

**In Matters of Common Concern:
Professional Code of Practice for Ministers**

Rev. Samuel Schaal
Associate Minister
First Congregational Church
Wauwatosa, Wisconsin

Presented to the Wisconsin Congregational Theological Society
Oak Creek, Wisconsin
January 18, 2007

© copyright 2007 Samuel Schaal

Prolegomena

“There are two principles in our polity. One is the entire completeness of each local church for its own government; and the other is the principle which relates to all those duties and privileges which grow out of the relation of one church to another. Everything that conforms to these two principles, everything consistent with them, is good Congregationalism; everything opposed to either of them is bad Congregationalism.”

—Alonzo H. Quint, *Report on Church Polity*, National Council, Boston 1865¹

So began Oscar E. Maurer in his section on “Fellowship of the Churches” for the 1951 edition of the *Manual of Congregational Christian Churches*, one of the last such manuals published by the pre-merger Congregationalists at mid-century. He then summarizes this important point in his own words: “The two foci of Congregational church government have long been Freedom and Fellowship, the autonomy of the local church in internal affairs and the fellowship of the churches in matters of *common concern*.”² (My emphasis)

I am again calling for an awareness of an issue of *common concern* – how ministers might establish improved ministerial practice through the use of a code of professional practice. In my earlier paper (“Towards a Ministry of Accountability: Why We Should Credential Ministers and Why We Are Afraid of It,” 2005) I tried to establish the need of better ensuring the quality of our ordained ministry and appealed to Congregational history as the primary proof of how wayward we have become in that regard. (To summarize: it was Congregational practice to credential ministers through the local—usually state—association in a manner prescribed in any number of manuals of the day but that in our hurtful experience of, and response to, the merger that created the United Church of Christ, we shifted that burden—as well as who holds standing—to the local church and pretended that had been Congregational tradition.)

¹ Quoted in Oscar E. Maurer, D.D., editor, *Manual of the Congregational Christian Churches* (Boston, The Pilgrim Press, 1951), 65.

² Maurer, 65.

Though credentialing is a larger issue (a denominational or associational structure that supported credentialing could improve the quality of our ministry), the use of a code of practice would likewise (albeit in a more minor way) help us improve our practice.

Ministry as a Called Profession

First we must affirm: ministry is a called profession. Ministry is the last great called profession widely recognized as being so. While the very word vocation (from the Latin root *vocatio* meaning “voice” or “calling”) suggests that all vocation is from God,³ for ministers especially, the idea that God calls us to this role is widely affirmed.

Ministry in our Congregational Christian tradition finds the locus of that divine call in and through the locally gathered church. We do not hear a disembodied spiritual call from the clouds: that call is mediated through the incarnated, flesh and blood reality of a local church. (Or at least, though some of us have felt the call in many ways beyond a local congregation, that call is substantiated through a human call from a local church.) So the call to ministry proceeds from God through the local church. Thus, the local church is the only body that can ordain.⁴

And in our Congregational tradition of an educated ministry, we also are considered a profession.

Ministry as a Professional Vocation

Ministry is a profession and ministers are considered professionals. The word “professional” has come to mean in our day merely one who is compensated. The more traditional understanding of that concept, however, relates to religious vocation. The unabridged *Webster’s Third New International Dictionary* (1961) lists the first definition of professional as “The act of taking the vows that consecrate oneself to professional religious service.” So to be professional is to give oneself over to divine service.

There was a time when clergy were the only real professionals around. Alban Institute consultant Gilbert H. Rendle observes:

The Christian church derives from an earlier time in which ministry held the largest professional jurisdiction, with interpretation and authority over a host of problems and questions, including governance, health, relationships, family, individual behavior, and the interpretation of meaning. In the early American experience, it was often the town minister or circuit rider who was the literate person in the community able to offer judgments of justice, interpretations of ownership, authority over individual behavior,

³ Craig Dykstra, “Called to Life, Called to Love,” *Congregations* Vol. 32, No. 6 (Spring 2006): 11.

⁴ Bylaws of the Association, National Association of Congregational Christian Churches, Article IX, Section 5.

and the closest available approximation of medical and psychological treatment.⁵

The classic professions are considered to be medicine, law and ministry. Rendle observes that both medicine and law have encroached upon ministry's former jurisdiction.

Medicine has captured that part of the practice of ministry that has to do with the physical body, including jurisdictional rights in such personal arenas as sexuality and death. Psychiatry, psychology, and social work have captured that part of the practice that has to do with self-understanding and relationships, as well as issues of addiction and abuse. Indeed, these new professions themselves compete with one another for jurisdiction over parts of the human self and its relationships with others. Law has captured that part of the practice of ministry that influenced governance, ownership, and civic participation. And so professional ministry has lost much of its original jurisdiction as new professions have claimed greater mastery and better tools to address these discrete parts of what was once the larger province of ministry, with its tools of theology and interpretation.⁶

Of course, this is not necessarily a bad thing. As human progress has increased our knowledge of how the world works, the field of medicine, to cite just one profession, has likewise advanced, greatly enhancing the quality of human life.

In our own history we see the shift of the New England minister into a more professionalized role.

The minister of the nineteenth century was no longer a part of a theocratic establishment, allied with the state and seen as a guardian of public order. The minister was a member of a profession employed by a local church to serve its religious needs. Authority, therefore, rested less in the office and more in the qualifications of the person called to fulfill the office's tasks. One consequence of this shift was an equalization of rights between clergy and laity.⁷

So ordained ministry, especially in the modern context, is clearly a profession. This is not to say all ministry is or should be professional, as all believers are called to be ministers and there is great potential for lay ministry. But as regards ordained ministry, it is a professional endeavor.

If ministry is a profession, what are some common qualities of professions?

⁵ "Reclaiming Professional Jurisdiction: The Re-emergence of the Theological Task of Ministry" by Gilbert R. Rendle in *Theology Today*, October 2002, at www.findarticles.com/p/articles/mi_qa3664/is_200210/ai_n9126508

⁶ Rendle.

⁷ John von Rohr, *The Shaping of American Congregationalism: 1620-1957* (Cleveland: The Pilgrim Press, 1992), 296.

In modern usage, professions tend to have certain qualities in common. A profession is always held by a person, and it is generally that person's way of generating income. Membership in the profession is usually restricted and regulated by a professional association. For example, lawyers regulate themselves through a bar association and restrict membership through licensing and accreditation of law schools. Hence, professions also typically have a great deal of autonomy, setting rules and *enforcing discipline themselves*. (Emphasis mine.) Professions are also generally exclusive, which means that laymen are either legally prohibited from or lack the wherewithal to practice the profession. For example, people are generally prohibited by law from practicing medicine without a license, and would likely be unable to practice well without the acquired skills of a physician. Professions also require rigorous training and schooling beyond a basic college degree.⁸

If we were to compare the professions of ministry and medicine, there would be some resonance, but we can hardly make a claim that ministry is as exclusive as medicine. But neither can we say that ordained ministry can be done with no education, training or standards, or that the bad practice of ministry has no effects on the well being of our society. Professions typically include a common understanding of what constitutes healthy practice from unhealthy (*mal*) practice.

The exclusive practice of medicine has been that way only in recent times. Though the American Medical Association (AMA) was founded in 1847, they did not coalesce into the professional practice of today until the early twentieth century.⁹ Before that time, you took your chances seeking health care. While the AMA is sometimes critiqued for having a too-tight hold on health care to the detriment of other branches of the healing arts, it is largely for public health reasons that allopathic medicine had dominated health care for the last 100 years—it helps reduce health care quacks and not as many people get hurt.

Ministerial Practice and Malpractice

It's easy to champion medical standards. But what about standards of practice for clergy? Clergy are also physicians of sorts—physicians of the soul. We have a practice of ministry, of the spiritual arts, that can help to heal. John T. McNeil reminds us that historically the church has taken healing (of the soul at least, if not of the body) seriously.

⁸ www.wikipedia.org/wiki/Profession

⁹ Until the twentieth century, “medicine” meant either the “eclectics” who used herbal medicine with conventional remedies, the “homeopaths,” who gave drugs that produced the same symptoms to boost the body’s natural immune system; and the “regulars,” also called allopaths, who used the scientific approach with drugs and surgery. Once the allopaths had a common methodology and language, they consolidated their strength as a profession by improving the quality of medical education, advancing the state of technology and enhancing their professionalism. See Samuel Schaal, *Lone Star Legacy: The Birth of Group Hospitalization and the Story of Blue Cross and Blue Shield of Texas*, (Dallas: Odenwald Press, 1999), 16-17. Also see Paul Starr, *The Social Transformation of American Medicine*, (New York: Basic Books, 1982).

The soul is the essence of human personality. It is related to the body, but it is not a mere expression or function of the bodily life. It is capable of vast ranges of experience and susceptible of disorder and anguish; but it is indestructible and endowed with possibilities of blessedness within and beyond the order of time. The cure of souls is, then, the sustaining and curative treatment of persons in those matters that reach beyond the requirements of the animal life.¹⁰

This is to say, the practice of ministerial caring and curing (and thus, I would add, of ministerial practice in general) is of utmost importance. We deal with human (divine) souls. What we do is important. (Incidentally, McNeil goes on to comment that medicine has encroached on this care of souls and, in the case of at least psychiatry, has dissociated psychotherapy “from the theological and philosophical traditions.”¹¹)

Much more could be said about how our materialistic, scientific culture has supplanted the practice of ministry in ways both good and bad and I cite these as illustrations showing the importance of the practice of ministry. The analogy between ministry and medicine has its limits, as certainly ministry is more art than science, while medicine is more science than art and focused on the scientific process more than ministry ever can be. But this is to say (again) that what we do is important, that through the personal power given us in ordination, by our role in the church and in the wider community, that we can use our personal, professional power in ways that heal and help humanity.

But sometimes our practice devolves into malpractice. When we malpractice, we hurt souls. And even when we malpractice *just a little*, we chip away at God’s work in the world. To the extent that we in ministry malpractice, we damage not just the afflicted person, but the whole congregation where this happens and to some degree our whole association of churches and, certainly, our sisters and brothers who are engaged in ministry.

It is up to the local church to discipline the minister, we might assert. Certainly, they should. But the very nature of sexual and financial exploitation, as well as other messy human situations, tends to make it a secretive matter. In most cases the minister merely moves on to another congregation.

A common feature of professions is that they are self regulating, for when one professional acts in a poisonous manner, it affects the public standing of all other professionals. A code of professional practice *of course* will not stop ministerial malpractice—let me emphasize that plainly. (Nothing will stop all malpractice.) But it makes no sense to have no standards at all.

¹⁰ John T. McNeil, *A History of the Cure of Souls* (New York: Harper Torchbooks, 1951), vii.

¹¹ McNeil, 319.

Enhancing Ministry to Make Disciples

But it's not all about malpractice. Ministers also need support. Ministry is a lonely and demanding vocation. A code of professional practice is a small thing in the greater scheme, but it's a start on having a common understanding of practice.

In a special white paper report from the Alban Institute, James P. Wind and Gilbert R. Rendle report that American congregations have a leadership crisis, with too few clergy and a decline in the quality of ministerial candidates.¹² This has also been widely reported elsewhere. If our profession is in crisis, we cannot fly the flag of independency in our association for much longer. A code of professional practice would at least identify basic standards of healthy practice among us. Anything we can do to define our practice standards and hold us to accountability is a good thing

Enhancing our professionalism (in terms of standing in the community and standing in our congregations) also enhances the standing of the church in the world, and thus is a step closer to bringing Christ to the world. So establishing better professional standards will help to make disciples (Matthew 28:18).

Historic Congregational Practice

What does our own history say to this? While the local church has been the locus of ministry, ministers have also been disciplined by others beyond the local church, usually by a council of churches or an association of ministers. The literature of Congregationalism expresses tension over the generations between the authority of a council and/or an association, and the authority of the local church. Indeed, events that led to the merger creating the United Church of Christ is located directly in concerns about the authority of bodies beyond the local church. We in the National Association, of course, have gone clearly in the direction of weakening if not destroying most authority beyond the local church.

There is less in the literature about how ministers supported each other and held each other to a discipline, and very little about codes of professional practice. To gain an understanding of how a code of professional practice might function within our Congregational polity, let's look briefly at the role of ministerial associations within our history.

In early New England Congregationalism, most ministerial discipline was handled by the local church, as the standard was for ministers to stay in one church for their entire settlements, Even excommunication from ministry was handled in this way.¹³ But soon ministers formed associations and held each other to a standard of conduct.

¹² James P. Wind and Gilbert R. Rendle, *The Leadership Situation Facing American Congregations* (Bethesda: The Alban Institute, 2001).

¹³ Henry Martyn Dexter, *The Congregationalism of the Last Three Hundred Years as Seen in Its Literature* (New York: Harper and Brothers Publishers, 1880), 450.

The ministers naturally held their own meetings. Sixteen hundred and thirty-three dates definitely the beginning of such conferences or associations. They felt themselves charged with responsibility for the well-being of the churches and the body politic and took their responsibilities seriously; also they were responsible for the status and conduct of their fellow ministers.¹⁴

Concerns arose, though, about how Presbyterian these associations (and consociations) were.¹⁵ But associations were still encouraged if they were “voluntary in membership and fraternal in purpose.” Though in Connecticut, clergy examined candidates for ministry and granted ministerial license.¹⁶ Nevertheless, in the early nineteenth century, clergy continued to form associations and some licensed candidates for the ministry, and held and regulated ministerial standing.¹⁷

We have tended toward a form of ministerial association that is voluntary and that though it has at times disciplined ministers, that discipline has not been consistent and most likely in response to needs as they arose. Perhaps William E. Barton sums up our general attitude toward minister-to-minister relationships: “Dr. Dexter and other Congregational authorities of his day were emphatic in their declarations that Associations were purely voluntary and had no authority whatever. This was true and is true of the Association as these authorities conceived it, which was that of a mere voluntary ministerial club.”¹⁸

Barton goes on to summarize the history of ministerial associations and their authority over ministerial licensing and standing, and suggests that an association of ministers can still enact discipline toward other ministers if that ministerial association is a part of a larger association of churches and ministers. “The Association of churches can make the Association of ministers its committee on licensure and on ministerial standing, but this committee should report to the Association of churches and ministers.”¹⁹ In fact, Barton suggests that while it is “desirable” for ministers to form organizations, they should avoid the name of association to ease confusion.²⁰ Though my subject is not ministerial associations but rather a professional code of practice, I cite these examples of principles of how we might approach such a code of practice.

I maintained in my earlier paper that while our churches should have some democratic voice on credentialing standards (probably through the local association), I here say that it is not an abrogation of Congregational polity for ministers themselves to decide on what broadly constitutes professional ministerial practice. (Though it certainly would be a good

¹⁴ Gaius Glenn Atkins and Frederick L. Fagley, *History of American Congregationalism* (Boston: The Pilgrim Press, 1942), 102.

¹⁵ John von Rohr, *The Shaping of American Congregationalism: 1620-1957*, (Cleveland: The Pilgrim Press), 135.

¹⁶ Von Rohr, 159.

¹⁷ Von Rohr, 294-295.

¹⁸ Barton, 295.

¹⁹ Barton, 295.

²⁰ Barton, 296.

idea to entertain the opinions of churches in the development of this code and to publicize this code among our laity so they have some sense of what broad standards their clergy are adhering to.)

In 1992 our Division for Ministry released the “Code of Professional Practice for Ministers” that was adapted from the Code of Professional Practice of the Unitarian Universalist Ministers Association. It was never ratified and has not been in common practice among ministers. A few have signed it, but most of our ministers have not. I have heard anecdotally of at least some comments that “the NA (or the DFM) is not going to tell me what to do.” How widespread this attitude is, I don’t know, but given our culture I am sure some feel this way.

Indeed, we do not have a culture in our wider National Association that encourages such discipline between ministers. Our response to authority of any kind tends to be suspicious and at time reactionary. We have encoded in our national documents that the National Association has no power over ministers as noted earlier. Had we, in the creation of the National Association, been more mindful of Congregational history, we might have given more support to state and regional associations. But at the time of our initial genesis, we still had hopes of winning lawsuits and did not form parallel structures. By the time we saw that we had lost the lawsuits, most of our churches had been pushed out of state associations²¹ and today we have (in my opinion) largely weak and ineffectual associations that provide no real fellowship beyond cookies and coffee.

So in inter-ministerial relationship, as in so much of our associational life, we don’t have a lot of support. I suspect that this lack of state (or regional or district) structure played a large role in the 1992 code not being put into wide use, as we don’t have a very good structure in which to develop, test and modify such documents as they are lived in the real practices of ministers.

And this is sad, as real fellowship of the kind that ministers should enjoy is a fellowship with teeth in it. It is a fellowship with expectations. It is a fellowship that underscores that what we do for God and the world is important. It is a fellowship that tracks Christian anthropology—While in our theologizing we admit to the prevalence of human sin, on how easy it is to miss the mark, yet in our practice we tend toward the Lone Ranger model and have too little support for each other in this most delightful and demanding of professions.

Towards a Better Practice

Congregationalism is about freedom within relationship (to bring together those two foci that our leaders of the past have mentioned and to alleviate a bit the tension between those two ideas). If that is true, then the practice of Congregational ministry is freedom within relationship. But relationship is more than a voluntary club. It is a *discipline* of healthy practice which we help each other toward.

²¹ Per my private discussion with Steve Peay.

Ministry is not about doing what we want to do. It is more than doing what we feel the Spirit may call us to do, for we have to mediate that notion by our organic and incarnational life together. Our practice of ministry has to square with who we are in the world and who we have been.

A code of practice is, in the long run, a small thing. There is certainly (hopefully!) little that is expressed in the 1992 code (see appendix) with which we will argue against. It calls merely for an ethical practice in broad terms. (In fact, the Unitarian Universalist Ministers Association actually has two documents that help to regulate ministerial practice. One is the Code of Professional Practice for Ministers that the DFM used as a beginning, and the other is the Guidelines which are more explicit and detailed, which is of particular help.)

We ministers are laboring in the vineyard of our Master. We need a better understanding between us on the broad principles upon which our ministries should be practiced. We need to continue to move beyond the independency which characterizes our culture too often, into more of a relationship model of ministry. A code of professional practice, used as a matter of course among all our ministers, would be a modest step toward that.

Appendix

CODE OF PROFESSIONAL PRACTICE FOR MINISTERS**DIVISION FOR MINISTRY****National Association of Congregational Christian Churches****CODE OF PROFESSIONAL PRACTICE
STATEMENT OF PURPOSE**

We, the covenanting ministers of the National Association of Congregational Christian Churches, give full assent to this code of professional life as a statement of our serious intent, and as an expression of the lines and directions that bind us in a life of common concern, shared hopes, and firm loyalties. As ministers of the Christian faith, we will endeavor to conduct our lives and ministry in accordance with the life and principles of Jesus Christ.

1. SELF

Because the religious life is a growing life, I will respect and protect my own needs for spiritual growth, ethical integrity, and continuing education in order to deepen and strengthen myself and my ministry.

I commit myself to honest work, believing that the honor of my profession begins with the honest use of my own mind and skills.

I will try to understand my own weaknesses and strengths. Knowing my limits, I will not hesitate to seek help in discouragement and difficulty.

I will sustain a respect for the ministry. Because my private life is woven into my practice of the ministry, I will refrain from private as well as public words or actions degrading to the ministry or destructive of congregational life.

Because the demands of others upon me will be many and unceasing, I will try to keep especially aware of the rights and needs of my family and my relation to them as spouse, parent, and friend.

2. COLLEAGUES

I will stand in a supportive relation to my colleagues and keep for them an open mind and heart.

I will strictly respect confidences given me by colleagues and expect them to keep mine.

I will not speak scornfully or in derogation of any colleague in public. In any private conversation critical of a colleague, I will speak responsibly and temperately.

I will inform my colleague in advance of any public engagement I may accept in his or her church, which might bear upon local issues or policies. I will accept no request for my service in the office of the ministry within my colleague's congregation without his or her explicit invitation or permission.

If I am to share the ministry of a church with (an)other minister(s), I will earnestly seek clear delineation of responsibility, accountability, and channels of communication before responsibilities are assumed. I will thereafter work in cooperation and consultation with them, taking care that changing roles and relations are renegotiated with clarity, respect, and honesty.

If I am a member of a colleague's congregation, I will in all ways honor the priority of his or her call to the ministry of that congregation, and I will carefully shun inappropriate influence which other members may tend to yield to me. I will be generous toward a colleague who is a member of my congregation.

3. CONGREGATION

I will uphold the practices of congregational polity, including the autonomy of the local church and the fellowship of the churches. Throughout my ministry I will teach the history, meaning, and methods of congregational polity, recognizing informed and faithful adherence of these practices as the bond preserving and reforming our free corporate religious life.

I will respect the traditions of my congregation, enriching and improving these in consultation with the members.

I will hold to a single standard of respect and help for all members of the church community of whatever age or position.

I will respect absolutely the confidentiality of private communications of members.

I will not invade the private and intimate bonds of others' lives, nor will I trespass on those bonds for my own advantage or need when they are disturbed. In any relationship of intimate confidentiality, I will not exploit the needs of another person for my own.

I will exercise a responsible freedom of the pulpit with respect for all persons, including those who may disagree with me.

I will encourage by my example an inclusive, loyal, generous, and critical church leadership.

I will take responsibility for encouraging clear delineation of responsibility, accountability, and channels of communication for the minister(s) and other staff.

I will take responsibility for encouraging adequate and sensible standards of financial and other support for minister and staff.

Prior to sabbatical or other leave, I will clearly negotiate a minimum amount of time to serve as minister to the congregation upon my return before making myself available as a candidate for another pulpit.

I will inform the board of the congregation immediately when I have accepted a call to another position.

4. MOVEMENT AND ASSOCIATION

I will share and support the concerns of the National Association of Congregational Christian Churches.

I will encourage the growth of our congregations and the spread of the ideals of the National Association of Congregational Christian Churches tradition and fellowship.

I will participate and encourage lay participation in meetings and activities of our Association.

I will encourage financial support of the National Association of Congregational Christian Churches and its associated programs.

I will make myself a candidate for a pulpit only with serious intent.

5. COMMUNITY

In word and deed I will live and speak in ways representing the best Congregational tradition and leadership in the larger community.

I will maintain a prophetic pulpit, offering to the community religious and ethical leadership.

I will encourage members' participation in efforts to solve community problems.

I will offer sympathetic support to neighboring ministers or other religious bodies.

(Division for the Ministry, 1992, adapted from the Code of Professional Practice adopted by the Unitarian Universalist Ministers' Association, 1985)