ministers and laymen, give of ourselves as God made us if we were poured into one mould?

Advocates of union say that cooperation and spiritual unity are not enough, — that the complete organic union of churches and denominations is necessary for Christians to witness to unity in a world of disorder. A publication of the National Council of Churches of Christ entitled "Christian Responsibility on a Changing Planet," a report of the Fifth World Order Conference, states on page 54: "Beginning at the parish level, it is necessary to cultivate a new understanding of, and a sensitivity to, the international implications of national actions, and a new willingness to delegate sovereignty in specified areas to international authority." Perhaps this is the key to the purpose of a world church. Member churches and denominations, by giving up their sovereignty, would be said to witness to the fact that nations, too, should surrender sovereignty and be placed under one international government. I am certain that Christianity would not benefit from the organic union of churches and denominations on a large scale, nor from the submerging of free principles, and I am confident that ways can be found for nations to solve intricate problems without relinquishing their sovereignty.

### Governed by the Experts

A careful study of reports, articles, and books on the subject of church union leads me to believe that one principle of a United Protestant Church would be that the collective mind of experts in the realm of religion should be relied upon in the reaching of decisions of a controversial or complex nature. The opinion of leading churchmen would serve as a collective conscience to guide the millions of constituents. Governments, too, would be expected to listen to this "voice" of the Church. Freedom to choose and act independently would not be condoned.

I suggest that a corporate united church which claimed to continue the former identity of the member denominations within its structure would be a collective church. Such a denomination would be in the position of a "primary" or dominant denomination, and member churches and denominations would be in a "secondary" or subordinate position. This subordination of one denomination to another would not be compatible with religious freedom. Thus, it seems reasonable to maintain that, since the United Church of Christ is a corporate Church, a Congregational Christian Church which joined it could no longer claim to be a Congregational Church. It would be a local church of the United Church of Christ. A Congregational Church could not be in a subordinate position to the United Church of Christ. The Congregational Churches which determined to remain faithful to the original principles and practices of those Churches would compose the continuing denomination of Congregational Christian Churches.

### The End of Freedom

It does not seem probable to me that religious freedom would survive in a corporate united church which fused the denominations in the new body, nor in a federation of denominations under one government. In both cases, considerable control could be exercised over the united body, and huge sums of money would be channeled into one missionary and one educational program.

Churches and denominations can work together without surrendering either their sovereignty or their identity in associations and organizations devised for fellowship, inspiration, and cooperation but with no authority to govern the member churches and denominations.

Denominations have blossomed on the tree of Christianity. What would be the advantage of cutting off the branches? Rather, let them bear fruit.

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## MORE CHURCHES VOTE "NO"

Since our last issue, reports have come in of the following Churches voting against joining the United Church of Christ: Connecticut, Hartford, South; Illinois, Ontario and Wataga, Maine, Denmark, Machias (Center) and Marshfield; Massachusetts, West Medway, Second; Michigan, Pontiac; Minnesota, Duluth, Pilgrim; New Hampshire, Derry, Central.

(The Editor of THE CONGREGATIONALIST requests that pastors, clerks, or other responsible members of Churches which vote against joining the United Church of Christ, or which decide not to vote at all on the question, should report it as soon as possible to him at 61 East Street, Melrose 76, Massachusetts, so that it may be listed in these columns.)

# *Disorders in the Kingdom*

A HISTORY OF THE MERGER

*of the Congregational Christian Churches  
and The Evangelical and Reformed Church*

PART II 1950 - 1980

A Documented, Eye-Witness Account by

**MALCOLM K. BURTON**

The first copies of this book are paid for out of memorial gifts to the Continuation Committee given in memory of Dr. Howell D. Davies, and the book is gratefully dedicated to this devoted servant of the Churches and this defender of the Congregational Way.

From the date of his retirement as Mid-West Secretary of the Missions Council of the Congregational Christian Churches in 1950, until his death in October, 1962, Dr. Davies served as full time Executive Secretary of the Continuation Committee, maintaining its office at 100 N. La Salle St., Chicago. He was dedicated to truth and to true Christian principles. Even in controversy he was always a Christian gentleman and a man of honor. He carried heavy burdens for this Committee, in the face of constant pressure from old friends and ecumenical leaders, and with a glad heart carried on because he was convinced of the rightness of our cause.

With Malcolm Burton, Howell Davies formed the nucleus around which thousands have voluntarily shared their time, their talent, and their material treasure so that the actions outlined in this book would not go unchallenged and Congregationalism would have a worthy defense.

- Rev. John Alexander, Secretary

Committee for the Continuation of  
Congregational Christian Churches  
of the United States, Inc.  
P. O. Box 277, Marshalltown, Iowa

January 15, 1966

A BRIEF HISTORY OF THE MERGER  
Between CONGREGATIONAL CHRISTIAN CHURCHES  
and The EVANGELICAL AND REFORMED CHURCH  
To Form THE UNITED CHURCH OF CHRIST

The union of the Congregational Christian Churches with the Evangelical and Reformed Church (to form the United Church of Christ) has been hailed as remarkable because it is the first union across denominational lines, involving churches of basically different structure. Far more remarkable is the fact that the union was accomplished without ever telling the constituents of either denomination what they were getting into or what the final organization was really supposed to be.

For more than twenty years the leaders in this union have artfully dodged and evaded the fundamental truth in regard to this union, which they consider so "remarkable". Actually, if they had told the truth they could not have effected their plan, as should be evident to everyone from history of the events which mark the consummation of the union.

The Congregationalists came to this country with the Pilgrim Fathers in 1620. Their contributions to America in more than 300 years have been outstanding in the field of creative religious leadership, the founding of colleges, and in laying the foundations of a constitutional government in local states and in the country as a whole.

Congregationalists learned their democracy in their local churches. According to the Congregational principle, each local church is a "complete church" in itself and has full authority to govern all of its own affairs and to choose all of its own officers. In Congregationalism the churches are joined together only "in fellowship". They are not part of a national "Church", nor have they ever been under the direction and control of a national "Constitution" or of higher governing bodies.

The Evangelical and Reformed Church, on the other hand, was a Presbyterian type of structure. The denomination as a whole was "The Church". It had an ascending series of judicatories starting with the local congregation, moving up to the local Synods, and from these to the General Synod. An overall constitution declared itself to be "fundamental law" of the entire denomination, having authority over all of its members and judicatories.

In Congregationalism there was by principle no over-all authority or constitution. In the E & R Church there was. How could you join a system in which there is no overhead authority with one in which there was such authority without making any changes in either group?

Remarkable indeed would be a plan that could join two such divergent religious groups; but more remarkable still is the fact that such a plan was discussed from 1942 through 1961 without anybody ever divulging the secret as to what the final product is supposed to be. Is it Congregational? It does not say so, even though Congregationalists have been told that they would remain "Congregational". Is it Presbyterian? It does not say so, even though many who wanted it to be Presbyterian have been encouraged to believe that this is its ultimate framework and destiny.

The achievement of this union is all the more remarkable in view of the strenuous efforts made to find out what the true structure was supposed to be, and the fact that the most strenuous efforts, continuously engaged upon for nineteen years by active opposition groups, were utterly thwarted in all their endeavors to force an answer.

#### Brief Chronology of Main Events.

The following dates give the outline of events, without going into a host of intricate details which would show even more the skill with which the facts were evaded and dodged. Later we shall fill in some of the details and the undercurrents and crosscurrents of feelings and efforts, both for and against the merger.

1942. The first vote to explore the possibilities of a union was taken by the General Council of Congregational Christian Churches in June, 1942, when it authorized its Commission on Interchurch Relations to explore the possi-

bility of an "organic union" of the General Council with the Evangelical and Reformed Church. Note that the vote called only for a union of the "General Council"; the national body which was for fellowship only and had no authority over the Congregational Christian Churches.

1944. By the time that the General Council met in June, 1944, the Basis of Union had been prepared and had been revised so that its fourth edition was before the General Council. This Basis of Union provided for a complete organic union of the churches and of all the C.C. bodies, not just of the General Council. No detailed discussion of the Basis of Union was held at the 1944 Council, but only a vote on "procedures" was passed. This also provided for a joint three-day meeting with the Evangelical and Reformed Church General Synod in 1946 (which was never held), and for a "non-binding" vote of churches, Associations, and state Conferences.

October, 1945. First pamphleteering, done for the purpose of forcing a clear statement of issues, was started by Rev. Malcolm K. Burton of New London, Connecticut, in October, 1945. Sending to a select list of less than three hundred persons, he included State Superintendents and national officials. These mimeographed pamphlets kept asking for answers to basic questions. A series of fourteen such leaflets were published prior to June, 1946. Such pamphleteering has continued on an individual basis even after organized opposition appeared, and numerous other individuals have published a wealth of far-reaching, truth-seeking material,--all to little or no avail, so far as getting answers to fundamental questions is concerned.

1946. Joint meeting with E & R General Synod was not held. Instead a plan to add a Supplement to the Basis of Union was presented by the C.C. Commission to the 1946 General Council, for the purpose of specifying the way in which the denominational boards of the Congregationalists would be brought into the union. However the 1946 General Council was used by merger proponents to create a mob spirit in favor of union even when no plan was ready, and a vote, introduced from the floor, urged going ahead "without undue delay".

June, 1947. Basis of Union, which had now gone through at least seven revisions, was sent to the Churches, Associations, and Conferences without any General Council ever having discussed its provisions paragraph by paragraph and



without having faced the issue of what it really involved. The vote to send to the churches was taken by a few representatives from the various states, presumably upon instruction from the other delegates of the General Council in their home states but without any regular meeting of the General Council itself or any chance for full discussion of the document.

November, 1947. The "Evanston Meeting" was held at First Congregational Church in Evanston, Illinois, by Congregationalists from all over the country who were concerned with the Basis of Union and its meaning. The Statement of the Evanston Meeting declared that the Basis of Union called for a Presbyterian system and the abandonment of the Congregational principle,--statements which were promptly denied by publications from the C.C. General Council office and most of the denominational officials in their public appearances.

The representations about the Basis of Union were made without ever asking the other party to the agreement - the E & R Church - for a joint statement which would declare frankly and openly what the polity would be.

1947-1948. Campaigning and pamphleteering, for and against the Basis of Union, was carried on intensively during voting of the churches. The Continuing Committee of the "Evanston Meeting" published numerous letters and sent them to pastors and clerks of the churches. Independent pamphleteers, including Dr. Marion J. Bradshaw of Bangor, Maine, and Rev. Malcolm K. Burton of New London, Connecticut, also sent out anti-merger material. Pro-merger material came through the pages of the denominational journal, "Advance", in its editorials and articles and through publications mailed out directly from denominational headquarters. The denominational leaders scoffed and sneered at all opposition efforts and continually insisted that the opposition writers did not know what they were talking about. But there was no open and frank discussion of the true polity intended,--officially agreed upon by both denominations.

April, 1948. The deadline for voting on the merger was supposed to be April 1st, 1948. The vote by churches at that time was only some fifty-eight percent approval of those churches voting, and the vote by individuals was even lower in percentage. The Basis of Union had been sent out with the representation that it should be approved by the General Council if seventy-five percent of the individuals

voting, seventy-five percent of Churches voting, seventy-five percent of Associations voting, and seventy-five percent of Conferences voting had approved. Intensive effort was made by officials between April 1st and June (thus extending the deadline for voting), prior to the General Council meeting, to get the seventy-five percent vote. Yet on May 25th, 1948, the official tally showed only 65.3 percent approval by churches voting and only 63.7 percent for individuals voting. (Only twenty percent of total membership participated.) Clearly the merger proposal had failed according to its own terms.

June, 1948. (Oberlin Council) Executive Committee of General Council sent out a letter informing the Churches that the Basis of Union had fallen short "of a clear mandate to proceed with the validation of the Basis of Union" and that in its judgment the strength of the Churches' life and work would best be safeguarded if the General Council meeting would take no definitive action on the acceptance or rejection at its session that month. The Churches were informed that the Executive Committee was "of one mind" in this recommendation.

But even at the time that the letter was going to the Churches, giving the impression that no definitive action would be taken at the Council session, "strategy" was being worked out to set aside the unanimous vote of the Executive Committee. At the meeting in Buck Hill Falls (April, 1948) when the above recommendation was voted, Dr. Douglas Horton (then Minister and Executive Secretary of the General Council) seemed unwilling to accept the judgment of the Executive Committee that the Basis of Union had "failed" or that no action should be taken. This writer, who was present at the meeting, remembers that Dr. Horton's rejoinder to the recommendation was that there would be nothing to prevent a motion "from the floor" of the Council to go ahead anyway. Friends of Dr. Horton's were then organized into a "Strategy Committee" prior to the Council and they set up mass meetings at Oberlin, Ohio, at the time of the Council sessions, where their "strategy" was outlined the night before each day's meeting. Thus had the Churches been led to believe that no action would be taken, while at the same time Dr. Horton's friends were busy planning their way of forcing a vote through even if it meant breaking faith with the people back home, who had been led to believe that no vote would be taken at Oberlin approving the Basis of Union, nor without the seventy-five per cent approval.

The General Council, then, voted a set of "Interpretations" which it said represented the true purpose of the Basis of Union and also voted its approval of the Basis of Union,--again without discussing the Basis of Union paragraph by paragraph or getting E & R approval of its "Interpretations". The Council also voted money for propaganda and elected a Committee of Fifteen to "get the seventy-five percent vote" and again extended the voting period, to January 1st, 1949. It also provided for a special meeting of the General Council in the event that the seventy-five percent were not achieved.

(1948. Tentative plans had been made for holding the uniting meeting of the first General Synod of the United Church of Christ in Columbus, Ohio, in November, 1948. This shows how quickly officials had expected to push the merger through. This plan was cancelled by the Executive Committee at its meeting at Buck Hill Falls in April of 1948.)

September 29, 1948. The General Council (Executive Committee) of the E & R Church repudiated the Oberlin Interpretations, saying that "The E. and R. Church, however, interprets the adoption of these interpretations as not binding it or the United Church of Christ to any traditional polity for the present or the future". Fundamentally the Basis of Union was unacceptable to Congregationalists. But the E & R leaders refused to consider writing and submitting a new document. Hence the C.C. leaders tried to patch up the Basis of Union to guarantee that it would be "Congregational". Obviously the E & R Church was not accepting this. But the C.C. leaders went right on assuring Congregationalists that the union would be "Congregational".

October, 1948. "Anti-Merger" Group was formed. Three bulletins were published under this heading, and then the group changed its name, on January 14, 1949, to "The Committee for The Continuation of Congregational Christian Churches in the United States". The Evanston Meeting had disbanded at the time of the Oberlin Council in June. The Continuation Committee henceforth carried on the struggle to get issues clarified and to preserve the Congregational witness of freedom.

February, 1949. A special meeting of the General Council of Congregational Christian Churches was held when the Committee of Fifteen had failed to get the seventy-five percent vote. Even with two extensions of time in voting; and with pressure of "Interpretations", the merger had failed ac-

cording to its own terms. Officials claimed a total of more than seventy-three percent, but no list was ever published by which churches could see whether they were properly recorded. The special session held February 9th and 10th set up a number of hours of debate on whether or not to proceed, and then voted to go ahead without the seventy-five percent approval, which the Churches had clearly understood was necessary.

April, 1949. Cadman Church in Brooklyn, New York, brought a lawsuit against the General Council, seeking declaratory judgment and permanent injunction against consummation of the merger. On January 26th, 1950, Justice Meier Steinbrink, Kings County Supreme Court of New York, wrote a sweeping decision against the plan of union and followed this with an injunction against its consummation. Among other things he said that the Basis of Union was a "conglomeration of confusion and conflicting statements with a cacophony of ideas." Only the General Council was defendant in the trial and no Evangelical and Reformed persons testified as to the meaning of the Basis of Union. The Basis of Union was portrayed by officials as entirely "Congregational" and the witnesses in the trial denied that there would ever be an over-all constitution for the United Church of Christ, claiming that the Interpretations had made it clear that the constitution would be for the General Synod only.

1950. The General Council meeting at Cleveland, Ohio, acting while under injunction of the Cadman lawsuit, voted to set up a "Committee on Free Church Polity and Unity" to make a thorough study of the Congregational Christian denomination and its relation to possible union efforts. This Committee was appointed by the Executive Committee of the General Council and consisted of twenty-one members, all but five of whom were pro-merger. The Committee worked during a four-year period and made an exhaustive study of the Congregational Christian set-up, disagreeing in notable respects with the testimony made in the Cadman trial as to the independence of the Boards and of the General Council. The Committee reiterated many of the basic principles of Congregationalism and found that there had not been any significant modification in recent years of these basic principles.

April, 1952. New York Courts, Appellate Division, reversed the Cadman decision on the grounds that the plaintiff church had no interest in the property of the General Council or the boards, and also that the national boards had not been made parties to the suit. The court specifically

stated that without a property interest the Court could not go into merger questions; that it had not passed upon any of the ecclesiastical questions, or matters of church "polity" involved in the Basis of Union. The General Council in its defense had claimed that no church was a member of the General Council or had any interest in it or its funds; and the lawyers had also claimed that the Boards were entirely independent and that no Congregationalists had any interests in them. The Court threw the case out only on these grounds.

1952. The General Council, meeting at Claremont, California, two months after the Appellate Division had reversed the Cadman case, voted its desire to go ahead with the union but also stated its desire to have a Constitution prepared before the union would take place. In line with testimony presented to the Cadman courts, it referred to this constitution as a Constitution for "the General Synod of the United Church of Christ".

December, 1953. The New York Court of Appeals, highest court in the state, upheld the decision of the Appellate Division and also wrote an opinion in which it suggested that the Basis of Union was "voluntary" and that union depended upon "voluntary action freely taken by independent, autonomous churches". It also said that there would be "no abridgement of Congregational usage through fellowship of churches" in voluntary Conferences and Associations. These statements, made in the Opinion, were not incorporated in any judgment from the New York Court of Appeals. They are unenforceable, and therefore cannot be relied upon, especially since the later Constitution departed in many ways from the representations made to the courts in the Cadman case. The New York Court of Appeals made the Judgment of the Appellate Division its own final Judgment in the case. This Judgment still contained the definite words that the Court had not considered any of the ecclesiastical questions or matters of polity. The obvious contradiction between the Opinion of the New York Court of Appeals and the Appellate Court Judgment which it adopted as its own has led to considerable argument as to whether there has been any adjudication of basic issues in this Cadman case.

January-June, 1954. Several published statements appeared, and several meetings were held between E & R leaders and C.C., in which it was made clear that the Evangelical and Reformed Church did not like the representations that were made in the Cadman case, and that they would not proceed with a union along the lines there described. Specifically the President of the Evangelical and Reformed Church,

Dr. James E. Wagner, took exception to the idea of the constitution being one for the General Synod only and insisted that the union was to be a complete union and not just a union "of the top". This was diametrically opposed to the testimony on which the New York Court of Appeals had based its description of the probable union, and it was contrary to the original authorization (1942) of the General Council itself.

June, 1954. Executive Committee presented the General Council no new requests with regard to the union, even though its members knew that some new approach would be needed, or that the union would have to be dropped. The Council, even after objections from the E & R leaders, voted again its approval of the Claremont resolution of two years previously. The Polity Committee made its Report; but before the delegates received this Report they were handed copies of the General Council law firm's criticism of the Report. Letters received by the Executive Committee from the law firm had made it clear that the Report brought in findings contrary to the representations which the law firm had used in court, and therefore the law firm warned the General Council that it should not approve the Report.

(In Congregationalism it has long been understood that the General Council had no authority to adopt policy-making statements for the denomination, and that all resolutions carried only "the weight of wisdom that in them lies". Hence the Polity Committee had said that it was not asking the Council to approve its Report.)

Dr. Douglas Horton also made a surprise move in requesting the General Council to appoint a Committee or Commission to "write a constitution for the fellowship". He claimed that the request for this had come from many sources; but obviously this was the moot question in regard to the merger and his was an adroit way to try to circumvent the chief obstacle to the union. Through amendment this proposal was changed so that a Commission was appointed to study the constitutional problem as it related to the fellowship, but with tacit understanding that the Commission could go ahead with writing a constitution if, after its study, this seemed in keeping with Congregationalism.

October 12-13, 1954. The joint Executive Committees of the O.C. and E & R Churches met to discuss the merger situation. Dr. James E. Wagner, President of the E & R Church, made a Preliminary Statement in which he set forth clearly



the issues that stood in the way. For a day and a half the joint committees discussed the proposal in an air of complete pessimism and individually felt that they had reached an impasse. Then,--and without reference to any of the preceding discussion,--a committee on "findings", which had met by itself and had ignored the problems being faced, came in with a resolution stating that "God calls us to Mission and to Unity". Suddenly ignoring all of the realistic problems, the Executive Committee voted the resolution of this Findings Committee (headed by Dr. Ben Herbster) and immediately prepared to force its decision upon the fellowship. Dr. Herbster was reported later as having asked why we should let "little things" stand in the way of what "we" want to do!

1954-1956. Having kept the General Council from facing the real issues, and having reserved to itself the critical acts of decision-making, the Executive Committee now turned to the "Madison Avenue technique" to put its decision across with the churches. The Office of Communications had been set up in June of 1954 to handle "publicity", and this was now made the propaganda bureau responsible for getting out "letters missive" and other literature every two weeks, to be mailed to a large number of laymen within all the local churches. Records show two hundred to two hundred and fifty thousand dollars a year spent by this "Office of Communications". Names of church clerks and other officials had been withdrawn from the national yearbook so that opposition groups would have no help in reaching anyone but the minister in each church.

November 9-10, 1955. The National Association of Congregational Christian Churches was organized on a "dual" standing basis. Over a hundred churches, without giving up membership in their other Associations and Conferences, organized this national body for fellowship of churches not wishing to join the United Church. Similarly an independent missionary society had been formed a few months previously. Officials had hoped that churches would have "no place else to go". They lashed out bitterly against the formation of this group, intent upon preserving a national fellowship of Congregational Christian Churches in case the merger went through as planned.

June, 1956. The Omaha General Council meeting approved carefully prepared "procedures" for effecting a union of the General Council only with the Evangelical and Reformed Church, through a uniting General Synod in June of 1957. Here was the pretense of a lop-sided union proposition in which only

the General Council of the C.C. Churches would be uniting with the entire denomination of the E & R Church. But it was assumed that all other parts of the fellowship of Congregational Christian Churches would have to follow suit, especially since the denominational Boards (\$90,000,000 worth) were controlled by the General Council.

Just prior to the 1956 General Council, the Continuation Committee sent the Executive Committee a request for clarification of the rights of non-assentors. Known as a Declaration of Rights, these were first carefully re-worded by the Executive Committee in a long consultation with its attorneys. Then after presentation for adoption in their self-serving and weasel-worded form, they were suddenly withdrawn and opposed by the Executive Committee. Rumor at the time had it that a telephone call to Dr. James E. Wagner, President of the E & R Church, elicited the fact that he opposed any such Declaration of Rights as being a new set of "Interpretations".

June, 1957. Lawsuit brought by 4 churches and 10 individuals against the Congregational Christian General Council, the C.C. Boards, the E & R Church, and eventually against the United Church of Christ, seeking declaratory judgments as to the nature of the United Church of Christ and its departure from Congregational principles. This suit did not ever come to a trial "on the merits" but was delayed by a host of procedural motions. Finally it was thrown out on a motion to dismiss, on the grounds that all of the issues had already been settled in the Cadman case. (The Cadman case, as we saw, was thrown out for lack of property interest and the issues had not been settled there) This suit had been filed in the U.S. District Court.

June, 1957. Uniting General Synod of the United Church of Christ was held as scheduled. It voted to unite the C.C. General Council with the whole denomination of the E. and R. Church. Plans were made to prepare a Constitution for the United Church (not just for the General Synod as promised to the New York courts).

1959. Second General Synod of the United Church was held and discussed a proposed Constitution paragraph by paragraph, frequently amending the wording to meet objections of individual delegates. This kind of procedure had never taken place in the Congregational Christian General Council with regard to the Basis of Union.

June, 1960. An adjourned meeting of the second General Synod was held to finalize the Constitution. Again this was thoroughly discussed, but it was agreed that the By-laws would be adopted by the General Synod only, and that the Constitution would be sent out for vote by the Churches, Associations, local Synods, and Conferences. This Constitution avoided any statement on what the polity of the United Church of Christ would be. In Article II under "Structure" it merely stated that "the United Church of Christ is composed of local churches, associations, conferences and the General Synod",--which tells absolutely nothing about the real structure or polity. After eighteen years of discussion the legal polity of the United Church of Christ, as it will eventually be determined and recognized, was still a deep secret.

July 4, 1961. Constitution was declared adopted and in force by the Third General Synod, meeting in Philadelphia.

1961, and later. The pressures exerted upon local churches by the United Church of Christ did not let up after the Constitution was adopted. Churches that voted against joining have been pressured to vote over and over again, it being the tactics of the United Church and its adherents to keep agitating and fomenting trouble within churches that do not give in to the will of the ecumenicists.

The same tactics that have been used to make local churches bend to the will of the national officials have now been widened to exert pressure in regard to social, economic and political issues. So-called "sanctions" are applied against churches that do not agree to integrate at the local level. Having used such sanctions in one regard there is nothing to prevent officials from doing the same thing on anything else. Actually the same sort of sanctions were applied or threatened against churches not going along on merger votes, even though not publicly admitted. "Sanctions" applied against local churches are clear proof that officials do not really respect local autonomy.

Meanwhile the National Association of Congregational Christian Churches, started in 1955, has been steadily growing in strength and program. Churches associated with it form a continuing Congregational Christian denomination where the local church still retains its true Congregational freedom and status. The National Association has held eleven Annual meetings, each stronger than the last. A full program is developing and more and more churches continue to join.

DISORDERS  
*in the*  
KINGDOM

*Part I*

*A History of the Merger  
of the Congregational Christian Churches  
and The Evangelical and Reformed  
Church*

*A Documented, Eye-Witness Account by  
Malcolm K. Burton*

Revised and Updated

VANTAGE PRESS  
New York / Washington / Atlanta  
Los Angeles / Chicago

*Document 3.*  
*Statement of the Evanston Meeting (4-5 November 1947)*

## THE EVANSTON MEETING

We reject the present Basis of Union

It is a defective instrument for accomplishing  
 its purposes of organic union

We believe the kind of union it proposes is  
 short-sighted and ill-timed

We hold that the genius of Congregationalism  
 calls for a federative rather than an  
 organic union of churches

*(Detailed Findings—Pages 3—15)*

190 members of our Congregational Christian Churches from twenty-seven states, having grave questions concerning the proposed merger of the Congregational Christian Churches and the Evangelical and Reformed Church, met at the First Congregational Church of Evanston, Illinois, November 4 and 5, 1947.

Their deliberations are presented in the following findings which were unanimously adopted at this meeting.

The Evanston Meeting voted that there should be a Continuing Committee of ministers and laymen. This committee will continue the work of the Evanston Meeting as long as the proposed merger on the present Basis of Union is before our churches for decision. This committee will provide leadership and counsel, and act in behalf of those who in the name of Christ oppose the merger in its present form.

The Continuing Committee may be addressed as follows: The Evanston Meeting, Room 1302, 19 South LaSalle Street, Chicago 3, Illinois.

The Evanston Meeting elected a Budget Committee consisting of Mr. Allen T. Burns, Mr. Horatio Ford, Rev. Niel E. Hansen—to receive contributions from individuals and churches with which to carry forward the work of the Evanston Meeting.

*FINDINGS COMMITTEE:* Mr. S. T. Roberts, Chairman, Rev. Hugh Elmer Brown, Mr. Raymond H. Fiero, Mr. Horatio Ford, Mr. Stanley S. Gillam, Rev. Niel E. Hansen, Rev. Charles F. Jacobs, Rev. William A. Keith, Rev. A. C. McGiffert, Jr., Rev. George W. Shepherd, Rev. Max Strang. (For addresses, see page 16).

### The Prayer At the Evanston Meeting

— HUGH ELMER BROWN —

Our Great Companion, Who art with us in all the chances and changes of this mortal life, in the incessant flow of our days, in the moral momentum of great causes, and in the everlasting march of thought,

Here in this Church may we feel afresh our divine kinship with Thee and with all men. Here may we rededicate ourselves to the building of an honest and friendly world. Here may we rise above the perspectives of class, church, nation and generation and catch something of the view from Galilee.

Send down Thy light and truth and let them guide us. If our meeting is unworthy, bring it to naught. If our meeting is worthy, give power to its decisions. Correct us where we are wrong. Inspire us where we are right.

Save us from living on a small scale in a great age. Save us from dealing on a small scale with great things. Save us from seriousness over trivial things and from triviality over serious things.

Deliver us from all pettiness, all pride of opinion, all prejudice, all intemperance of statement. Give us the spirit of restraint and judgement, of humility and patience. And may no unbrotherly moods or words mar our deliberations.

Give valor to our dreams of good. Lay across our lives the magnificent imperatives of Jesus. Let none of us forget the giant agony of the world. Help us to play a Christian part in the dreadful drama of our generation.

Amen.

## Statement of the Evanston Meeting

(This is a summary. Numbers at the end of sentences refer to longer statements on the following pages.)

WE ARE UNITED in the Evanston Meeting in the conviction that, in view of the fact that the Basis of Union proposes a change from the congregational to the presbyterial polity, organic union with the Evangelical and Reformed Church according to this Basis of Union is undesirable and should not be consummated.

WE BELIEVE the Basis of Union must be accepted or rejected according to its printed word, without reliance upon the oral or written interpretation of anyone. (1)

WE ARE CONVINCED that the Basis of Union, if accepted with its ambiguities, contradictions and omissions, will, among other things, take away the autonomy of the local church. (1, 2, 3)

WE BELIEVE the Executive Committee of the General Council adopted uncongregational procedure for which it had no justification when it agreed to receive the Basis of Union from the Joint Committee; and that it assumed authority it did not possess when it sent the Basis of Union to the churches and set a date on or before which the churches must vote. (4)

WE POINT OUT serious defects concerning the Basis of Union such as the following:

It includes two contradictory methods of calling and accepting resignations of ministers. (5)

Though our time in history demands the largest possible expenditure for Christian work at home and abroad, a large amount of the missionary giving will be used annually for thirty years to fund ministerial annuities. (6)

Though the uniting of the Home and Foreign Mission Societies of the two groups may be legally effected, the legal question remains whether this could be done if some of our churches do not vote or vote "No". (7)

The uniting of the societies of the two groups will not increase Christian service or giving. It will bring heavy, time-consuming tasks in this grave hour in the world when the present vital force of all our national societies should be used to the utmost in Christian service rather than in organizational rearrangements. (8)

There will be very little consolidation of local churches of the two groups in any given community because of cultural, geographical and other differences. (9)

Legal difficulties exist in the proposed merger which need to be explored professionally by all churches inclined to vote favorably. (10)

A comparative financial statement of assets and liabilities of the two groups has never been published. (11)

WE BELIEVE it essential that a constitution and by-laws and a statement of faith, if we are in favor of either or both, be presented to our churches *before* a final vote is taken on the Basis of Union, if the proposed United Church and General Synod need anything more than the minimum constitution of our General Council. (12)

WE RECOMMEND the following to churches before they vote on the Basis of Union:

That they postpone voting until adequate opportunities have been given their members to study the reasons for and the reasons against the merger. (13)

That full recognition be given the right of Christian people to differ or dissent without penalty. (13)

That ministers and laymen, before voting, consider with wisdom the wider interests and possibilities under our present fellowship. (14)

That the Executive Committee of the General Council arrange for adequate education concerning the proposed merger for the members of our churches, and take responsibility for eliminating one-sided official propaganda for and promotion of the merger. (15)

That churches in voting on the proposed merger use the secret ballot. (16)

WE BELIEVE a person who opposes the merger as proposed in this Basis of Union cannot justly be understood to be opposing church unity. (16)

WE REPORT without prejudice a proposal acceptable to many in the Evanston Meeting that churches voting "No" on the proposed merger and those which refrain from voting should indicate their right and purpose to continue as Congregational Christian Churches and to seek fellowship with like-minded



Congregational Christian Churches if the United Church of Christ is formed according to the Basis of Union. (17)

WE ASK our young people to realize that the proposed merger, if voted, will take from them their inheritance of a place among the free churches, and deprive them of a position of leadership in bringing about and working out in their generation a new formation of American Protestantism—the federative union of many denominations. (18)

WE BELIEVE a "No" vote on the proposed merger will maintain for our churches the opportunity to help bring into existence a new pattern of federative union among many denominations. We believe this pattern to be of vastly greater importance for American Protestantism and the life of the World Council of Churches than the organic union of the Congregational Christian Churches and the Evangelical and Reformed Church. (19)

WE ARE UNITED in the Evanston Meeting in the hope and prayer that our fellowship of churches, beginning with the meeting of the General Council at Oberlin in 1948, will seek the guidance of Almighty God to lead us in ways wherein we may help bring into existence the federative union of many denominations. This is the time in church history when American Protestantism should form new bonds of fellowship for more cooperative Christian work to advance the Christian life of our country and forward the Kingdom of God in all the world.

## Complete Statement of the Evanston Meeting

### 1. Interpretations of the Basis of Union

We have noted many different oral and written interpretations of the Basis of Union. Dr. Frank M. Sheldon, Chairman of the Commission on Inter-Church Relations and Christian Unity when the merger was first considered, and who has been a member of the Committee which developed the Basis of Union, attended the Evanston Meeting at our invitation. He gave an address and was accorded full privileges of speaking throughout the Evanston Meeting, as were others who wished to speak in behalf of the merger.

We also had available the answers to eighty-four questions given in writing by Dr. Douglas Horton. As we listened to their statements, we concluded that we can accept personal clarifications and interpretations only when they have been incorporated into a revised Basis of Union.

The various interpretations are sincerely given. We know that those who in an official capacity have helped to write the Basis of Union have certain individual insights and understandings that may be important. However, we see ambiguities, contradictions and omissions in the Basis of Union, and the personal interpretation of any Congregational Christian official cannot be accepted without the express approval of the Evangelical and Reformed officials.

We believe the Basis of Union constitutes a threat to the autonomous way of our Congregational Christian Churches. In our deliberations we have had to do exactly as churches must do. We have ignored all private and personal interpretations and have based our conclusions, so far as possible, on the printed words of the Basis of Union.

We believe that a vote in favor of the Basis of Union according to oral or written interpretation could result in our yielding the autonomous formation of our Congregational Christian Churches and in a short time finding that our churches have been moved from their place as a fellowship of churches into a centrally organized denomination. If this should happen, the only recourse of our churches after the merger is voted would be to create a minority group of churches using the congregational way within the United Church, or to seek fellowship outside the United Church. We know there is the thought in the minds of some that, if the merger is voted, those of the former Congregational Christian Churches will strive to make the United Church congregational. It is reported

that some Evangelical and Reformed people, if the Basis of Union is voted, will strive to make the United Church centrally organized and presbyterial. We are convinced that the Congregational Christian people have certain concepts in mind when they consider the Basis of Union and the Evangelical and Reformed people have different concepts. We believe that to the people of the two groups the language of the Basis of Union means different things.

Personal interpretations of the Basis of Union; the dangers that are within it because of its ambiguities; the opportunities that are afforded those of either group to develop the United Church into a presbyterial or congregational form with consequent tension and strife; and the widely different opinions of many as to what the United Church will be like, all bring us solidly to the conclusion that the Basis of Union must be considered inadequate and must be rejected by those who rely on its printed and official word.

## 2. Ambiguities, Etc., in the Basis of Union

We point out that the Basis of Union contains many ambiguities, contradictions and omissions. Some of these matters have to do with fundamental differences in the theory and practice of church life as differently conceived by the Congregational Christian Churches and the Evangelical and Reformed Church. The final interpretations of these differences will not depend upon the words themselves but upon the habits of thought and the presuppositions that color the minds of the two groups. In due time interpretative decisions will have to come out of the silent background of the thought and experience of the two groups. Particularly will these conflicts arise in building a constitution. We foresee untold difficulties in reaching common agreements. Unless and until such common agreements are reached, the United Church would become a handicap to itself, to the cause of cooperative Protestantism, and to the world we are called upon to serve.

## 3. The Basis of Union if Accepted Will Take Away the Autonomy of the Local Church

We call attention to the fact that the provision in the Basis of Union for the autonomy of the local church (Article III, F, H, I) is actually rendered meaningless by other provisions of the document.

How can it be said that the freedom and autonomy of the local church are maintained when a Congregational Christian Church which does not vote on this merger or which votes negatively is cut off from the fellowship of which it has been a part, and with which

it has cooperated according to the usage of the Congregational Christian Churches? Its autonomy is interfered with when it is deprived of any of its present rights as a local church and its present relationships with its association, conference, the General Council and the various Societies of our churches which it has helped create. How can it be said that the freedom and autonomy of the local church are preserved when some other body assumes authority to determine its ecclesiastical relationships? How can it be said that the freedom and autonomy of the local church are maintained when the Basis of Union proposes to change the character of the local church by incorporating it into an organic, centrally organized denomination? How can it be said that the autonomy of the local church is to be preserved when the local church, according to the Basis of Union, is to be subjected to the terms of a superior constitution; when it must secure approval in the calling, settling and resignation of its ministers or bear the onus of seeming to be abnormal, irregular and uncooperative, and actually treated as a minority group?

We find additional specific ground for urging a negative vote on the present Basis of Union in that it includes Article III-G, setting up a judicial system foreign to our congregational way.

We suggest that churches deciding to vote "Yes" on the Basis of Union attach to their vote an explicit statement as to how they understand their autonomy. According to the Basis of Union their autonomy includes the right without prejudice to make use of the alternate way of calling and ordaining ministers. It includes the right of declining to vote on ratification of the constitution or on approval of the statement of faith. They should further declare that they understand that churches declining to vote on constitution or creed will nevertheless retain full standing in the United Church.

## 4. Centralizing Tendencies

We view with dismay and alarm the tendency on the part of Congregational leaders (perhaps quite unconsciously) to take to themselves the kind of power that rightly belongs only to officials in a presbyterial system. We foresee in a merger with the Evangelical and Reformed Church, where such procedures are normal, that this tendency toward centralization of control will be disastrously increased, to the detriment of our congregational freedoms.

By way of illustration, the Joint Committee which was appointed by the General Council did not report directly to the General Council but to the Executive Committee. While such procedure may be legal, according to the constitution of the General Council, we hold

that in a case of such grave import as the proposed merger, the Executive Committee should have declined to take the responsibility of receiving the report and sending it to the churches for voting, but should have referred it to the General Council. If this had been done, there would have been no need for such a gathering as the Evanston Meeting.

We believe that the Basis of Union should have been first submitted to the General Council which ordered it, so that a representative assembly gathered from all parts of the country could consider the document in full detail, make any desired changes in it and only then, if satisfied with it, submit it to the churches for a vote.

### 5. Ministers in the United Church and the Autonomy of the Local Church

We call attention to the fact that the Basis of Union provides two alternative ways of ordaining, calling and placing ministers (Article VI A, C). We believe two ways had to be proposed because it proved impossible to effect a compromise between contradictions. One of these ways is that commonly used by Congregationalists. The other is the presbyterial way of the Evangelical and Reformed Church. The Basis of Union declares that in the United Church the standard way shall be the presbyterial way of the Evangelical and Reformed Church. The Congregational way is permitted, but the United Church will appeal to congregations and ministers to adopt the presbyterial way. Such an appeal seems to imply the use of a subtle kind of pressure upon churches and ministers who do not conform to the preferred presbyterial system.

This provision of the Basis of Union threatens to destroy the Congregational conception of the minister as a layman elected by the churches to the office of minister. The standard way recommended in the Basis of Union of calling a minister nullifies the place of a local church as a completely autonomous part of a fellowship of churches.

### 6. Funding Ministerial Annuities from Missionary Giving

We call attention to the provision in the Basis of Union according to which money will be set aside from missionary giving to fund ministerial annuities (Article VIII-G 6, 7). This sum has been estimated at various times as from \$132,000 to \$500,000 annually. This amount will be withdrawn annually for about thirty years from the missionary money of the two denominations. We strongly sup-

port ministerial annuities. We recognize that in the long run the proposed plan will save money. But we believe the critical issues and urgent problems confronting the world and the churches in the immediate present are too grave to justify our subtracting this sum yearly from the apportionment. We dare not weaken the work of missions at home and abroad, and the work of education and social action, by decreasing their shares in the missionary giving of our people.

### 7. Merger of Home and Foreign Missionary Boards and Other Agencies of the Two Groups

We question whether any benefits are to be secured from the organic union of the respective Foreign Missionary Boards, Home Boards and other national agencies, as proposed in the Basis of Union, even though legal and other difficulties of adjustment may not make such organic merger impossible (Article VIII). We see no reason to believe that such merger will make for progress in programs, service and the securing of increased giving. We understand that the uncompleted mergers of certain Evangelical Boards and Reformed Boards present difficulties and doubtful financial pictures which have not been revealed to our members.

### 8. An Ill Timed Move

If the Merger goes through, we shall have to divert much of our energy and leadership to the task of working at the multiple adjustments necessary to crown the merger with success. Hitherto the merger negotiations have withdrawn from the main tasks of Christian service a relatively small number of our people; mostly, until very recently, the members of the Joint Commission. But, if the Merger should be consummated, every individual Church, Association, State Conference, and the General Council, as well as our several Boards, will have to spend a vast amount of time and energy working out the big and little problems involved in integrating the new denomination into a functioning unity, intermeshing of denominational machinery, preparing an acceptable constitution and creed, etc. This time and energy will have to be taken away at a crucial time from the main tasks which confront our churches in these critical days,—namely to present the Christian faith and way to those who know not Christ, to steady the nerve of faith in those who call themselves Christian, and to increase the cooperative action of American Protestantism at home and abroad. Congregationalism's strategic leadership lies in the wider, not the narrow, horizon.

### 9. Voting For the Merger Will Not Mean Fewer Local Churches

The proposed merger of the Congregational Christian Churches and the Evangelical and Reformed Church will not result, except in a few isolated instances, in the merger of local churches of the two orders, since the patterns of distribution of the two groups are diverse. Then too, there are cultural differences in some communities where there is now a local Congregational Christian and a local Evangelical and Reformed Church, making their merger difficult. Therefore there will be no appreciable gain through the uniting of two weak local churches to form a strong unit, nor any material decrease in the total number of churches in a community.

### 10. Legal Considerations To Be Examined Before Voting

We call upon individual churches and conferences, before voting, to examine their charters to determine whether, as in some instances appears to be the case, there may be legal obstacles to an affirmative vote; and to make sure that an affirmative vote will not jeopardize trust funds and property interests, and even the retention of the charter itself.

We point out that a vote in favor of the merger is a consent to a contract which may give up essential rights long held by individual Congregational Christian Churches and cause legal reversions of titles. The extent of this loss of rights is a question dependent upon varying interpretations of ambiguous phrases in the Basis of Union. We strongly recommend that, before waiving its rights, each church safeguard itself with competent legal advice.

As an example, a church voting favorably on the Basis of Union might be interpreted as accepting an invitation to leave the fellowship of Congregational Christian Churches and join with another and different body of churches, thereby ceasing to be an independent Congregational Christian Church. The members of such a church who voted favorably on the Basis of Union might be declared to have seceded from the membership of that Congregational Christian Church and joined with another body. It is a question also as to whether any number of Congregational Christian Churches voting favorably on the merger can in any way decide that Congregational Christian Churches which vote "No" on the Basis of Union shall become other than what they are now.

### 11. The Need of a Comparative Financial Statement of the Two Groups

We call upon the Finance Committee of the General Council to provide a condensed comparative statement of the assets and projected annual commitments of the Evangelical and Reformed Church and the Congregational Christian Churches, according to the instructions given it at the meeting of the Executive Committee at Cleveland in January, 1947. Large corporate interests are involved in the proposed merger. Our constituency should have at its disposal this basic information before being required to pass judgment upon the merger.

### 12. We Ask for a Constitution and By-Laws and the Statement of Faith Before Voting

We observe that many provisions of the Basis of Union can be given widely different interpretations. There are several important questions with which the Basis of Union does not deal at all. Thus there is no way for us to know what actually will be the principles and procedures of the United Church.

We call, therefore, upon a Church that desires a constitution which will settle these matters, to insist that a specific constitution and major by-laws be worked out before it votes favorably on the merger. This constitution should include definite statements upon procedures and practices on fundamental issues about which the Basis of Union is either ambiguous or silent (Article IV, A).

We also call for a statement from the Joint Committee to explain why any over-all constitution is actually needed. Congregational Churches have managed for well over three hundred years to get along without an over-all constitution. Such constitutions as we have are limited to specific bodies and agencies within our fellowship. That is why Congregationalism has had singularly little appeal to the legalistic mind, which finds a happy hunting ground in constitutionally minded denominations. We call for the maintenance of our freedom from the standardizations, authoritarianism, and rigidities which a constitution tends to impose.

We make the same request for a Statement of Faith as this time, which the churches may have before them prior to a vote on the Basis of Union.



### 13. Adequate Study Should Be a Requirement for Voting On the Basis of Union

We call upon every Church, Association and Conference not to vote until it has examined both sides of the merger. The subject matter of this study should be, first of all, a historical study of Congregationalism, and upon that background, the Basis of Union itself, so that it may be intelligently understood. The second subject should be a consideration of the fundamental issues involved in the proposed shift from a Congregational fellowship of churches to a more centrally organized and controlled church, such as the Basis of Union proposes. Attention should also be given to the meaning and function of Congregationalism as it now exists and its importance for the future. (We recommend "An Adventure in Liberty", Pilgrim Press, 10 cents.)

These study meetings should not be testimonial meetings in general glorification of Christian unity. We all take Christian unity for granted. They should be meetings devoted to the analysis of the document and to an understanding of the alternative and mutually exclusive theories of the church on which we must cast our vote. If we propose to move over toward a presbyterial theory of the church, we should do so understanding fully what we are doing.

Full recognition should be given to the right of Christians to differ, which is part of the genius of the Congregational Christian fellowship.

### 14. The Wider Interests and Possibilities of the Congregational Christian Churches

We call upon each minister and layman to consider before voting not only his particular interest and geographical situation, but also the long Congregational heritage of which he is a part by birth or adoption, and the importance of a fellowship of autonomous churches in the wider interests of the Kingdom of Jesus Christ.

### 15. Education Instead of Propaganda and Promotion

We call upon the Executive Committee and the various Boards and agencies, including publications, of our fellowship to recognize that their function is not to promote the merger but to inform the constituency, both adult and youth, about the nature of the fundamental issues involved and what can be said on both sides. We believe their task should be that of education, not propaganda.

### 16. Recommend Use of the Secret Ballot, Etc.

We recommend that every vote be taken by secret ballot.

We recommend a vote of "No" against the merger by those churches which believe our considerations in the Evanston Meeting regarding the Basis of Union and the values of Congregationalism for our Protestant faith are valid.

We recommend a vote of "No" against the merger unless a person feels confident the merger will not destroy or weaken vital services Congregationalism can render to the Christian cause and to American democracy at this time.

We recommend a vote of "No" against the merger unless a person believes we are justified in the present world crisis, in spending the time and energy on the innumerable problems of mutual adjustment which the merger will lay heavily upon us all.

We point out that a vote of "No" against the merger in its present form is not a vote against church unity, nor even against merger with the Evangelical and Reformed Church on terms that more adequately safeguard the service Congregationalism can render to the Protestant faith and way in these tragic times and in the long years ahead.

### 17. For Attention of Churches Not Voting or Voting "No" On the Basis of Union

We call attention to a proposal made on the floor of the Evanston Meeting, that churches, in voting, use another ballot than that submitted by the Executive Committee, as follows:

1) Resolved that the . . . . Church (Association, Conference) finds the Basis of Union unsatisfactory in its present form and, therefore, rejects the merger proposed in said Basis of Union.

2) Resolved that the . . . . Church (Association, Conference) having voted to reject the merger, proposes to continue as a Congregational Church (Association, Conference) in fellowship with all like-minded Congregational Christian Churches, Associations and Conferences, to the end that the historic General Council of the Congregational Christian Churches and the Boards and agencies which have been created by the Congregational Christian Churches, may be maintained and continued.

## 18. Our Youth and the Merger

We express our concern for the youth of our churches to whom the leadership of our fellowship will pass in a few years. We believe this proposed merger is contrary to the trend of the creative Christian life of our time. Our fellowship of Congregational Christian Churches as now constituted has the great opportunity of effective leadership to bring into existence the federative union of many denominations. We believe such federative union can transform the life of our nation and the world if vigorously sought under able leadership. We pray that the young people of our churches in the years to come may be a part of that leadership in cooperative Protestantism that will develop stronger local churches, a united American Protestantism and full cooperation with the World Council of Churches.

## 19. We Desire Federative Union With Many Denominations

We call for strong leadership on the part of the Congregational Christian Churches, in which we hope the Evangelical and Reformed Church will share, to explore and vigorously promote ways and means of bringing about a federative union of Protestantism. Congregationalists can appropriately take the lead here for our Congregational Christian fellowship is in itself a federation of churches.

We heartily approve the revolutionary move the General Council has already made along this line by inviting other denominations which accord one another mutual recognition of ministries and sacraments to participate in a plenary conference to consider the possibilities of closer unity.

We call upon our churches to put their strength behind this movement, in even greater force and vigor than has been devoted to the merger. We urge that our leaders in this enterprise be instructed to accept as their task the achievement of unity according to the federative rather than the organic principle.

We call upon our churches to lift their eyes away from secondary matters and see this wide and hopeful horizon: a federative union in which many denominations will have a part. Its federative structure will express the fellowship and catholic unity of Protestantism and conserve the rich and diverse treasures of the bodies constituting it. Such unity can become a more adequate instrument in the Hand of God for the bringing in of His Kingdom.

Such a federative union will indeed deserve the magnificent name of the United Churches of Christ in America.

## Findings Committee of the Evanston Meeting

Mr. S. T. Roberts, Chairman, 4916 Cottage Street, Philadelphia 24, Pa.  
Rev. Hugh Elmer Brown, 1820 Asbury Avenue, Evanston, Ill.  
Mr. Raymond H. Fiero, 32 Court Street, Brooklyn 2, N. Y.  
Mr. Horatio Ford, The Williamson Building, Cleveland 14, Ohio  
Mr. Stanley S. Gilliam, 632-636 Builders Exchange Building, Minneapolis 2, Minn.  
Rev. Niel E. Hansen, 19 South LaSalle Street, Chicago 3, Ill.  
Rev. Charles F. Jacobs, 312 Home Park Boulevard, Waterloo, Iowa  
Rev. William A. Keith, 709 Edgemoor Avenue, Kalamazoo, Mich.  
Rev. A. C. McGiffert, Jr., 5757 University Avenue, Chicago 37, Ill.  
Rev. George W. Shepherd, 85 Grand Avenue, W., Highland Park, Mich.  
Rev. Max Strang, 74 S. Grandview Avenue, Dubuque, Iowa

# A QUIET AND DURABLE JOY

*by*

HARRY R. BUTMAN



### 3. A MEMOIR OF THE MERGER

**T**he battle to merge the Congregational Christian Churches and the Evangelical and Reformed Church, the struggle out of which the National Association was born, got scant mention in *Serve With Gladness*. That book was written to proclaim the fun of the ministry, and the merger war was far from fun. It was a long war, as religious wars tend to be. From that day in 1938 when Dr. Truman Douglass, a Congregational official, and Dr. Samuel Press of the Evangelical and Reformed Church, had what was probably the first discussion of the merger, until the November days in 1955, when the National Association was gathered at Hotel Fort Shelby, there were seventeen years of increasingly bitter ecclesiastical strife. And if we consider the aggression of the Colorado Conference of the United Church of Christ against the tiny Old Stone Congregational Church of Lyons, Colorado, in 1992, it is evident that after more than half-a-century, the fires of strife are not yet cold ashes.

But you do not see the merger struggle steadily and clearly if you view it merely as an inconsequential squabble over some obscure point of doctrine, liturgy, or polity. True, it wasn't much



in terms of statistics and duration, but it was an authentic part of the old and undying warfare of freedom against control; spiritual and political liberty versus servitude of soul and body. Our story is but a short sentence in age-long history, which has seen Moses pitted against Pharaoh, the prophets against kings, Jesus facing Caiaphas, Martin defying Leo; and in our Congregational tradition, Robert Browne and Elizabeth I, the Clink martyrs and the bloody bishops of London, the Pilgrims and King James; and this is but part of a long and tangled tale of warfare.

Nor will it ever end, for always there have been, and always there will be, hard gray men who love order above all things and who ceaselessly strive to subdue and tame that strange, good, persistent strain of wildness in the human soul. True, our merger battle was a small brief skirmish, but it was, and is, a skirmish in a long war in which there is no discharge.

The basic purpose of this chapter is to record one man's personal recollection of the years of the merger struggle and thus give an immediacy and sense of tension to the big story which might be lacking in the careful objective account of the scholar who was not there and was not bruised in battle. But it must be remembered that the warfare has been fully documented in many printed works. The legal and ecclesiastical complexities of the long war have been abundantly chronicled. As I began this account, the true words of the wise king of Jerusalem were in my mind: "Further . . . my son, be admonished, of the making of books there is no end." My hope in adding to these books is that my personal view might lend to the big story that "perpetual slight novelty which is an auctorial virtue."

Few Congregationalists, ministers included, realize the vast number of books that have been written about our Way in the four centuries-plus of its existence. No better example of the depth and scope of this flood could be cited than Henry Martyn Dexter's monumental *The Congregationalism of the Last Three Hundred Years, as Seen in its Literature*. This huge book, printed 115 years ago, has a bibliography of 7250 entries, and Dr. Dexter captions this list with the title, "The Beginning of a Collection of Congregational Writings." (There were giant scholars in those

days.) The merger controversy added vastly to the already long list. Malcolm Burton, our captain in the fight, wrote 350 pamphlets, articles, circular letters, and addresses, in addition to two major books, *Disorders in the Kingdom (I & II)* and *Destiny for Congregationalism*. Henry David Gray's *The Mediators* was a meticulously documented account of the efforts of those who sought to find a middle ground between the fanatic ecumenicists and the equally fanatic walkers of the old Congregational Way. My own, *The Lord's Free People*, and many shorter publications by such men as Arvel M. Steece, John Alexander, Vaughan Abercrombie, and others, dealt at length with those years of strife and tension. Marion Bradshaw's *Baleful Legacy* was an example of the heat of the war of words.

And here it should be noted that since 1942, when Gaius Glenn Atkins and Frederick Fagley published their definitive *History of American Congregationalism*, there has been no authentic history of our Way as seen by those who are true to classical Congregationalism. True, there have been brief tellings: Manfred Kohl's *Congregationalism in America* being one. My own *The Argent Year*, the story of the first twenty-five years of the National Association, has been correctly called by Arvel Steece a memoir rather than a history, and I am sure he would accept the same judgment on his charming little *A Thororoughfare for Freedom*. The United Church of Christ has published more serious studies. Dr. Louis Gunnenman's *The Shaping of the United Church of Christ* and Dr. John von Rohr's *The Shaping of American Congregationalism 1620-1957* are not written from the viewpoint of those who fought for the shaping of the National Association. At the N.A. 1994 Annual Meeting in Des Moines, it was proposed that the Executive Committee of the N.A. sponsor the publication of a serious history, complete with index, footnotes, and all scholarly appendices, covering the many years since 1942. The proposal met with approval, and tentative dates of publication were set at 2000, the beginning of a new millennium, and 2005, the 50th Anniversary of the N.A.

I frankly say that it is my devout wish that the historian who writes this history will write it from a viewpoint sympathetic to

classical Congregationalism. Scholarly objectivity is a high ideal, but I doubt if there ever has been a truly objective account of any religious war. As in secular strife, the winners write the histories and the losers write the songs. Wise Merlin's riddling triplet is to the point:

Rain, rain, and sun  
A rainbow on the lea,  
And truth is this to me  
and that to thee  
And truth or clothed or  
naked let it be.

I'd like to see truth clothed in Pilgrim garb.

This excursus over, I turn to my personal, subjective, and quite probably biased reminiscences. And, if you ask why I bring to remembrance these old sad battles, I answer that if they are remembered, it may not be necessary to fight them all over again in the years to come.

I initially confess that I have one lack as an observer of the long war: I was not there when it started. I was not at the General Council meeting at Grinnell in 1946, a council vividly described by Malcolm Burton, a council in which Douglas Horton, in his ecumenical zeal, placed little groups of young people here and there in the meeting room with instructions to clap lustily whenever the holy word "merger" was spoken, a maneuver which was so effective that at the end of the Council, the merger was almost voted into being before the Churches ever heard of it. Nor was I at the Evanston meeting of 1947, when the first organized opposition to the merger surfaced, a meeting which resulted in the creation of the body called "Anti-Merger"—an unfortunately negative title which was later changed to "The Committee for the Continuation of the Congregational Christian Churches."

My entrance into the fight took place at the Oberlin Council in 1948. I had gone to the Oberlin meeting much in favor of the merger, but big Finney Hall, provided by the Program Committee for a pro-merger rally, was crowded with a cheering throng, and I couldn't get in. I had heard that there was to be a meeting of the

opposition somewhere on the campus, so, mainly out of curiosity, I sought to find the gathering place of this band of "incompetent radical malcontents," as the respected pastor of my youth had termed them. It was hard hunting, but after a time, I found it—a poolroom in the basement of a dormitory on the edge of the campus, a haunt considered by the denominational powers that be, to be quite good enough for a band of obdurate troublemakers. I entered the poolroom, and there, perched on stools and benches, for there were no chairs, sat the leaders of the dissident rabble—Malcolm Burton, Jim Fifield of First Congregational Church of Los Angeles, Max Strang of Dubuque, Niel Hansen of Chicago, and others whom I came to know in the course of the conflict.

Although I had pro-merger leanings, this shabby treatment of a minority touched something deep in me. T.C. Hall once wrote that the tradition of dissent—"the right to grumble, the willingness to disagree with authority at hazard—is the chief contribution of religion to the American character." "Puritan" really means "the Anglo-Saxon dissenting mind." I am a Puritan with family roots going back to 1638, and to my mind, in the assignment of such ignominious quarters to a dissenting group, there was evident a whiff of the sulphur of authoritarianism that triggered resentment in me. It is an odd fact that this discourtesy toward a minority group by officialdom, and a boorish majority, initiated the process whereby a merger-minded pastor became a battler for the preservation of the Congregational heritage. The process was completed two months later when a postcard from Malcolm Burton revealed that a pro-merger chairman had deliberately withheld vital information from the Churches, a deed for which he later received a blistering judicial chiding in court. I was horrified that a man of God would bear false witness for the merger cause.

I was slow getting into the fight, but from that time on, I was in the forefront of the fray. I was at Hotel Fort Shelby November 9–10, 1955, and since that day, a full forty years ago, I have never missed an Annual Meeting of the National Association of Congregational Christian Churches. So, for the forty-seven years since Oberlin, I can fairly claim for myself the boast of the Span-

ish scribe who wrote of the conquest of Mexico by Cortez, "All of which I saw: part of which I was."

# I SOME PEOPLE

I was pleased when Dick Buchman, a few years back, brought to the attention of an Annual Meeting the names of two warriors in the merger fight—crusty John Green and acerbic Harry Stubbs. The N.A. should keep in memory these little-known but staunch defenders of our faith. John Green wasn't the easiest man in the world to get along with, and Harry Stubbs was a thorny soul; but in the day of battle they set the trumpet to their lips and blew with no uncertain sound, which, in Harry's case, is an apt metaphor, for he was a good man on tuba. Let them be representative of the men and women who quietly and without fame fought for our freedoms. They were a small but goodly company.

Now I am going to tell briefly of a scanty band of men who were captains in the grim fight, and the chief of these is Malcolm Burton. He was the first to see the lethal threat to Congregationalism in the proposed merger. His sword was the first to be drawn in defense of our Way, and only death sheathed it. Living veterans like Ed Adams and John Alexander will join me in declaring that were it not for Malcolm Burton, Congregationalism would have ceased to be as an organized way of religious life in America. I hold that if it were not for him, Congregationalists would be numbered with the Mugglestonians and the Ophites, and it will do you good to look up these names in your unabridged dictionary. I was outraged when at Fresno's N.A. Annual Meeting, the Program Committee could not find five minutes in which to honor the man without whom the N.A. would have never come into existence. I wrote a caustic letter of protest to the Executive Committees which resulted in my banishment to the official doghouse for a time—an exile I found easy to bear. His peers held a separate service for him, an attendant circumstance of which reminded me of a tribute paid to an old Irish King: "Seven kings

followed him to his grave." Nine former moderators honored Malcolm at his memorial service.

His biography is yet to be written, and I here content myself with an almost shameless personal tribute. I knew Malcolm Burton well. He slept under my roof and I under his. I was privileged to watch him at the Cadman trial when he strove long and mightily for our Way. I stood with him, just the two of us, with our attorney, when we faced the merger men in the Judge's chambers in a final and futile attempt at reconciliation. All was not sunshine and roses between us. Malcolm and I had sharp clashes of will at Tacoma and Northfield. He wanted me to submit my editorials for *The Congregationalist* to a committee before publication, and I bluntly refused to submit to this trespass on my editorial liberty. In his later years, I found him a bit opinionated and not without a touch of egocentricity. An astute woman once said (not without reason) that our clashes were fights between "two old curmudgeons."

But this I say: of all the good men strong and true who fought that our Way might not perish, Malcolm Burton was first and best. To him, above all others, we owe the continuation of Congregationalism in our time. And the fitting text for his eulogy is found in David's lament over Abner: "Know ye not that there is a prince and a great man fallen this day in Israel?"

All over America in the years of controversy there were little groups of men and women, ministers and lay people, who resisted both the blandishments and threats of powerful pro-merger denominational officials. In New England there was such a group, and I tell in detail of two members—Marion Bradshaw and Joe Russell.

Professor Marion John Bradshaw of Bangor Seminary was a big man, big in two senses of the word. At six-feet-four inches and 240 pounds, he was a football player of sufficient ability to be named third-string All American fullback while playing for tiny Hiram College in the days when Harvard, Yale, and Princeton were the monarchs of the gridiron. He was also big in his influence on my life. I felt something close to hero worship for him in my student days. He was more than an athlete: he was an artist, and his black-



and-white photographs of Maine scenery are masterpieces of chiaroscuro. He was also a poet of minor, but true, competence.

As a teacher, he demanded much of his students, and I well remember the quiet but stern lecture he gave me when I was being too easy on myself. I held him in awe, and many years after graduation I was stunned when he gave me the most unexpected compliment I have ever received. He ended his review of a book of my sermons by saying, "I am glad to sit under so good a teacher." I'm inclined to think that it was not his sharp mind that was speaking, but his generous heart.

He was fearless in his zest for truth, and by way of proof, I tell an odd yarn. During the mid-1920s a great battle raged over evolution. The most famous conflict was the Scopes trial in Tennessee when Clarence Darrow savaged William Jennings Bryant. But the war was waged all over the land. In Bangor we had a female revivalist, a bush-league Aimee Semple McPherson. Her name was Mattie Crawford. Churches and auditoriums were thronged to hear her fiery denunciation of the godless professors who scorned the inerrant Word of God. In Bangor she took dead aim at the seminary faculty as a set of faith-destroying atheists and heretics. Marion Bradshaw, having made adverse public comment on her lunacies, was a prime target. It was then announced that at a great rally in the Bangor Armory she would smite the Philistines hip and thigh.

A few of us went to the meeting, although we carefully avoided any appearance of being Bangor students. Mattie was in grand form and the crowded hall resounded with hallelujahs and amens as she denounced the wicked professors on the hill, cowardly men who dared not show their faces in a congregation of the righteous. "Where are these infidels?" she fiercely demanded. "Why do they hide their cowardly faces?"

A few rows away from me, a tall man rose to his feet. I gasped as I recognized him. Seeing him, Mattie paused in her diatribe and a hush fell over the crowd of 5000 true believers.

"Who are you?" demanded Mattie. "What is your name?"

The answer was quiet, serene, almost pontifical: "I am Dr. Marion Bradshaw of Bangor Theological Seminary."

There was a brief, startled silence. Then all heaven broke loose. A member of the synagogue of Satan was in the assembly of the just! Faces were contorted, cries of rage arose, fists were clenched, and it looked bad for atheist Bradshaw. Some of us moved to his side, but the police were prompt, and we were escorted out before Brad got a chance to speak his rational apologies to the furious defenders of the true faith.

Brad not only braved the emotional wrath of the extra-righteous, he also faced the colder, quieter, but nonetheless real intellectual hostility of his scholarly peers. His latter days at Bangor Theological Seminary were less than happy because of his solitary stand for classical Congregationalism: there were hot and strong enemies on the faculty. To my mind, one of the saddest facts of the merger war was the complete capitulation of all seminaries to the forces of organizational ecumenicity. Every Congregational seminary in the land bowed down to the Baal of the One Great Church. To be sure, some of the professors were honestly of the opinion that the Nazarene carpenter-rabbi really meant to establish a monolithic global structure united in creed, liturgy, and polity. But others elected to continue their pleasant walk in the sheltered groves of Academe, unwilling to risk the loss of denominational dollars. I know of three seminary professors who admitted that we dissidents were right, but who refused to join us in battle.

Now if you think that I am arrogant in claiming that we were right on the matter of true Congregational polity, and that the pro-merger scholars were wrong, I can only refer you to the report authorized by the General Council's Committee on Free Church Polity and Unity. This report, four years in the making, was the work of some 200 prominent Congregationalists, both pro-and-anti-merger. (Malcolm Burton and Henry David Gray were our members.) It was based on the careful studies of hundreds of Congregational documents from local Churches, Associations, and State Conferences. No other modern report has ever matched it for scope and exactitude. The unambiguous conclusion was that Congregationalism was exactly what we Continuationists said it was. The lawyers of the General Council, knowing that the pub-

lication of this report would mean the legal death of the merger, advised the Executive Committee to enjoin the report which they themselves had authorized, and this they did at the Yale Council in 1954, thus formally denying the truth about our Way. It was this act which led to the calling of the Hotel Fort Shelby meeting the following year.

Well, back to Brad after this bit of exposition. For years he tirelessly toiled in the little Churches of Maine, a herald of our Way; and to this day his name is held in honor among them. He was like unto a figure in that masterpiece of Christian literature, *Pilgrim's Progress*. To me, Marion Bradshaw was our "Mr. Valiant for Truth."

The third member of the New England force was Joseph Jones Russell, scion of old Puritan stock. Once we visited Hadley where an ancestor of his had lived. Hadley was a frontier town in pre-Revolutionary days and Hawthorne's story, *The Gray Champion*, tells of a strange event when the town was under Indian attack. The demoralized settlers might have all been massacred, but suddenly a stranger, clad in Puritan gray, came out of a house, sword in hand, rallied the people and put the savages to flight. Legend says that the stranger, who vanished never to be seen again, was one of the regicidal Congregational judges who condemned King Charles to death, and at the Restoration fled westward, first to Salem, then to Hadley. Joe and I went there on a pilgrimage to the grave of Jonathan Edwards, America's first great philosopher, preacher of the most famous hellfire sermon in America's history—"Sinners in the Hands of an Angry God." He died of smallpox on the way to assume the presidency of Princeton. We stood in silent tribute before the simple stone in the old burying ground at South Hadley.

It has been said of the Puritans that they feared God so much that they had no room for fear of man. In this, Joe was true to his lineage. He never held any powerful official in awe. I have seen him at the microphone in a crowded, hostile conference meeting when nervousness made his hands shake so that the rattling of the papers he held was heard all over the hall. But while his hands may have been shaking, his brave heart never.

He was editor of *The Free Lance* and later *The Congregationalist*.

We were a tough squad—Burton, Bradshaw, Russell, and Butman—and in our troubled day we bore unflinching witness. We were but one of the many little groups across the country which stood staunch for freedom.

I made many friends at Hotel Fort Shelby, two of them were objects of respect and affection—Ed Adams and George Bohman. Over the years we became very close friends, a friendship curiously marked by long and fierce debates about the Articles & Bylaws of the N.A., battles which raged not only in lengthy and frequent letters, but during midnight-to-early-morning arguments in hotel bedrooms after hours at Annual Meetings. I suppose that we three did more than any other group in establishing the Constitutional shape of the N.A.

To me, Ed and George were prime and fine examples of Congregational laymen who scorned the notions of the authority of the minister. They held firmly to the old Congregational doctrine that the minister was *primus inter pares*—"first among equals." They also had that touch of fanaticism that marked the leaders of those who fought against clerical assumptions of authority. They saw things in black and white, and our Way was pure white.

I remember with appreciation and affection how George wrote a far too-generous article for *The Congregationalist* about me on the occasion of my retirement from active service in the N.A. And I still recall with a smile that when "Butman's Retreads"—a team of over-the-hill basketball-playing ministers—defeated the team of HOPE and P.F. players, Ed wrote a fight song for us modeled on Notre Dame's famous battle cry. To speak in more serious tones, I say that without laymen like Ed and George (and there were others of worth) the N.A. would have died aborning.

I now tell of two men with whom I was less intimate, but for whom I had much respect—Henry David Gray and Howard Conn. Henry's carefully documented book, *The Mediators*, records the work of a substantial group of men who hoped to find a middle ground between the foes and the champions of the merger. His

work on the committee that produced the ill-fated Polity Report was painstaking and scholarly. He early saw and clearly exposed the dangers of a central constitution for Congregationalism. I had the honor of writing his N.A. citation at Fresno, and the tribute paid him when he retired as Dean of the American Congregational Center. In these tributes I pointed out that no present-day man had ever done more for Congregational young people than he had done. In 1947 at Wellesley he started the Pilgrim Fellowship, and in 1987 he sparked the effort that resulted in the formation of the Congregational World Assembly of Youth (C-WAY). He was Moderator of the N.A. and editor of *The Congregationalist*, and for nineteen years he edited and published *The Congregational Journal*, thus giving our fellowship an intellectually respectable publication. He had innumerable contacts with Congregationalists around the world. He worked to the very last under physical handicaps that would have daunted and defeated a lesser man.

But while I had a deep admiration for Henry as pastor and man of letters, I was never as close to him as I was to the other men I have named. Henry was a man who walked his own lonely path. He ranged farther when running free than when in harness. But when all has been taken into account, Henry David Gray was a giant of Twentieth-Century Congregationalism.

Another N.A. founder whom I came to know and respect was Howard Conn. Howard is a man of many abilities. For over thirty years he was the minister of one of the major Churches of our fellowship, but he has other credits. His prose was always lucid and sinewy, but in his latest book, *A Faith to Match the Universe*, it is marked by a new dimension of richly-phrased illustrations.

But it is not for Howard's pastoral prowess, his literary style, his business acumen, or his skill with hammer and saw that I admire him. I tell a silly little story to explain my admiration. Howard was a man ardently courted by pro-merger leaders. He was so highly regarded that he was chosen to give the sermon at the formal establishment of the United Church of Christ in 1960, but for conscience's sake he elected to cast his lot with the little

band of true Congregationalists. The episode which charmed me took place in an incongruous locale—an International House of Pancakes restaurant in Milwaukee, where the N.A. Executive Committee, in the interest of economy, was eating. Now bear in mind that Howard could have been numbered with the rich and strong, and dined sumptuously on Cornish game hen at Buck Hills Falls. And when I saw him morosely chewing on a blueberry pancake, it came to me that here was a man who put intellectual integrity above fame and ease. Like Moses, he esteemed "the reward of Christ greater riches than the treasures in Egypt." (You'll find the reference in the eleventh chapter of Hebrews—the Westminster Abbey of the Bible.)

Just here it becomes evident that my Bic ballpoint is running wild, and the narrative brakes must be applied. If I go on with these anecdotes, this memoir chapter will be inordinately long. From this point on, my tributes to the N.A. Founders will be laconic: they will not get the wordage their deeds merit. I think of the "A's" at the top of the list of names—Abercrombie and Alexander. Vaughan Abercrombie was a staunch Congregationalist in Warwick, RI, and for long he bore a lonely witness in Tacoma. His *How to Gather and Order a Congregational Church* is a solid statement of polity, and he still writes in Florida.

John Alexander was Moderator at Hotel Fort Shelby, and from the very beginning his services to our Fellowship have been many and of much worth. He has been Moderator of the N.A., chairman of the Executive Committee, Executive Secretary, Historian, founding pastor and wise counselor. A little-known fact of his work for our Way is that if it had not been for his pioneer work in England, the International Congregational Fellowship might never have come into being. John Alexander well deserves the title of "Mr. Congregationalist."

Other names surface as I write—I have mentioned George Bohman who did much to make Michigan the strongest of states in the N.A., Howell Davies, father of the Missionary Society and Max Strang, early director of the Continuation Committee. Max was a man who could handle words, and his autobiography, *The Strawberry Years*, is a thing of charm. Leslie Deinstadt and I joined the



same Church as boys, and sixty years later we are still corresponding. He was not at Hotel Fort Shelby, but later was the N.A. Missions Secretary. Arthur Rouner, Sr., pastor of Cadman Memorial Church, which sued the Moderator of the General Council, thus beginning the long legal battle of the merger, was there with his son, Arthur, Jr., who, with Ed Dickenson, were the Junior members of the Hotel Fort Shelby fellowship. Ray Waser's unforgettable devotional service likening us to the heroes of Agincourt—"We few, we happy few / We band of brothers,"—was a bugle call still strong and clear in memory after these forty years.

There are other N.A. Founders whom I do not personally remember seeing at Hotel Fort Shelby—Neil Swanson and Harry Johnson, our first Executive Secretaries being among that number. Nor do I remember seeing any women there other than Carol Burton and Mrs. Howell Davies. Our organization then was pretty much a chauvinist male thing. Simone de Beauvoir and Betty Friedan were figures of the future. But in the early years of our fellowship there were women who worked with zeal and wisdom, among them being Esther Quaintaince, Kay Collins, Helen Berkaw, and that grand lady, Cary Mead, a woman of honey and fire.

Such others as Ed Ray, Joe Fackenthal, John Green, Arvel Steece, Walter Davis, and Bill Stoufer deserve more than mere naming. I will append a list (Appendix B) of those who were present at Hotel Fort Shelby and at the Fortieth Anniversary celebration in Detroit in 1995.

All these had one thing in common—a strong love for Congregational liberty and a grim resolve that it must not be surrendered. They knew that a great tradition established over the centuries at cost and hazard, was about to be offered as a sacrifice on the altar of organizational ecumenism, and they would not have it so. Most of them had never heard of William Bradford, but like him they would not "basely relinquish that which the fathers had with difficulty obtained." Each was a hot ember of Congregational fire, and when they were brought together from all across America, a flame blazed. These were they who had come out of tribulation, admittedly not great and bloody, but tribulation just the same.

The calling of the Hotel Fort Shelby meeting was not a hasty thing. For a decade and a half the drums of war had been beating, softly at first, but with ever-increasing sound and fury. A war of words had been waged—letters, pamphlets, books, speeches, and sermons. Motions and resolutions beyond count had been debated on the floor of the General Council, State Conferences, and Associations; and these had long litigation in the courts of the land. Old friendships had been broken, and local Churches bitterly and irrevocably split. The days of debate were over; the hour of the act had come. The act was consummated on November 9 and 10, 1955, when the faithful few elected to continue to walk the Congregational Way by the formation of the National Association of Congregational Christian Churches.

All this I have said at greater length and in finer phrasing in *The Argent Year*—the brief book that tells the story of the first quarter-century of the N.A. As I survey the N.A. of then and the N.A. of now, and as I look at the harsh statistics, I am moved to sad comment. That first fine fire no longer burns in the hearts of many Congregational ministers and lay people. With the Congregational Lecture, the program gives a respectful nod in the direction of our great tradition, but the Annual Meeting, by and large, is a nuts-and-bolts business, crowded with housekeeping details. Ministers tend to look on the Annual Meeting as a place for shop-talks or to seek a larger or more affluent Church, and for the laity, the Annual Meeting is part of the vacation trip. I must not merely scold. There's lots of fun and coffee-cup fellowship; and the daily devotions, the pre-dawn prayer sessions, the healing services, and the Bible lectures do deal with the things of the Spirit. But seldom do I get the sense there is really much present appreciation of the fact that centuries ago real flesh and blood people, men and women with names and children, died in ugly ways to give us our spiritual liberty. They died by rope, axe, fire, jail cell, disease, exile, and starvation for the right to read the Bible for themselves and to worship God according to conscience—high spiritual privileges we take for granted. Once we Congregationalists had a fire that burned high and bright on the altar of memory. Today it is either a faint flicker or a pinch of cold ashes.

And as I look at the statistics in *The Argent Year*, I realize that it is not merely the morose myopia of a nonagenarian that makes my view so dark. The facts are chilling. In 1979 Ron Moe carefully tabulated the membership figures for the N.A. In 1971, when he began his work, there were 89,019 individual Congregationalists in the N.A. Churches. This number increased by small increments until in 1978 there were 100,269 members in approximately 400 Churches. Late in 1994, I asked Mike Robertson how many persons we had, and he said, "About 70,000." Pat Shelley tells me that we have only 185 Churches that are significantly active in the N.A. For the past sixteen years we have steadily and seriously dropped in numbers. My gloomy assessment is that of a realist: I am not an ancient Jeremiah. And I bluntly declare that there is a discernible relation between our failing fire and our diminished statistical reality. I point no finger of blame. I only pray that a prophet may arise, blow a trumpet, and cry:

Awake! Awake! Put on thy strength;  
Awake as in the ancient days,  
In the generations of old.

## II SOME HAPPENINGS

This section will be personal. It could be called a pious picaresque narrative, and the oxymoron is valid because to many pro-merger pastors and officials, men like myself were indeed rogues and rascals who dwelt together in a cave of Abdullam and did their foul best to prevent the creation of the United Church of Christ. These yarns will tell of my personal experiences—after all, this is an autobiography. They will not deal with big happenings—significant corporate or legal actions. They will be gossip and garrulous, but I hope readable. The point of it all is to show the seamy underside of the merger—the pressures, threats, and injustices endured by one man whose experiences could be more than matched by those of other men.

When in years to come, the formal history of N.A. Congregationalism is written, the historian, reading these scandalous sto-

ries, may find material for a footnote. In some cases I am going to name names with no great fear of legal consequences. Most of the men I will mention are now dead and will not sue me for libel. What I am about to write could be called "scuttlebutt," and with some accuracy. I prefer a more dignified classification as an oral tradition which ought to be put into writing. True, I tell of sad things which happened long ago and far away, but they ought not to be wholly forgotten.

It is now going on a half century since the pro-merger pressure from headquarters began to be applied to ministers and Churches, and the unease and intimidation evoked was a subtle and all-but-forgotten reign of denominational terror. Ministers were told that nonconformity would mean that they would never get another Church; there were threats of loss of annuity and the right to perform marriages. Churches were warned of loss of missionary aid and help in getting ministers. An episode which illustrated the effectiveness of these tactics took place shortly before the Oberlin General Council of 1948.

Joe Russell phoned to ask my opinion about the advisability of calling a statewide meeting of ministers who had doubts about the merger, the meeting to be held at 14 Beacon Street, Boston. I confess that I was taken aback by Joe's choice of meeting place. Fourteen Beacon Street was then the ecclesiastical heart of Congregationalism, a place of power and awe, the temple of the Establishment. What! Speak heresy within those sacred walls? I was nervous about the business, but I concurred and Joe called the meeting.

At that time there were 600 Congregational ministers in Massachusetts. On the day of the meeting, five men appeared—a spy from headquarters, a saintly old missionary who thought that a little talk with Douglas Horton would set things right, and three ministers—Joe, the Rev. William Ayers of Wollaston, and me. Now, three out of 600 is one-half of one percent. We felt like the lone black prisoner in a Texas court in the bad old days, who heard the clerk read the charge, "The State of Texas v. Willie Jones. 'Lord, what a majority!'" His cry was ours.

There were, of course, more true Congregational ministers in



Massachusetts than that—"Knees that had not bowed to Baal or mouths that had not kissed him." And later, when Oberlin had made the issues clear, they took their stand. But at best we were never more than a small minority. As I look back, I find myself wondering how we ever had the heart to go on.

It must not be supposed that the threat of loss of jobs for obdurate ministers was an empty threat. One day, as the political pressure was mounting, I got a call from Horace Robeson asking me to come to his office at 14 Beacon Street. Horace was the Secretary of the New England Board of Pastoral Supply, in those days the chief place where ministers seeking change and Churches needing new ministers did business. Since I had no desire to leave Randolph, I wondered what Horace wanted.

When I came in, he greeted me pleasantly, closed the door of his outer office where his secretary was working, invited me into his inner office, closed that door and asked me to sit down.

"Harry," he said, his face grave, "You must never repeat what I am going to tell you. It would cost me my job."

I promised him that I would never say anything that would threaten his job.

"There is now a blacklist of 156 names," he said. "Yours is one of them. If you continue to oppose the merger, you will never get another Church. I think you are a good pastor, and I'd hate to see you in trouble."

I was surprised, not only at the revelation, but by my reaction to it. I suppose that I should have been alarmed, but instead I began to smile.

"Horace," I said, "It is very good of you to warn me, and I do appreciate it, but let me tell you a couple of things. In the first place, I have the foolish old notion that it is the Lord and the local Church who decide the matter of a minister's call—not you, not the brass at the General Council. Further," I continued, "I'm not a pulpit star, but I am a competent professional, and a good workman can always find work."

Horace also smiled, relieved by my reaction, and we parted with friendly handshakes. For all my smiling, the episode troubled me. To suffer for their faith was no new thing for the clergy.

In England, in the Great Ejectment of 1662, hundreds of Puritan ministers lost their livings and were impoverished. But I was truly surprised and shocked to find that in our day, powerful economic pressures were being put on Congregational ministers because of their principles. But if Horace spoke true, and he had no reason for falsehood, a present-day Congregational minister's means of livelihood was in jeopardy if he did not toe the official line in the matter of the merger. I promised Horace that I would not put his job at hazard and this reminiscence does not do that. The office has long ceased to be, and since his name does not appear in the 1993 United Church of Christ Yearbook, Horace is doubtless in a place where my story will result in no ill consequences for him.

Mulish anti-merger ministers not only knew the stick of the threat of blackball, sometimes they were offered the carrot of opportunity. Once, when Malcolm Burton and I had gone to New York City to grapple with the Executive Committee of the General Council, I chanced to find myself alone in the elevator with Dr. Albert Buckner Coe. Bert Coe was then the Superintendent of the Massachusetts Conference, a man of much power in the pro-merger ranks; I liked him. He was a courteous man, and he honestly believed in his cause.

"Harry," he said, putting his arm around my shoulder, "Did you ever think of coming back East? (I had just moved from Dedham to Los Angeles.) "There are some good Churches going to be open."

"Dr. Coe," I said, "I was a pain in the neck to you when I was in Massachusetts, and if I come back East, I'd still be a pain, no matter where I was."

"Well, think it over," he said, "Just name the vacant Church you want, and we'll see what happens."

I laughed and shook my head. There was a price tag on that offer of a big, affluent Church. I would have to shun my evil companions and march in the ranks of righteousness. I don't know if anybody else was offered a juicy carrot of temptation, but I had heard that a pro-merger leader had said, that if they could seduce a dozen influential rebels (Ray Waser and I were named among them) that the resistance to the merger would collapse.

There was truth to the idea. Our ranks were so desperately thin that any substantial desertion would be crippling.

While Bert Coe, Horace Robeson, and Douglas Horton were courteous opponents, some of the pro-mergerites were men of no manners. I cite two cases of ugly conduct, and in neither case will I name names. The first episode took place at a General Council meeting. It may have been Omaha. I had given what I thought was a reasonable and temperately stated plea for the Continuation Cause. As I was on my way to my seat, I was roughly plucked by the coat sleeve. The man who detained me had been a star athlete for a prestigious eastern college. He later rose to high rank in COCU (the Consultation on Church Union—Churches of Christ Uniting, or whatever.) It is now—hooray and hallelujah!—defunct.

"Butman," he said with a conspicuous lack of Christian forbearance, "Why the hell don't you shut up and sit down?"

The second episode is more pleasant. Shortly before the enabling act of the merger, I attended the annual meeting of the Congregational Conference of Southern California, which was held in the Church of the Chimes in Van Nuys. It was clear from the first that this was a merger revival meeting, and I held my peace—a sensible action, since as far as I could see, I was the only anti-merger sinner in the assembly. But when the moderator made a statement outrageously at variance with fact, I arose to make a correction. The proper statement, I said, was to be found on Page 38 of a certain document (memory is a bit blurred here). At this, the parliamentarian demanded that I read from that page. I replied that I did not bring the little booklet, but if the parliamentarian would lend me his copy, I would read from that. For obvious psychological reasons I forget the parliamentarian's name—he had something to do with a college in Arizona. He said angrily, "If this man wants to fight, he should bring his weapons." I said that I hadn't planned to speak, but if he would just let me have his book for a moment, I would read the passage. I was told to be seated.

Furious, I left the meeting at the luncheon break and drove up beyond the northern end of the San Fernando Valley to the place

of the Oak of the Golden Dream where gold was discovered in 1846. My anger cooled, and I went back to the meeting, where I found that a generous act had been done. A group of young pro-merger ministers had moved that "the Conference apologize to Dr. Butman, since he had been intimidated and denied his rights."

I arose and said, "I thank you young gentlemen for your courtesy, but I wish to make a correction. I was not intimidated; I was shouted down."

After the meeting, I met the parliamentarian in the hall. "I see that you have the booklet," I said, "Will you now read from Page 38?"

He did, and literally turned white. The passage did in fact prove the moderator wrong. He walked away without a word. I have always been grateful to those young men for displaying a spirit of fair play when the elders were so utterly without it.

Here let me comment on the matter of intimidation. I was not frightened by the harsh handling I got at that meeting, or by any of many confrontations for the Congregational Cause. I am scared of many things—rattlesnakes, crazy cows, high waves, men who are bigger, faster, and meaner than I. I am particularly terrified by my nightmares. But I have never once been frightened by threats, hostility, or superior numbers in my battles for the Congregational Cause. I don't place myself on the level of the Puritans, who, as Marion Bradshaw once said, were so full of the fear of God that they had no room for fear of man. But I do think that my indifference to threat was due to the fact that I was a happy bigot, a true zealot, a fanatic so sure of the absolute righteousness of his cause, that I was quite without fear of foes.

I tell one further story, a rather more serious example of the fact that in war, truth is always the first casualty. And here I voice my regret—my inability to give these tales precise chronological settings. I never made careful notes of events as did Henry David Gray and Malcolm Burton. But Mnemosyne has been kind to me, and my memory is in better shape than is the case with most nonagenarians. As I recall it, this episode took place in February 1954 at the joint Executive Committee meeting in

Cleveland. The Congregational body most concerned with this meeting was the Commission on Interchurch Relationships and Christian Unity. I was a member of that commission, as was Judge Palmer Edmunds of Thawville, Illinois. We were the only two anti-merger members.

A preliminary meeting of the Congregational Commission had been held in Washington, D.C., but for reasons of expense, Judge Edmunds and I did not attend. Howell Davies and Malcolm Burton agreed with my suggestion that we should attend the joint meeting of the Congregational Commission and the opposite number from the Evangelical and Reformed Church.

When I wrote to the General Council office to find out why we two dissidents had not been invited to the Cleveland joint meeting, I was told that it had been voted at Washington that only those present at that meeting would be authorized to attend the joint meeting in Cleveland.

I studied the Articles of the General Council and found an interesting rule in section 11B, and on the strength of my finding, Judge Palmer and I decided to go to Cleveland whether we were invited or not. In a Cleveland hotel on the morning of the meeting I met the Reverend Thomas Dick, Chairman of the Commission on Interchurch Relationships and Christian Unity.

"What are you doing here, Harry?" he asked. "We voted that only those who attended the Washington meeting could attend this one."

"Read this," I said, and handed him the pertinent Article. It provided that no vote of the Commission was valid until absent members had been notified by mail and their votes recorded. "We got no letter, Tom," I told him. "Your ruling was constitutionally improper, and we have a right to be here."

He said that he would talk to Dr. Horton, and he went away.

At the appointed time, Judge Edmunds and I entered the meeting room, where some thirty persons were assembled. There were no smiles of recognition or welcome. We were as two little lambs in a den of ravening wolves. As soon as the opening prayer was said, Frank Ketcham rose. He was a Washington lawyer and a noted champion of minorities, unless, of course, they happened to

be anti-merger Congregationalists. He pointed at me and said, "I personally object to this man being in this room."

Instantly Douglas Horton arose and said, "Harry Butman should be in this room. He is a fair fighter and a gentleman."

My turn: "I thank Dr. Horton for his courteous words, but I am not here because he thinks I am a gentleman. I am here because I am a legal member of this Commission, and I have a perfect right to be here."

The upshot of the matter was that I was allowed to stay in the room. (A good idea: I had privately resolved, in case things came to such a pass, that I would physically resist removal, and then there would have been a pretty scandal.) But at no time during the morning session would the Chairman, a Congregationalist, recognize me. The afternoon session went the same way with an Evangelical and Reformed man in the Chair.

Finally, at day's end, I was granted the floor. I told the joint committees that despite the soothing assurances of Congregational leaders, there was serious opposition to the merger. There was a group that objected on doctrinal grounds. They later became the Four C's—the Conservative Congregational Christian Churches. Another group, the League to Uphold Congregational Principles, objected to the liberal stance of The Council for Social Action. A third group was opposed because the U.C.C. would not be Congregational in polity. This was the body that soon became the National Association of Congregational Christian Churches. There would be, I concluded, strong continuing opposition to the merger.

I sat down, and a superb piece of political chicanery promptly took place. The Chairman said, "The Chair will now entertain a motion that the remarks of the gentleman from California be expunged from the record." The motion was made and passed with two dissenting votes. Angry as I was, I had to admire the Orwellian cleverness of the maneuver.

In George Orwell's savage work, *1984*, Ingsoc, the ruling totalitarian party, has a splendid device called, the "Memory Hole." Any statement that contradicted party policy was thrown into the Memory Hole, and instantly ceased to be; that is, whatever went



into the Memory Hole had never been said, or never happened. This same principle was operative at Cleveland in an ecclesiastical setting. To "expunge" my remarks meant that they never went into the minutes, and hence were never said. A search of the denominational Archives will reveal that there was indeed a joint meeting of two commissions in 1954, but the minutes will bear no record of opposition to the merger. "In war, the first casualty is truth."

And as I read over these reminiscences, I realize that if they are ever printed, there will be those who will read them with distaste. Why give these tawdry little tales the dignity of print? Who really cares about these old yarns? Let them be lost in the haze of yesteryear: they are well-forgotten.

But I write without the least apology. Over the years I have often sung the poetry of our Way. These stories are the prose of the Congregational story. They tell the harsh truth that freedom comes, and is kept, at cost. There is a demonic something that does not love liberty, and seeks ever to bind it. And over the long centuries of Christian history there have been those who at hazard have stood fast in the liberty wherewith Christ has made them free. From the time of Stephen the Proto-martyr, to the lion-slain Christians in Roman arenas, our own martyrs of the Bridewell and Clink prison Churches, the death-halved Pilgrims at Plymouth, to the Baptists in Russia and the Lutherans and Jews in Germany in the Twentieth Century, there have always been those faithful souls who have paid the ultimate price in defense of freedom. Now it would, of course, be grandiose and ludicrous to compare the petty persecutions Continuing Congregationalists knew in the days of the merger fight with the grim and holy sacrifices made by the slain martyrs for Christian liberty. There were many men and women, some dead, some still living, who knew sadder and harder times than I did, who never entertained the thought that they were worthy of comparison with true martyrs. But this can be honestly said, that while we took our stand at the easy edge of the never-ending and universal battle for spiritual liberty, while they lived and died at its bloody heart, nevertheless, we were a small but real part of a great

tradition. Had we not taken our stand, not only at Hotel Fort Shelby but in many denominational offices, in meetings, personal encounters, and in the courts of the land, that unique vessel of spiritual liberty we call Congregationalism would have been broken into shards and dust. War is not only great generals, trumpets, flags and charges, but many minor and soon-forgotten skirmishes by nameless soldiers of truth, and it is of these that I write without apology. There were many men and women who suffered far more in the good war than I ever did, and their memory should not be forgotten.

And as I reread this rambling memoir of an old religious controversy, it occurred to me that someone might ask what relevance it has to the theme of this book—that the afternoon years of the ministry can have their own kind of satisfaction, as real, if not as intense as the fun of the first and middle years. In what way do these tales support Browning's familiar and cheering thesis well said in Rabbi Ben Ezra?

Grow old along with me!  
The best is yet to be,  
The last of life,  
For which the first was made.

These reminiscences, depressing as they are in content, also tell of the strange fun of a good fight. The merger struggle did have the excitement of conflict:

The stern joy that warriors feel  
Is foeman worthy of their steel.

I have a combative streak in my nature and I understand Job's war horse—"He saith among the trumpets, Ha ha!" But there is more to the matter than the sometimes witless delight of truculence. The impingement of the Congregational idea on my life set up a resonance which has not dwindled to silence in nearly fifty years. My discovery of the inner significance of Congregationalism changed the character of my ministry and the direction of my life. I went to the Oberlin Council quite ready to drift with the

strong current of the ecumenical tide. As a result of Oberlin, my ecclesiastical ambition underwent a 180-degree change. I no longer wanted to get a big or affluent Church; I became utterly indifferent to the lure of denominational rank. I only wanted to help preserve a true and great freedom; to become, as it were, an avatar of the Congregational Idea. And I found an unfading pleasure in the good fight.

And it has indeed proved to be a durable satisfaction. For nineteen years, from 1955–1974, I held many offices in the National Association. I had more good years than bad, more wins than losses. At Tacoma, when I finished my third term as chairman of the Executive Committee, I laid down the burden of office and forwent the exercise of power. For the next seven years I never once opened my mouth on the floor of the Annual Meeting. And I was perfectly content to leave the head table and sit in the back of the room at the banquet. I had had more than my share of front and center. But there was still the pleasant excitement of meetings hosted by Churches all across the country as the delegates met in that free relation of affection which we call fellowship. And there was the satisfaction of doing whatever chore I was asked to do. And now as I approach my 91st birthday and my 41st Annual Meeting, I can truly say that my latter years are still happy years.

I am troubled by the fact that I cannot put a logical ending to this chapter—to be able to say with assurance to my younger partners in the ministry that if they are faithful to their calling, being a good undershepherd of Christ's flock, that life will offer them a secondary good cause in the service of which they will find additional increments of fulfillment and satisfaction. But I can't be sure that the opportunity of an auxiliary field of service will certainly be offered. I can only say that it did happen to me.

So I conclude this long and crowded chapter by declaring my faith that if you do what the Lord asks you to do, Christ's promise will be kept; you will in no wise lose your reward. This is admittedly a trite and pious conclusion, but one of the lessons long life has taught me is that all the old, tired, pious clichés I learned in a Baptist Sunday School are really true.



*The Lord's Free People*

*by*

HARRY R. BUTMAN

## CHAPTER VII

### THE MERGER CONTROVERSY

It was, of course, sadly inevitable that the debate over the nature of Congregationalism as it effected the merger should come to the lamentable arbitration of the courts. This was an event which, while holding a certain exhilaration of combat, was nevertheless an occasion of regret for men of good will. A federal court judge, a devout Episcopalian, pleaded unsuccessfully in chambers that the matter be submitted to arbitration out of court. At first the mood had a measure of friendliness:

The stern joy that warriors feel  
With foemen worthy of their steel.

But when blood began to flow, the mood of sportsmanship vanished and an angry will to win took over. To use the language of the psychiatrist, there was an "id" side to the merger warfare; the raw crude dynamics of fear, hatred, and the will to be above. The fact that the struggle was between two parties in a Christian denomination did not prevent the inescapable uglinesses of legal action. The ideological skirmishes in the early stages of the merger controversy, the rough maneuverings for position on the association and conference levels, and the savage destructive in-fighting in local Churches were all disheartening examples of what the religious temperament can do when it is convinced that it fights God's battle against the infidel. The war was not only

fierce, but long. As we have noted, the first distant bugle call came in 1938; in 1966 lawsuits in North Carolina and Michigan gave notice that the end is not yet, nor will be for generations.

In this chapter I have no intention of chronicling the whole and particular course of the merger controversy in its legal aspects. Anyone who has ever waded through the six huge volumes of the records of the Cadman Case alone will realize what an overwhelming flood of details coursed through the courts, a raging stream that seemed to sweep away truth and common sense. The prime champion of the Congregational cause in the lists of legality is the Reverend Malcolm K. Burton, who knows more about the technicalities of the legal and ecclesiastical issues than any man alive, and here I do not except even Kenneth Greenawalt and Joseph Fackenthal who capably argued the continuing Congregational case. Malcolm Burton has been able to keep his head above the wide, deep, stormy sea of legal facts in which less strong swimmers have long since drowned. Recently he has boiled the whole business down to a brief brochure, (1) to which the person interested in precise chronology and exact spelling out of issues is referred. A doctoral dissertation written by an outsider gives an objective view of the controversy. (2) These two sources will cite many other publications dealing with the multitudinous details of the conflict. I will attempt to gain readability by simplicity, always bearing in mind that too much simplicity leads to distortion. The thesis of this chapter, said in a word, is that the merger struggle

was a warfare of spirit versus organization, with organization winning a temporary victory.

There will be no overrighteous straining for objectivity in this chapter. I share with many Congregationalists the view that the merger victory was a triumph for the side with the biggest guns—legal and ecclesiastical. The officials who fought for the merger had an abundance of money to spend, much of it coming from funds established by dead Congregationalists who would have whirled in their graves if they could have known the use that was being made of their legacies. They had also the force of the authority which had been gradually accruing over the years; sheer weight of precedent gave the conference superintendent unwritten powers over the local pastor, and the superintendent himself was subject to national headquarters from which all blessings of money and kudos flowed. Theories about Congregationalism, however logical or well-buttressed by history, in the rough and tumble of controversy stood small chance against the actual and living power of the superintendent or secretary to lift up with recommendation to the pulpit committee of the affluent local Church, or to cast down by withholding the good word. Pastors who wanted to get on, or even educate their children, were all too well aware of this power, unwritten though it was. An anecdote is to the point here. Dr. Gaius Glenn Atkins once said to me in a morose mood, "I've done all that one old superannuate could. I've got my Church to vote against the merger. It must be hard for you to be so right and so helpless." And when I protested that we

did not feel helpless, that ultimately the ministers would realize the truth of what we were standing for and cast their lot with the Congregational cause, he answered with his characteristic brilliance of phrase, usually mellow, here merciless, "Ah, Harry, you reckon without the terrible docility of the average Congregational minister." He was right, of course. Here, as in many another case, the evil came in part, at least, not because of the wolfishness of the wolves, but because of the sheepishness of the sheep.

But this is not the whole reason for the sweeping success of the promerger officials. Ours is an age of centralization and enmassment, and these mighty faceless forces fight on the side of organization and depersonalization. As long ago as 1948 the merger movement was blown forward by the winds of a totalitarian time; the Church was merely a few lengths behind the world. If it be protested that this is a harsh judgment, one answer is that it fits some big facts. The cry of efficiency was raised, and it was declared that merger would reduce the number of officials needed to do God's work. But the New Testament reader will search in vain for mention of the word "efficiency" on the scriptural page. He will, however, find the words "liberty" and "freedom," which were cheerfully sacrificed to the new god efficiency. And as far as reduction of deadwood in officialdom goes, it is a truism of politics that once an office is established, a man is always found to fill it. It would be interesting to know how many officials, if any, were actually thrown out of work by the merger. But efficiency and stream-

lining were seductive lures to the influential business laymen in local Churches, and the continuing Congregationalists, who stubbornly insisted that the freedom and autonomy of the local Church were more important than the organizational virtues of efficiency and control, were neatly disposed of by being pinned with the damning label of irresponsibility. The zeitgeist, the spirit of the times that worked for more government and bigger government all over the world in Caesar's realm and God's, was a potent factor in the victory of the promerger forces.

This must not be construed to mean that there were no men of integrity and good will working for the merger—the battle between opposing forces in this world of mottled and dappled motives, is seldom stainless white against inky black. There are men sincerely convinced that organizational ecumenicity is the one way to stitch the rent robe of Christ back together again; they deeply and tenaciously believe in the Great Church. They are not opportunists, nor office drudges. Indeed they are of an intellectual capacity and a toughness which continuing Congregationalists in the early days of the struggle consistently minimized. But two charges may be fairly made against these men of ideals. The first is that their desire to consummate their great objective led them into a strange contempt for truth and logic. Specifically, they blurred the sharp outlines of the traditional concepts of ecclesiastical polity, because its sharp-edged definitions cut their cause and made it bleed. For example, until the onset of the merger, it was a truth both of scholar-

ship and practical experience that there were four major polities: papal, in which the Pope was the ultimate authority; episcopal, where the bishop was the locus of power; presbyterial, where the presbytery was of final force; and congregational, where ultimate power under God was resident in the local Church. Much writing and talking was done to the effect that it didn't really make any difference what polity was in effect; that government was not of the essence. This claim needs a bit of looking at.

In the first place, the argument displays a deplorable haziness. It is well enough to say that classical Congregationalism is no longer relevant to the needs of today, and to abandon it in favor of, for example, an episcopal type of polity as the Consultation on Church Union is doing. It is quite another thing to say that there is no difference—and really not be able to see any difference. The first position is a matter of making a choice between clearly seen divergences; the second is a tragic feather-headedness. It simply fails to understand what is at stake. Dr. Howard Conn has spoken well to this point in a letter to an official of the International Congregational Council:

I have no rebuttal to offer to anyone who argues that we should be willing to pay a great price for union; that to be Christian is more important than being Congregational; or that modern times require that we move beyond historic formulations. These are legitimate viewpoints. What I do protest is the

claim that Congregationalism can retain its identity while forsaking its position that the visible Church is centered in the local congregation.

There is another angle from which the argument that "it makes no difference" should be viewed. One cannot suppose that there will be no polity in the Great Church. It is simply a question of which polity will prevail. To give up the Congregational idea simply means that a form of ecclesiastical government which better fits in with centralization will inevitably be chosen. The straw in the wind in current American plans for further union indicates that the proponents have simply leapfrogged over the presbyterial concept to that of the episcopal idea. The attempt to be "more Christian" will not abolish the power of polity; it will merely substitute one polity for another. And in the general order of things, polities of a congregational or decentralized nature inevitably succumb to the more authoritarian forms when these polities are in conflict within the structure of a Church union. An interesting example of this is the fact that when the World Council of Churches was organized in Amsterdam in 1948, and it was stated that the two basic polities for Protestantism were the episcopal and the presbyterial, Dr. Douglas Horton made an eloquent plea for the Congregational strand of order in the whole Church. This valid plea has been forgotten, or neglected, even by Dr. Horton himself.

But the charge of intellectual fuzziness in assuming that all polities are alike, or that forms of government



do not matter, is not the most severe criticism which can be made of the practical workings of organizational ecumenicity. More serious, from the moral standpoint, is the disregard of right action in attaining the goal of such ecumenicity. There are merger proponents who have been amorous of the high end, and contemptuous of the means by which it is to be attained. The methods by which a General Council, which was supposedly without power, manipulated a merger, which was not only destructive of the Congregational idea, but without the informed support of the majority of Churches or laymen, were as cynical and worldly as those used in the ruthless arena of politics.(3)

The record of the evasions, half-truth, and deliberate misstatements made to capture the minds of Congregationalists in the merger battle would make disillusioning reading, and is far too long to attempt to recapitulate here. Over the years we had a melancholy demonstration of Nietzsche's cynical aphorism, "Ye have heard that it has been said that a good cause hallows any war. But I say unto you that a good war hallows any cause." One example: when the game began, it was a clearly accepted ground rule that the merger was not to go into effect until it had been approved by 75 % of the persons, Churches, associations, and conferences voting. That recommended goal was not reached. When the first vote was taken in 1948, only 65.3 % of the Churches approved. At the General Council at Oberlin it was decided to extend the voting period, and a Committee of Fifteen was appointed to get in the vote. This committee

failed, despite the fact that its chairman withheld information which would have damaged the merger cause, for which he was rebuked by a judge in court. A further extension was granted, until January 1, 1949. Even then the goal was not reached, the final tally being 72.3 %. But a special General Council meeting in Cleveland in February, 1949, declared, in defiance of all mathematics, that 72.3 % was 75 %, and proceeded to go ahead with the merger.

Now let us look at this matter from the standpoint of the honorable competition waged among athletes. In this competition "almost" does not count. If a football team takes the ball on its own one-yard line, marches ninety-eight yards and two feet to the one-foot line of the opposition, and is stopped there by the gun ending the game, the team is not awarded six points for a touchdown. The final foot was not made. Further, the rules were changed during the game to favor one of the merger proponents. Suppose that in a tight basketball game the home team timekeeper kept extending the length of the last quarter until the instant the home team was ahead and then fired the pistol. What scorn would be heaped on such a team, and how soon it would be ostracized! But the analogy does not fully indicate the lack of the ethics of competition displayed in the merger, for in this case, the "home team" never did get ahead. The merger was consummated without the recommended percentage ever being reached.

If you ask, Why dredge up these memories of old unhappy incidents of a battle better forgotten? I make

question; the temporalities unambiguously belonged to the local Church. The battle behind the screen of claims and counter claims about polity was the fight for the denominational assets. Over the years, trust funds, held by the denominational boards, had accumulated. The amount is not to be stated with precision, but at the time of the Cadman Case the assets of the denomination at large were reckoned in excess of ninety million dollars. In terms of today's dollar, the figure is far over one hundred million. Who would hold these funds, and exercise the great power such control would grant? It is a fact of law that courts are reluctant to settle matters of polity or theology, and will do so only when property rights hang on the issue. Suits at law are never pleasant, and at their worst are ugly. In the beginning it was said by denominational officials that a friendly suit would be welcome as a means of clarifying and settling the issues. This irenic mood was battered to death by the hammering in the courtroom. Perhaps as dramatic an example as any of the death of fellowship was the fact that when the Appellate Division handed down a decision against the Cadman Church, the lawyer for the General Council immediately threatened, according to Joseph D. Fackenthal, "to tack an injunction on the Church door."

In April 1949 the Cadman Church in Brooklyn, New York, brought suit against the General Council seeking a permanent injunction against merger on the basis of a document called the Basis of Union. Much has been written about the long and careful examination of the issues which took place at this trial. The only point

which will be made here is that the General Council claimed that no local Church was a member of the General Council, or held any interest in its funds: the denominational boards as creatures of the General Council were completely independent of the Churches. This meant in effect that the Churches had no control over the funds they had gathered for many years. The boards, therefore, according to this claim, could exert at their own wills, or the will of the General Council, the immense leverage of power which the possession of money gave. The dogma of economic power, as resident in an autonomous General Council and its agencies, none of them responsible to the local Churches, came to an ecclesiastical conclusion after several years of debate when an overall constitution was proposed. This was not to be for the General Synod of the United Church only, but for the whole denomination. The critical and radical nature of this proposal was quickly seen. Never in Congregationalism had an overall constitution, binding on national, state, and regional bodies, and local Churches, been proposed. This constitution specifically gave powers to the national body which made it a "general" Church, a national body corporate and politic. The adoption of this constitution by a majority of Churches, after long struggle, was the end of Congregational fellowship for these Churches. However free they might be in their parish affairs, their power ended at the front door of the meeting house. They could fire the janitor or paint the parsonage lavender, but never again could a once-sovereign Congregational Church vote as a Church

on state or national ecclesiastical issues. Church power passed from the local Church to association, conference, and ultimately, to the General Synod. Continuing Congregationalists found it bitterly ironical that this controlling constitution was voted into effect at Philadelphia, city of the Liberty Bell, on July 4, 1961, the holiday known as Independence Day.

The question was raised during the merger debates, Do not the local Churches have a right to surrender their powers? If moved by the consideration of Christian unity as the highest ecclesiastical value, did not a Congregational Church have the power to vote itself into a presbyterial national Church? One Congregational debater answered, perhaps too graphically, with a counter-question: "Can a virgin have sexual relations?" The answer is, of course, "Yes, but not remain a virgin." A local Church could exercise its autonomy and vote away its autonomy, but it could no longer logically or honestly claim to be Congregational, for autonomy is of the Congregational essence. Yet this is precisely what many former Congregational Churches are doing. They keep the name on the letterhead and the sign on the lawn; but what the name Congregational meant is gone. Again to paraphrase Paul, they have a form of Congregationalism, but they deny the power thereof.

In December 1953 the Cadman Case was dismissed by the New York courts with a set of vague and unsatisfactory findings. But the legal traffic light, while a very pale green, was tinted enough to embolden the promerger officials to press forward. It was at Yale the

following June that the law firm for the General Council warned the Executive Committee of the General Council that since the Polity Committee's report was contrary to the representations made by the law firm in court, that the General Council must not approve the Polity Committee's report. The manner in which the report was neutralized has already been chronicled, and the machinery of merger ground on. The next legal effort against the promerger forces was brought by the First Congregational Church of Burlington, Iowa, three other Churches, and ten individuals seeking declaratory judgments against the United Church of Christ on the grounds that its nature was other than Congregational. This case was long delayed by procedural motions, and was finally thrown out on the grounds of "res adjudicata," which merely meant that the issues had all been decided in the Cadman Case. This outraged the continuing Congregationalists, since the Cadman Case had been dismissed because of a lack of property interest, and the issues had not been settled. But the highest available court had spoken, and the majority of Congregationalists decided to forget about legislation and turn their energies to more positive channels.

Since the National Association of Congregational Christian Churches was then in existence, a number of persons interested in the cause of Congregationalism decided to devote their powers to the cultivation of a growing organization which truly incorporated Congregational principles. For however reluctant the courts were to make clearcut determinations, and however silent

the officials remained (and still remain) about the actual polity of the United Church of Christ, the plain, factual, common-sense truth of the matter is that the polity of the United Church of Christ is not Congregational in the way in which Congregationalism has been understood for three centuries. In order to insure the living continuance of Congregationalism, a number of men and women, and a number of Churches, decided to form a national fellowship of true Congregational nature. For prudential and economic reasons, the United Church of Christ would, of course, continue the legal fictions of the Congregational boards and agencies, and while this was of some value, particularly in the matter of the Annuity Fund for Congregational Ministers, in the main bodies were but corporate ghosts, or vestigial skeletons of the once-living bodies of Congregationalism. So, foregoing legal battle, a number of Congregationalists gave themselves to the work of the National Association. It should be borne in mind that the National Association has never been a party to any legal proceeding against the United Church of Christ. The National Association has never begun any suits for a share in the temporalities of the old denomination, as it morally might do, nor does it presently contemplate any such action.

There was among the continuing Congregationalists, however, a tough and realistic core which refused to accept the flawed findings of the courts. Under the name of the Committee for the Continuation of Congregationalism, they continued the fight with meager success. The great financial resources of the United Church of

Christ made it possible for them to sustain a strong legal defense of their legally shaky position. But the Continuation Committee, giving such help as it could to individual Churches suing for their rights, kept up a scattered fire against the official position, despite proclamations that the war was over and that the rebels might as well come in and surrender. This riflery by the Continuation Committee seemingly bounced off the mighty ramparts of the United Church of Christ without harm, and only tenacity of purpose and a stubborn conviction of being in the right sustained the hearts of the militant saints. It appeared that their cause was lost. But suddenly, in the spring and summer of 1966, two court decisions made breaches in the hitherto impregnable wall of the promerger position. One involved the pastor of a Church in North Carolina, and the other the faithful minority of the Mayflower Congregational Church in Detroit, Michigan. These decisions were shattering blows to the legal claims of the United Church of Christ.

Only the bare outlines of the cases will be given here. Those who wish to make a more intensive study of the legal points and the intricate implications of these decisions are referred to the coverage and analysis of Malcolm K. Burton, who goes into what may well be called loving and joyous detail.

It had been supposed, in the early days of the merger, that opposition to the officials on the part of a pastor could possibly meet with punitive action. That this apprehension had some measure of justification is shown by the fact that when the Reverend W. Clay Farrell, for



eleven years pastor of Grace Chapel Christian Church in Sanford, North Carolina, refused to enter the United Church of Christ as a minister when Western North Carolina Conference became an acting conference of the United Church of Christ, he was subjected to a lawsuit. The conference declared that he was no longer a minister, and took legal action to depose him, although he had been ordained by a vicinage council in 1945, a perfectly acceptable Congregational method of ordination. The act of the Western North Carolina Conference was a clear violation of the understanding in Congregationalism which dates back to the Cambridge Platform: that Church power is resident only in local Churches. In order to prevent embarrassment to his Church, Mr. Farrell tendered his resignation as pastor, but to their honor the Church refused to accept it. Despite the possibility that the Church property might be forfeited, these loyal men and women elected to stand by their pastor in defense of Congregationalism. It required no small amount of courage and conviction for a little country Church to stand its ground against a conference which could draw on the great strength of the United Church of Christ for help. After a week's trial, the jury decided in favor of Mr. Farrell. Thus was thwarted an attempt to place a local Congregational Church (which was not even a member of the United Church of Christ) in hazard because of the religious convictions of its minister. Established also was the fact that by this action, an acting conference of the United Church of Christ had attempted to exercise ecclesiastical control over a minister and a

Church, which clearly indicates the presbyterial intention of the conference, whatever its charter may read. This was a starkly unambiguous attempt by conference leaders to use not only ecclesiastical, but legal, force on a minister because of his conscientious convictions.

The continuing Congregational people had further cause for rejoicing on August 24, 1966, when the Supreme Court of Michigan, in ruling on a complaint by the faithful minority of the Mayflower Congregational Church of Detroit—some two hundred and four in number—that the United Church of Christ represented a departure from the historic practices and usages of Congregationalism, technically rejected the plea of "*res adjudicata*" by which United Church of Christ lawyers had been effectively blocking all lawsuits against the merger. The issues raised by the court's decision are extremely intricate and far-reaching. What the court did was to study the findings in *Cadman* and *Burlington* and issue a clarification of what these findings really said. A thorough analysis by the Michigan court of the *Cadman* Case upheld what continuing Congregationalists have insisted was true for more than a decade; namely, that nothing was decided in *Cadman* because the *Cadman* Church had no property rights at stake. American courts, be it repeated, will not decide ecclesiastical or doctrinal questions unless property rights are involved. Therefore, nothing was settled in the New York suit. The Michigan court further noted that in the *Burlington* case the issue of a departure from Congregationalism had not been considered. The Federal Court, said the



Michigan bench, was "not clear" on whether or not there had been any trial on the merits of the merger in the Cadman Case. The conclusion of the matter is that at long last the Michigan decision has opened the way for a trial "on the merits." In other words, there can now be a trial on the merits as to whether the United Church of Christ is a departure from historic Congregationalism.

I spare those who read this book the interminable eye-glazing and brain-numbing niceties of the lawyers: I have waded through the complexities, and with the exception of a few of the highly technical phrases, I have snared the gist of the arguments. But while the arcane terminology of the courts—estoppel, laches, certiorari, and whatever—is not a thing needful to the layman, a firm grasp of two points is necessary if one is to understand the complex thrusts and parries of the lawyers. These two issues are "departure" and "historic continuity." The first deals with the question, Is the United Church of Christ a departure, a change, a divergence, from the historic practices and usages of Congregationalism? The second question is, Where is the historic continuity—the actual continuance of Congregationalism—to be found—in the United Church of Christ, or in the Churches which remained out of the United Church of Christ? The ultimate legal settlement of the merger controversy will hang on these two points; all else is mere window dressing, showy and attractive, but unimportant.

The future lawsuit, made possible by the Mayflower decision, will deal with this vital matter of departure.

The problem is complicated by the fact that the lawyers for the General Council in the Cadman suit claimed that the Basis of Union was completely Congregational. They pointed out, to pick one example, that the Interpretations of the Basis of Union—eight appended points—forbade the adoption of a single overall constitution. But once an apparent victory had been won in New York courts, this assurance was completely ignored, a point the United Church of Christ lawyers will find hard to explain in a trial dealing with facts as well as law. But rather than pursue the legal point, let us look at the matter in a more prosaic fashion, and phrase the questions this way: What party went off and became something else? And what party stayed as it was? In the answers to these questions there is a blend of bewilderment and lunatic logic. The average layman in a continuing Congregational Church is puzzled by the claim that his Church is no longer Congregational because it did not go into the United Church of Christ. He might expostulate in this fashion with a member of a former Congregational Church which became a congregation of the United Church of Christ, or with a pastor or official of that denomination.

"We are operating just as we have for a hundred, two hundred, three hundred years. Our legal personality, shaped by our instrument of incorporation from the state, is not a bit different than it was when we incorporated. Our name is unchanged; our ways of doing business are unaltered; our statement of faith is not one word different; we call and dismiss our pastor as

our fathers and grandfathers did; our belief in the ordinances is what it was yesterday. We didn't go off and form a new denomination. You did. We didn't change our name. You did. How is it then that you say that we are no longer Congregational?"

To which the proponent of the United Church of Christ (he'd have to be a pastor or official, or an unusually informed laymen; the average member hasn't the slightest idea of what has really happened) might make at least two answers. The first, which was often made during the final years of the merger debate, would be to point out the provisions of the famous Paragraph 21 of the constitution of the United Church of Christ, in which all the liberties of Congregationalism are retained for the Churches. But let us suppose that our Congregational layman is well-informed. He could answer, "Yes, I read Paragraph 21 and studied it. But the thing is amendable, and amendable only by this body you call the General Synod. I never heard of one of those in Congregationalism before. And this General Synod has already amended the constitution in favor of tighter control from the top, which doesn't sound very Congregational to me. Furthermore, I've read the bylaws, and they chew Paragraph 21 all to pieces. And the local Church has never had the chance to vote on these bylaws. Finally," says our Congregationalist, well warmed up by now, "this Paragraph 21 denies the fellowship of the Churches—which is real Congregationalism—by putting everything beyond the front door of the Church into the hands of a set of national boards. The boards

used to be servants of the Churches, and the way you've set things up now, the boards dance to the tune the General Synod whistles. It looks to me that if anybody has departed from Congregationalism it's you people." So he stops, indignant and out of breath.

But the apologist for the United Church of Christ as a Congregational body is not out of ammunition. He smiles blandly and says, "Ah, but the historic continuity of Congregationalism is continued in the United Church of Christ. If you aren't in the Church, you're out of the main stream."

We leave our perplexed Congregationalist and discuss this grave matter of historic continuity in a less breezy fashion than he might do. The concept of the continuance of denominational identity in the merger was not a part of the original Basis of Union. It was another of the Interpretations. It read: "In consummating this union the Congregational Christian Churches and the Evangelical and Reformed Church are uniting without break in their respective historic continuities." The idea was incorporated in precisely this language in the constitution of the United Church of Christ. This provision was a brilliant stroke by some merger strategist. It is, of course, in terms of observable fact, a dialectic fiction, but it is a fiction which, if legally sustained, will be of enormous usefulness to the United Church of Christ, and deeply damaging to the Congregational cause.

It is pointless to argue here court cases yet to come, but we may consider a bit further the comment on the lunatic logic of the claim that only in the United Church

of Christ, a presbyterial body, is Congregationalism preserved, like some long dead fly in clear amber. One is tempted to argue the specifics of the controversy, say in the field of ordination and standing, and contrast the simple conception of a minister as a man holding office by virtue of his acceptance by a local Church, which Mature Congregationalism declared in theory, and Colonial Congregationalism and Neo-Congregationalism maintained in both theory and practice, with the complicated set of rules—forty-one in all—which spell out the meaning of the ministry in the United Church of Christ. But the Sanford case and the Mayflower suit have touched on this, and it will certainly be the subject of sustained court inquiry in time to come. It is enough to say that to claim a Church must change to stay as it is, and that only those Churches which have gone somewhere else have remained where they are, is through-the-looking-glass kind of logic so mad that one would dismiss it from serious consideration were it not for the fact that it has gained so powerful a hold on the ecclesiastical mind that it has actually been imposed on reality. I cite an example.

In 1962 the National Association sent a delegation to Rotterdam with an application to become a member of the International Congregational Council, a body consisting of regional or national groups of Congregational Churches, which the National Association indubitably is by any reasonable standards. To their amazement, their application was denied at the request of the Executive Committee of the International Congregational Council.

The wording of the statement is in part as follows:

The International Congregational Council has received an application for membership from the National Association of Congregational Christian Churches in the United States of America. After very careful consideration the Executive Committee has come to the conclusion that it is not able to recommend acceptance . . . the application of the National Association is and must be denied . . . (4)

At this same meeting five groups of Churches had applied for membership: the United Church of Christ, the Samoan, the Bantu, the United Church of Rhodesia, and the National Association. Only the National Association was rejected. The wrath of the rejected still seethed when they returned to the Annual Meeting of the National Association at Minneapolis, but it was agreed, in the interest of fellowship, and in the hope of keeping the door open between the world bodies of Congregationalism to let the application remain before the International Congregational Council. Four long years went by; other national bodies of Churches were admitted without question, while the application of the largest national body of classical Congregationalists continued to gather dust in a place, which, if not on the table, was in some sort of an ecclesiastical limbo. I was sent to London in 1963 to discuss the matter with Inter-

national Congregational Council officials, with hope of coming to an agreement. The central question, as put to me by one of the International Congregational Council officials was this: "What is the nature of the Churches comprising the National Association?"

Well, the answer seemed clear enough to me. They were Congregational Churches. Some of them had been Congregational Churches long before the International Congregational Council itself had existed. They were not in the least different from what they had always been. They met every test as Congregational Churches but one, the arbitrary standard set up by a few officials—they had not joined the United Church of Christ. Since the historic continuity of Congregationalism was continued in the United Church of Christ, obviously no Church outside it could be truly Congregational—so the reasoning ran. It was pretty obvious that the International Congregational Council officials had to choose between having the National Association or the United Church of Christ in the International Congregational Council, so they chose the stronger body, even though that denomination shortly became a member of the World Alliance of Reformed Churches Holding to the Presbyterian Order, as indeed, the International Congregational Council itself contemplates doing in the near future. One could be angry or sad when he considers how a group of Congregational Churches, holding out the hand of fellowship in good will, was excluded on grounds that could only root in the concern of the United Church of Christ over its legal position as custodians of

the historic continuity of Congregationalism. The blunt major fact of the whole matter is that in all the history of the International Congregational Council no applying group of Churches had ever been denied admission, or even had their credentials questioned, except the single band that had rebelled against organizational ecumenicity. But rather than know tears or wrath, it is better to undergo the catharsis of wry humor by thinking on the topsy-turvy logic of the ecclesiastical mind that sees such great historic Churches as Park Street, Boston, or Second, Hartford, as *not* Congregational, while the infant Churches which came of their missionary zeal and labor, say the Samoan and the Bantu, are Congregational Churches worthy to be of the elect in the International Congregational Council.

More argument could be made, but to say it as tersely as possible, the legal future of the merger movement hangs on the two big issues of departure and historic continuity. Until these are determined, the imposing structure of the United Church of Christ has shaky foundations.

Since this chapter makes no claim to the austerity of a legal brief, it can fittingly conclude with a few personal ideas and reminiscences. I was one of the pastors whose professional life was shaken and reshaped by the merger controversy. My brethren who bore the burden and heat of the day in this work will testify to the shattering impact of the merger upon labor, pastoral ambition, and friendship. There were also many laymen and laywomen who were brought to grief by the splits and fightings within a



beloved local Church. The gage of legal battle is iron, not silk, and when the glove of mail is picked up, the strife is always fierce and long. Those who defended the Congregational Way, not only because it was the faith of their fathers, but their own passionately held conviction as well, found sad meaning in Christ's words: "Think not that I am come to send peace on earth: I came not to send peace, but a sword."

Lest the matter sound monotonously lachrymose, it should be candidly chronicled that in the early days of the fight there was a high excitement. The die had been cast; the bridges burned. There could be no retreat. There was the stimulus of travel; and pastors who seldom went more than a few miles from home found themselves traveling by train and car at first, and then by plane to improbable places in defense of Congregationalism. One minister, after living east of the Hudson for all his days, found himself witnessing and debating across the country from Scarborough, Maine, to San Diego, California; from Seattle to New York City, with one-night stops in towns like Lamoille and Galesburg and Wichita; in Lerwick in the Shetlands, London, Amsterdam, and in such diminutive and widely separated villages as Ikot Akpan Eda in Eastern Nigeria and Kihei, Maui. Some men went farther on these missions of Congregationalism, some less far, but all were taken out of a static Church situation and plunged into a kinetic whirl of ecclesiastical warfare.

And there was stimulation in the maelstrom. Perhaps the occasion was debate or battle on the floor of associa-

tion or the General Council, or consultation as how best to fight against heavy odds. This last was seen when the Continuation Committee met in central cities, and long, late sessions of planning were held, and speeches of defiance to officialdom and loyalty to Congregationalism were hotly and lengthily made. Odd recollections linger: like waiting in the lobby of a Cleveland hotel because of the management's ineptitude, and getting rooms only to struggle with the wassailing tumult of the Ohio American Legion in full convention cry. Then there were the post-midnight planning sessions—some of the continuation leaders never seemed to need sleep—and the drafting of manifestoes and news releases at two in the morning or at dawn after brief slumber. We hung on the news of the enemy's action; we rejoiced at the temporary triumph in the Cadman Case; we sat together at General Council meetings, always in the front seats at the right, conscious of the mass of opposition behind us and its increasingly short temper, and feeling the needed support of shoulder-to-shoulder contact.

But there was another kind of stimulation, less dramatic, but more lasting. This came when three or four friends would gather in the pastor's study in some New England town (and the same thing took place in every region where the concerned were dwelling) to think through the intellectual and practical problems dealing with the continuance of Congregationalism. It was these quiet, careful exchanges of thought which gave the materials published by the Continuationists such durability and accuracy. Promerger men sometimes were not



happy with the moods of our pamphleteers, but to my knowledge we never had to retract a printed statement. We were a scanty band, too small to afford the luxury of mistakes. A big state conference, with a block of votes, and money for publication, could make errors of fact, judgment, and prediction, and survive counter attack by sheer size and entrenchment. A minority has to be right. Only the big and the strong can afford to be wrong.

A further reason for carefulness in thinking and caution in committing our words to paper was the fact that by and large the merger fighting was done by small Churches and pastors of merely local reputation. There were, of course, exceptions, but the bulk of the big Churches and ministers of national name elected to join the promerger forces. But if we had few great names, we had men who believed in their cause and were not afraid. The Reverend Raymond Waser in his sermon at the gathering of the National Association felicitously quoted a line from the great speech by Henry V on the eve of the Battle of Agincourt: "We few, we happy few, we band of brothers." The words spoke to our lasting condition. We were not only brothers then, but now, for one of the strange and blessed by-products of the merger strife was the finding of friends of like mind and heart, friends we would never have known had it not been for the trumpet that called us together to defend the Congregational Way.

Yet for all these stimulations and joys there came days of which we said, "We have no pleasure in them."

When sailors on a small sailing craft are first buffeted by a strong breeze, there is an exhilaration and excitement which makes the helmsman's eyes shine and muscles thrill, and the master and the crew to sing into the face of the wind. But after long hours of beating to windward, or clawing off a lee shore, when the sinews weaken and the will wavers and the yell of the wind grows demonic and the combers crash with increasing power, the joy of conflict with the elements lessens, and the craft is manned by sober men. The strength of the seas is tireless and growing; they are but flesh. There were hours like this in the merger storm. One got weary of the sheer weight of the opposition; their numbers, their unceasing pressure. Then it was that the outnumbered fighters called on something stubborn and inward to sustain them, a doggedness that would neither surrender nor harbor the thought of surrender.

For all this, I think we might have succumbed, or at least have been disheartened to the point of ineffectuality, had it not been for one thing—the Congregational idea. In the early years of the warfare, when it began to be clear that the ecclesiastical forces arrayed against us were too great for our personal matching, there were those of us who took hope and found force in the fact that we were the people of an idea, a timeless, incorporeal thing, which had strengthened our fathers in their pilgrimage and would sustain us in our warfare if we were but true to it. Numbers and strong men and wealth could not conquer us so long as we were faithful to our idea. Our strength was not in organization, nor image,

nor cleverness, but the Congregational concept in its beauty and strength—the bold doctrine of the Lord's free people worshipping in the gathered Church, captained by Christ himself, complete under God and linked in love to like Churches, and in charity with all men of good will. We did not need to carry this idea; it carried us. Never did it fail us in the hard years, nor will it in time to come.

And if this seems too flowery a finish for a chapter on the flinty exactitudes of things legal—the rough realities of litigation and temporalities—let this be said in defense of our flourish. It is ideas that ultimately rule men, not legal decisions. To be armed with a dream is better than to be defended by determinations. The battle over the property rights in the merger will surge on through the decades, with victory smiling briefly on one side and then on the other before the final triumph in the final court. I am not being rhetorically idealistic in my dour estimate of the ultimate worth of legal conflict in religious matters. We are realistic men; we do not blithely dismiss more than a hundred million dollars of denominational assets as of no consequence, particularly since we are persuaded that much of this money was the toil and donation of Congregationalists of yesterday whose benefactions are now diverted to causes of which they never heard and would have rejected if they had known of them. What I am saying is that we hope to win, and in the long run expect to win, since our cause is just. But if defeat in the arena of the law is to be our portion, we will not despair nor cease to walk the

Congregational Way. For it is not on courts and cash that our trust is stayed, but on the Spirit. And if the last letter of the law should be negative, we have it on excellent Authority that it is the Spirit which giveth life.

# FREE CHURCHES AND A CONSTITUTION

Rev. J. Edwin Elder, Boise, Idaho

The nature of the constitution is the key question in the proposed union of the Congregational Christian Churches and the Evangelical and Reformed Church.

This constitutional issue highlights the essential difference between the two religious bodies supposed to be united by the Basis of Union. The Presbyterian type of church polity, such as that of the Evangelical and Reformed Church, requires a constitution defining and limiting all divisions of the church and allocating the rights and powers of each division. Under a free church polity, such as that of the Congregational Christian Churches, a constitution is not only non-essential but would completely alter and destroy that free church polity.

The Evangelical and Reformed Church is a nationally incorporated body with recognized levels of organization and authority. Over-all and governing all is the General Synod; under which are the regional synods; and below these are the local organizations. The whole structure is a "National Church" with subdivisions governed by it. To avoid confusion there are assigned rights and powers within the general organization, but the final authority is vested in the top body, the General Synod. Rights granted by this supreme authority to the lesser synods and to the local congregations may be altered at will. The national constitution is an over-all, ruling document.

Free churches, such as the Congregational Christian Churches, are not organized after this fashion. There is no ascending scale of authority. There is no single incorporated Church that is made up of many units under a national constitution. Authority to function as a Church is recognized as existing only in the local church. No national constitution is needed to state that obvious fact, and any national, over-all constitution which presumes to "recognize," "provide," or "allocate" power is exercising a prerogative it does not possess and cannot possess in Congregationalism.

## Servants of the Churches

Congregational Christian boards, servants of the churches, associations, conferences, General Council and other church bodies are not a part of a national governing "Church." They are the servants of the churches. They are channels by which the churches themselves carry on the work of the Kingdom. Through them the churches accomplish tasks they could not do alone. They are supported by the churches on a voluntary basis to perform cooperative tasks, and to carry out the will of the churches. Each Board of Missions, or other church body, has its own charter, and each association, conference and the General Council has its own constitution. These instruments set forth the purposes and working plans of each group alone.

These charters and constitutions make no claim to authority over the churches. They assert no equality with the churches. This has been a basic Congregational principle for more than 300 years. Our forefathers were fearful of a constitution and were positive that the free churches must avoid central authority in order to hold sole allegiance to God in Christ as He speaks to the church in its local church meeting and to the conscience of each Christian, personally.

There are other free church fellowships in our country, notably the Baptist and Christian Churches and many smaller groups, numbering in all, almost half of all Protestants in the United States. These bodies share our conviction that constitutions of wider bodies should

be limited to those functions specifically committed to their care by the churches with ultimate authority resting in the churches of which the wider bodies are only agents. The free church principle is an old tradition with them as it is with us. When we stand fast in the liberty wherewith Christ has made us free, we defend and support these freedom-loving peoples, as well as our own principles.

In the light of the unfortunate nature of a national constitutional church, the departure from our scriptural principles, the surrender of our creative free church procedures, and the support of freedom-dedicated fellow Christians involved in our stand for liberty, what should our churches do? Each church must make its own decision. Obviously, we must choose between at least two roads—or possibly three, if choosing to do nothing is considered a choice!

First, a free church can choose to surrender its free status and to submit to a national constitution; but no one else can make that decision for it.

Second, a free church can vote to remain a free church. It can continue in a free fellowship of churches, following our Congregational beliefs and principles.

## "Wait and See" (?)

Some churches have voted to "wait and see." When the constitution is submitted, they plan to decide whether it suits them or not. There is real danger to church freedom involved in this procedure. The Basis of Union asserts that, right now, the Basis of Union is the governing document for the United Church! The General Council executive committee has stated that the mere cooperation of a church, without a vote, in the program of the United Church under this Basis of Union and the new constitution, is one way of being taken in as a member of the new denomination. A church that waits to see the constitution may find itself in a legal tangle!

A church which is "waiting to see" the new constitution may be able to maintain its freedom of decision by adopting a *protective resolution*. Such a resolution, voted by the members, declares that no action of the church in supporting the missionary program, paying per capita dues, sending delegates to Associations, Conferences, or any other church body shall be construed as making the church a member of the United Church.

Such a resolution further states that the local church will not recognize any act or action as involving it in membership in the United Church except by its own vote at a church meeting called for the express purpose of taking such a vote. A copy of such a declaration should be attached to every delegate's credentials and to every contribution made to a board, conference, council, or other agency, which considers itself a part of the United Church. This is a negative way of protecting the Church which, however, avoids positive support of the Congregational principles for which we stand.

The positive step by which to declare the church's allegiance to the Congregational way is by joining the National Association of Congregational Christian Churches. This assures the freedom of the church to make any move it desires later, and it does not interfere with the church's continued affiliation with a local association, or State conference.

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## Free Churches and a Constitution

(Cont. from page 2)

The National Association is a fellowship of free churches for all those who want to remain free until such time as they can determine their final position *by their own action*. A church may withdraw from the National Association at any time it desires. But while it is a member, it can be sure its autonomous freedom is fully respected. Moreover, the National Association provides national and world outlets for the benevolence giving of a church without any strings attached. A church may give to missionary projects of its own selection through the National Association.

Membership in the National Association of Congregational Christian Churches provides the local church with a fellowship of like-minded churches vigorously active in Christian work and witness in the free, creative Congregational Way.

# **THE MEDIATORS**

**Henry David Gray**

American Congregational Center  
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*Tentative Thoughts Concerning the Theological Basis  
for Congregational Polity*

What is printed here is precisely what was presented on April 18, 1951. It emphasizes "the mediators'" concern for religion, for Christian theology and Christian faith as the essential ground of *any* polity deserving the name *Church* polity.

"The polity of a Church must be rooted in the nature of the Gospel she proclaims. That is to say, its foundation and *raison d'être* is theological rather than sociological or psychological or political. The Elizabethan Independents were keenly aware of this necessity, and therefore it was from their understanding of the Gospel that they derived their interpretation of Church Polity. We may not fully agree with their understanding of every detail of the scriptures, but it is surely true for us as for them that our polity is an outward expression of our Christian experience and convictions. Any thorough going attempt to understand, evaluate, or alter Congregational Church practices must go much deeper than adjustments and alterations in ecclesiastical organization, must reach, indeed, to the very heart of our Christian faith.

"All books of the New Testament bear witness to the undeniably Christian conviction that God's living Word in Christ must authenticate itself to conscience by shining in its own light. For us, truth is true because it is truth and not because it is in a Book, given in a creed, or proclaimed by a pope or council. We belong to the Church because we belong to Christ and not vice-versa. Our final loyalty is to Him, and to Him alone. It is that loyalty which has led us to recognize our brotherhood, and has caused us to associate together under a voluntary covenant of allegiance to Him.

tion erected on such a basis would undoubtedly be substantial. Yet, if we believe in the free Church interpretation of the Gospel (and I would be willing to say in the New Testament Gospel) then we must find the Church in the common life in an ongoing community, or in the universal fellowship of believers.

"K.L.C. Smith, who is not Congregationalist as far as I have been able to discover, well describes our free church polity in these words: 'When men fail most grievously, the *practice* of a gathered church may . . . degenerate . . . (but) the polity is the most courageous and most scriptural venture of faith possible to Christian communities, for it takes the promises of God seriously, and, depriving believers of all external support or control, casts them wholly upon the Spirit. The depth to which it can fall corresponds to the height to which it aspires. It gives full, practical expression to the undeniably scriptural view that the church is the people, and holds it better to run all risks than to sacrifice the principle which makes the congregation of believers responsible for the quality of their own Spiritual life.'" Churches insist upon the autonomy of the local church because only so can they safeguard the essential principles of the immediate contact between the local group and the Divine Head of the Church, and of immediate responsibility to Him.

"Any theological introduction to Congregational polity must look toward unity with others; for it is of the essence of our theology to be inclusive rather than exclusive, provided only that there be sincere desire to be included. There has yet to be made any solid contribution to the creation of a *church* order, not patterned after secular society, but born of the Spirit. I believe such a church order is possible, but I believe it will be found by way of the Gospel rather than by way of sociology."

In summary, the second general meeting was an earnest effort by all to "study" Congregational polity from its New Testament roots to its contemporary fruits.

## CHAPTER TEN

### *The Quest For Spirit And Truth*

While the Constitutional Commission was at work the Mediators sought to make room for reason and religion in the CC/ER Merger proceedings. The Revs. Carl Martinsen of Grand Rapids, Elden Mills of West Hartford, Alan Jones of Indiana, Perry D. Avery of Oregon and President Frederick W. Whittaker of Maine were among those who wished to avoid fragmentation of the fellowship. It seemed to most mediators that a split could be avoided by a reasonable and spiritual approach rather than legal and organizational procedures. We believed the quest for church union should be an outward expression of a spiritual fellowship acting with sensitive awareness of the very real differences which needed to be reconciled. Our view was that *any* compulsory merger would hinder rather than help the cause of Christ. Most of us espoused the concept of merged national bodies, assured direct *Church* control over the proposed national synod, with an unamendable preamble to the national-level constitution containing a Bill of Rights which stated concisely the facts of Congregational liberty which have been presented herein, in our history, in our documents, and in practice.

1955 was a year of conferences, correspondence, resolutions—and hopes. My sentiments in January 1955 were expressed as follows:

“The Free Churches and Christian Unity”<sup>1</sup>

“The Congregational Churches belong to the company of all those who follow Christ in freedom of worship, belief, creed, and

# BISHOPS OVER CONGREGATIONAL CHURCHES?

Rev. Graham R. Hodges, Watertown, New York



How Mother Anglicana must chuckle as a Presbyterian, Dr. Blake, calls for his group, plus the Methodists and Congregationalists, to return to the protection of her fold. "Ah, those children of mine, I told them from 150 to 300 years ago they couldn't get along without my bishops."

By now everybody must have read Dr. Eugene Carson Blake's plan as delivered at Grace Episcopal

Cathedral, San Francisco and responded to by Bishop James A. Pike in the same service on December 4, 1960. I use the word "plan" deliberately instead of "proposal" for as one reads Dr. Blake's full address in the December 21, 1960 issue of *THE CHRISTIAN CENTURY* it is hard indeed to avoid the conclusion that he is setting out a broad framework within which the super church must be erected. And in the same issue of the *CENTURY* (was it just coincidence?) Bishop Pike reveals how his mind has changed or not changed. He says: "The coming great church will preserve what is good in our tradition, including the historic succession of bishops . . ."

So far, all right. We have no criticism of other's choices. But how do Congregationalists feel? Speaking for us, or rather for the still incomplete United Church of Christ, Dr. Fred Hoskins and Dr. James E. Wagner issued a statement on the spot indicating regret that Dr. Blake had ignored the Disciples in his plan because "meanwhile the United Church of Christ is committed to begin preliminary conversations with the International Convention of Christian Churches (Disciples) . . ."

## Quick Work

How far we have gone, and how quickly! As one who voted in three General Councils and two General Synods for the United Church I cannot help but be appalled by the apparent readiness of Messrs. Wagner and Hoskins to take us, as quickly as possible, into a monolithic super church where our traditions would be like the Biblical flower and grass of the field.

And with the new Constitution eliminating local Church and Association delegates from General Synod, with the total number of Congregational delegates reduced from over 1600 to less than 500, with conference ministers able to select personally many delegates, a merger with the "Reformed and Catholic Church" could happen quickly indeed.

The Blake-Pike plan was not dropped suddenly. It was discussed and well known well ahead. Douglas Edwards on CBS TV news leaked it three days ahead. A high placed Methodist told me: "This thing had been worked over and talked over a long time." Then the National Council meeting was exploited to break it on the public.

Dr. Blake occupies a position of unquestioned authority in his own group. He runs his denomination. Hardly anybody seriously questions him. And now, by his enormous power, he can see that his plan is in-

troduced in one presbytery after another and passed. He has the power to do just that, else he wouldn't have come out as he did.

How do we spiritual descendants of William Bradford and Pastor Robinson fit into this master plan? Should we be taken in, as our Co-Presidents seem to desire, Congregational Churches and ministers could be transferred, within a few years or a decade or so, from a system of freely associating and cooperating Churches with an admittedly entrenched bureaucracy, through the vestibule of Presbyterianism into the grand ballroom of Episcopacy, from which we were hounded 350 years ago for demanding "no bishop in the church." Almost overnight the Pilgrims' descendants and their "free" pastors would pay their respects to the bishops, with all their virtues and faults. And once in the door, who would let us out, or dare try to organize an escape party?

## A Better Way

We will not venture here into the possible dangers of a super church with a few wealthy, Anglo-Saxon groups merging to present a common front to an aggressive Roman Catholicism and an indifferent secularism. Its aims might be fine; some of its fruits might be. I believe, however, that many if not all its goals might be better reached within increased cooperation, especially through Councils of Churches structure, and without sacrificing proven historic traditions.

I refer to such ventures as rapidly increased consolidations, closings, and federations where communities are over-churched; a frontal attack together on the big city; a common fund drive in America for \$3 billion for foreign and home mission needs (witness Africa and Latin America); increased cooperation in publishing, TV, visual aids, and other "tool" endeavors.

Let our leaders concentrate on these cooperative ventures which will not tear us apart, with us retaining our heritage, our right to criticize constructively, our ability to think creatively and independently. Congregationalism has contributed immensely to America's religious and social riches. Dwight L. Moody, Jonathan Edwards, Lyman Beecher, Harriet Beecher Stowe, John Brown, Charles G. Finney—they were ours. Free public education, the Bill of Rights and Declaration of Independence, Negro education, foreign missions—they were largely ours in origin.

## Adding The Big Church

Now, to Big Labor, Big Government, Big Business, Big Agriculture, we must add the tossed salad of Big Church, with the Congregationalists thrown in. Or will we be? Some say, yes, that is our destiny today.

Some would say: "But the churches would still own their property!" As if a church were mere property! What is property when pastors are trained, ordained, directed, and promoted from a central body? What is a building worth, or legacies, when the pastor is subject to higher ecclesiastical powers?

Is a Congregational Church congregational when its pastor is tightly tied into a national system? Hardly. In a thousand subtle ways a minister can be controlled, ways the average layman cannot dream of. A letter written or not written, a recommendation warm or

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lukewarm, a suggestion that he is a good pastor "but . . .", a hint that if he wants placement on a conference, diocese, or national board he might be more cooperative—all these can curb in a most real way. When one single Episcopal rector in New York City makes front page news all over America by refusing to read the letter from the House of Bishops you have some idea as to what system we might face.

I have warm friends among the clergy and bishops of these other groups. I treasure their friendship. I treasure the diversity which enables us to work together as friends in Christ without unity of organization. We could not work more closely nor love each other better were we in one church.

Is the fact that there are denominations really a scandal? This has been repeated until we are almost persuaded. Was Jesus referring to American denominations when he prayed that "they might all be one"? Some reply: "What else could he mean?"

Some say: "Look at the Church of South India!" I say, yes, let us look at it 50 years from now. By their fruits ye shall know them. America isn't India and India isn't America.

Whatever the virtues or dangers of any new super church, the statement of Co-Presidents Wagner and Hoskins indicates that they would like, as soon as possible, to lead Congregational Churches and their pastors into the huge denomination where the 10,000,000 Methodists and the 3,000,000 Episcopalians with their bishops are already at hand and the 3,000,000 Presbyterians, are ready to accept them, according to Dr. Blake.

Would not this most certainly be a complete change of polity and church government for the 1,400,000 Congregationalists—whisked almost directly from congregational polity into an entrenched episcopal polity? I can get no other impression. Let those who doubt read three documents: Dr. Blake's and Bishop Pike's in *THE CHRISTIAN CENTURY* of December 21 and those of Co-Presidents Hoskins and Wagner in *THE UNITED CHURCH HERALD* of December 29.

The Blake-Pike proposal-plan and the Wagner-Hoskins response indicate abundantly that there are plans to take Congregational Churches into an episcopal system. It is hard to believe, but read for yourself. And it can happen more quickly than you think.



# WHAT DOES THE NEW CONSTITUTION MEAN TO YOUR CHURCH?

Rev. Harry W. Johnson, Boise, Idaho

The new constitution means at least these three things:

1. Your Church is not now in the United Church of Christ.

2. There are no Congregational Christian Churches in the United Church of Christ as of this date (fall of 1959) — not even those Churches which have already gone through the motions of "voting themselves in."

3. There is no action now properly open to your Church which can make it officially a part of the United Church of Christ. No such action will be in order for at least another year. Only when the new constitution in its final form has been approved by the General Synod, and then is submitted to your Church, is your Church supposed to take action upon approving it, or upon entering the United Church. Only favorable action by each Church acting for itself will be regarded as evidence of that Church having become a part of the United Church.

Your Church can not be "moved in" or "drawn in" by any action of its association, or by any action of the conference, or of the General Council of Congregational Christian Churches. Your Church can not be "assumed to be in" because of any co-operation which it offers in terms of fellowship activities or in terms of financial support which it may give to the support of the work of the United Church, or of the conference, or of the association, or of the missionary societies. Your Church can not "drift in" by the mere absence of action upon the proposed union.

Until and unless your Church has a regularly called meeting with the official edition of the new constitution before it, and at such a meeting, has voted to approve that constitution and to unite with the United Church of Christ, or, disapproving the constitution in part, yet votes to unite; — until that is done, your Church is *not* in the United Church.

## Only Tentative — But!

The new constitution for the United Church of Christ which has recently been released to your Churches is only a tentative version. It is not yet the "official edition." It may, and probably will, be revised during the coming year. No vote by your Church to approve (or to disapprove) this tentative document is in order. But even though it is only a tentative version, this new constitution is an important document. Whatever changes are made before the final draft is ready to be released to the Churches, this version serves as an indication, at least in broad outline, of what is to come.

For instance, read carefully Article IV, paragraphs 11, 12 and 13. Also the last sentence in paragraph 19. Here, for the first time since this controversy over the merger began, there is to be found in this constitution, a clear and presumably responsible answer to the simple question: "How does a Congregational Christian Church become a part of the United Church of Christ?"

When an answer to such a basic question, so long delayed, is at last released by the joint committee on constitution, that answer could hardly be retracted or deleted from subsequent editions of the document. Especially is this so when the answer, as now given is so obviously true to the basic fact that *no commitment of a Congregational Christian Church is valid or binding unless that commitment is made by that Church itself, acting for itself.* Actually, any other answer than the one now given would have been not only untrue to the obvious facts, but would also have been in conflict with the statement by The Court of Appeals

of The State of New York that "Union depends on voluntary action freely taken by independent autonomous Churches."

## The Protection of the Courts

Since it is henceforth to be acknowledged by one and all that each Church is to make its own decision for itself, the lay members of the Church are certain to feel the need of more adequate information about the whole problem. They will want to know about their own Church, its organization, its constitution and its articles of incorporation.

Congregational or Christian Churches are usually incorporated under the laws of their own state. The purpose which motivated those who brought your Church into being as an incorporated body is declared in the articles of incorporation. That purpose was given the protection of the state when the state granted to your Church the status of a religious corporation.

Among other rights thus to be protected by the state is the right to continue as a Congregational or Christian Church, and to continue to hold all Church property for the purpose of propagating the gospel "according to the faith, polity and practices" of Congregational Churches.

Can church property which is dedicated to "the faith and polity of Congregational Churches" be moved into the United Church? Is the United Church of Christ to be a denomination which is likely to be held by the secular courts to be Congregational in faith, polity and practices?

There is likely to be some confusion injected into the discussion of these matters when reference is made to the assurances given in the constitution, paragraphs 21 and 22. In these paragraphs it is stated that each Church is to have "autonomy" in the "management of its own affairs." To some people, such assurances may sound like assurances that the Congregational polity will characterize the new denomination.

But careful reading of the other portions of the constitution and especially of the by-laws will show that many of the activities of the local Church where freedom is *most important* are declared to be also the concern of the whole denomination, and therefore are properly to be under the close supervision of denominational officials outside of the local Church. The whole plan for over-head supervision of so many of the activities of the local Church is indeed very different from anything we have ever known in Congregationalism. President James E. Wagner was entirely correct when he said "The United Church of Christ will be presbyterial in structure."

## The E & R Leaders Understood

Whatever may be one's personal attitude toward the distinction between Congregationalism and Presbyteranism, the important fact in our present situation is that the difference between the two polities has been the basis for decisions in the courts of many states where there were legal contests over title to church property. In states where such decisions have been rendered, no church property now held for the exercise of the "faith, polity and practices" of one of these denominations could be taken into the other denomination by any vote of its members, if any minority of its members protested that action.

The leaders of the E & R Church did not fail to see the implications of this fact for them. If the United Church were not to be basically presbyterial in structure, like the E & R Church, it would have been legally impossible for

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## WHAT DOES THE NEW CONSTITUTION MEAN TO YOUR CHURCH?

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the E & R Church to have entered into the United Church. And the E & R Church is now "in" the United Church. Since the Basis of Union, as the E & R leaders interpreted that document, gave adequate assurance that the United Church would be presbyterial in structure, the E & R people foresaw that there would be no major legal problems in moving the E & R Church into the United Church of Christ.

Through the years, therefore, the E & R leaders consistently refused to join in any other proposal for the union that would have made the polity of the United Church basically Congregational. They knew that it would have been legally not permissible for a presbyterially constituted denomination like the E & R Church to move itself across a denominational line into a union committed to Congregational polity. They have left it for Congregationalists to find out for themselves whether or not it is legally permissible for Congregational bodies to move across a denominational line into a union with a new denomination of presbyterial structure.

Our own denominational leaders have been too zealous for organic unity to give adequate thought to the legal necessities. The missionary boards and societies of the Congregational Christian Churches, following the lead of the General Council (which claimed not to be bound by the wishes of the Churches) have been plunged into the plan of union before any one could know whether or not a legally valid way could ever be found for local Congregational and Christian Churches to become a part of the new "United Church of Christ." The question as to the legal right of these boards and societies thus to separate them-

selves from the Congregational Christian Churches is yet to be determined.

### **Your Own Church Must Face This**

The questions which will be confronting your own Church will have to include the matter of the legal structure within which Congregational or Christian Churches incorporated in your state may properly function.

If the majority of the members of your Church wish to have their Church remain as it is, a Congregational Christian Church without any legal relationship with any other ecclesiastical body, the right of your Church to choose such a course is clear and undebatable.

But if a majority of the members should vote to unite with the new organization, and if a minority of the members, be that minority ever so small, should make legal protest against that action, the legal precedents are very strongly in favor of the prediction that the courts will award title to the property to that group, large or small, which continues most consistently with the "faith, polity, and practices" that prevailed before the controversy began.

Even more important, however, than all questions of who will get the church property is the question as to who will be found to have the deepest and most abiding convictions about the place of Congregationalism in the future of the Protestant religious life of America and the world. Congregationalism as a way of life among Churches will survive and prosper. After the present storm, Congregationalists will know better than we have ever known before, why it is so important that your Church and my Church should have no other Head but Christ.