Request for a Theological Opinion from the South Wisconsin District President Regarding Augsburg Confession Article XIV

In a letter dated August 26, 2010, the Commission on Theology and Church Relations (CTCR) was asked to assist the South Wisconsin District president in answering two questions (quoted verbatim with original emphasis):

- 1. In light of our Lutheran understanding of Church and Ministry would you please address the appropriateness of a lay man *regularly* carrying out the functions of the pastoral office, viz. the public proclamation of the Word and the administration of the Sacraments?
- 2. In light of Holy Scripture and the Confessions would you please address the appropriateness of *a lay man or a lay woman* proclaiming the Word and/or administering the Sacraments in a house church, small group, or cell group setting?

Response

With respect to the first question, the Commission's answer is that "regular" public preaching and public administration of the Sacraments by a lay man is not appropriate. Article XIV of the Augsburg Confession (which is grounded in the teaching of Holy Scripture) forbids such a practice, because it would deny the necessity of a rightly ordered public ministry. Based on this understanding a 1981 CTCR report addressed the question: "Are certain functions in the church limited to the office of the public ministry?" In its answer the Commission stated the following:

Functions that are essentially exercises of the ministry of Word and sacrament should be performed by those who hold the office of the public ministry. Thus, preaching in the worship service, leading in public prayer, celebration of the Sacrament of the Altar, baptisms, weddings and funeral services should be carried out by those who hold the office of public ministry. However, in exceptional circumstances or in emergencies (as when a pastor is incapacitated), members of the auxiliary offices or other qualified individuals may temporarily be called upon to perform, under proper supervision, functions that are otherwise performed by the pastor and that are not for other reasons precluded (e.g., women teachers or deaconesses preaching in the public service).

In this matter there needs to be a concern for order in the church. The indiscriminate assignment of functions of the office of the public ministry breeds confusion and disorder in the church. A disregard of uniformity of practice is contrary to the very reason for the existence of the Synod.²

¹ It is clear from background information in the District President's correspondence that this request does not pertain to questions about the service of "licensed lay deacons," but about lay men "commissioned" by the congregation to carry out certain functions of pastoral ministry, such as public preaching and regular sacramental administration.

² The Ministry: Offices, Procedures, and Nomenclature, p. 35. Available online at www.lcms.org/ctcr (p. 31 in online version).

Two matters require clarification regarding the second question. First, the CTCR understands the phrase "proclaiming the Word" to refer to public preaching and teaching within this "house church" setting. Second, the CTCR understands that "administering the Sacraments" is not speaking of any exceptional circumstance, such as the Baptism of someone who is dying. Rather, it is understood to refer to the regular, public administration of Baptism and the Lord's Supper in and on behalf of this "house church." According to these understandings, the Commission's answer to the second question is that this refers to public preaching and public administration of the Sacraments by a lay person and is not theologically appropriate. Article XIV would forbid such a practice because it is a denial of the public ministry. Moreover, a lay woman exercising these responsibilities would also violate the scriptural teaching that women are not publicly to teach and preach on behalf of the church and are ineligible to be candidates for the public ministry (see 1 Cor 14:33-34 and 1 Tim 2:12).

Background

Only when the Word of Christ's forgiving Gospel is being proclaimed and His Sacraments (Baptism and the Lord's Supper) are being administered can people come to faith and become part of His Body the church. Therefore Christ sends His people, the church, to preach His Gospel and to administer His Sacraments (Matt 28:18-20).

It is clear that the church itself possesses the Word and Sacraments of forgiveness (the Keys of Christ, see Matt 18:18, note the plural). By virtue of Baptism, each Christian is a member of the priesthood of believers (1 Peter 2:9). It is therefore appropriate for individual Christians in their daily vocations to witness to Christ, confessing Him before men (Matt 10:32-33) and, in cases of necessity, to baptize and to absolve.

The scriptural foundation for a public "office of ministry," distinct from the priesthood of believers, is also clear. Paul asks rhetorically in 1 Corinthians 12:29, "Are all apostles... prophets... teachers?" to make the point that not all are called into public ministry in the church. The public office of the ministry is not a matter of pragmatism, a mere human arrangement to "get things done" which is adjusted or established however and wherever a group of Christians wills it. Rather, the office of the ministry is instituted by God. Christ Himself ordained the preaching and sacramental ministry by calling the twelve apostles and giving specific responsibilities to them, apart from the rest of His followers (Mark 3:14-15; Luke 6:13-16; see also John 4:2). While the original apostles were distinctive from all others in the public office of ministry by virtue of being eyewitnesses of our Lord, the call into public ministry did not end with them. As Peter indicates by calling himself a "fellow elder" (1 Peter 5:1), both apostles and later pastors or preachers (often called "elders" in the NT) were equally holders of the office of the public ministry.

The New Testament indicates that as the church moved into the future it continued this divine institution of calling men to serve the church by preaching the Word and publicly administering the Sacraments (see Acts 14:23; 20:28; 1 Cor 4:1; 2 Cor 5:19-20; 1 Tim 3:1-7; 5:17; 2 Tim 2:2).

³ Various other terms are also used, such as pastoral office, pastoral ministry, public ministry, office of the public ministry, preaching office. As for scriptural terminology, see *The Ministry: Offices, Procedures and Nomenclature*, p. 13-14 (p. 6 in online version).

This is the understanding of the "office of preaching" that is affirmed explicitly in the Confessions. Augsburg Confession (AC) Article V (par.1) says that "God has instituted the office of preaching, giving the gospel and the sacraments" (Kolb-Wengert [KW] 40). The Apology of the Augsburg Confession (AAC) Article XIII (par. 11), referring to the ordained ministry simply states that "the ministry of the Word has the command of God and has magnificent promises like Romans 1[:16]" (KW 220). AC XIV then asserts that "Concerning church government it is taught that no one should publicly teach, preach, or administer the sacraments without a proper [public] call" (KW 46). The office of the ministry, then, is understood as a divinely mandated office with the responsibility to preach, teach, and administer the sacraments publicly for the church. It is the *public* responsibility which is essential to this understanding so that the office of the ministry is viewed in opposition to the sharing of the Gospel that takes place in the "private" lives of individuals—at home, at work, with friends, etc. The latter is the responsibility of the priesthood of *all* believers. The public teaching and preaching done in and one behalf of the church, however, is the responsibility only of those who have been rightly and publicly called to that work.

It is worthwhile to note that the Lutheran Confessions were written without any desire to introduce anything "new" into Christian teaching (see for e.g., AC XX, par. 12-13; KW 54). Rather, the Reformers wished to show that the same biblical teachings they were emphasizing were also consistently present in church history and in previous generations of teachers. That includes its teaching on the necessity of the ministry. The church has always set aside ("called and ordained") men to carry out the ministry of Word and Sacrament. Melanchthon defends the AC's view of the ministry by indicating that the Reformers fully recognized the legitimacy of the ordained ministry but could not recognize the Roman Catholic claim that only Roman Catholic bishops could authorize that ministry (AAC XIV).

This same understanding carried through in the heritage of the LCMS. C.F.W. Walther in *Church and Ministry* carefully distinguishes between the church as priesthood of all believers and the divinely instituted ministry of the Word and Sacraments, just as Luther and Melanchthon did before him. Thesis II on the Ministry says: "The ministry of the Word or the pastoral office is not a human institution but an office that God Himself has established" (St. Louis, 1987, p. 21 and pp. 177ff.). CTCR reports have consistently affirmed the same understanding. ⁴ The Synod in 2001 (Res 7-17A) emphatically reaffirmed this understanding. And as recently as 2003, the CTCR report *Theology and Practice of "the Divine Call"* (*Divine Call*) observed "that the church could no more be deprived of pastors than it could be deprived of preaching, Baptism, and the Lord's Supper, or any other gift that the Lord intended for the church (pastors and means of grace go together)." ⁵

It is very clear, then, that Lutheran Christians believe that there is both a priesthood of all believers, which includes all the baptized, and also a particular, dedicated office of the ministry, which includes only those men who are rightly called into that office. Both priesthood and public

⁴ See *The Ministry in Its Relation to the Christian Church* (1973); *The Ministry: Offices, Procedures and Nomenclature* (1981); *Theology and Practice of "the Divine Call"* (2003). All are available online at: http://www.lcms.org/pages/internal.asp?NavID=509.

⁵ Pages 11-12. Available online at http://www.lcms.org/graphics/assets/media/CTCR/divinecall.pdf.

ministry exist by divine mandate and are not mere human arrangements. They are not in competition with one another and neither may be used to negate the other. Lutheran congregations therefore, by virtue of their subscription to the Scriptures and Confessions, do not view the pastoral ministry as an option. Rather, they take care that a pastor who is rightly called preaches, teaches, and administers the sacraments.

What is perhaps less clear, however, is how a pastor is "rightly called." In *Divine Call* the CTCR addresses the matter of how to understand the stipulation of AC Article XIV that only those who are "rightly called" may publicly preach and teach and administer the sacraments in the church. The Commission points out that the understanding of being "rightly called" is dependent upon other confessional statements, such as those by Melanchthon in the Treatise on the Power and the Primacy of the Pope (Tr).

After addressing the unitary character of the office and the equality in authority of pastors with bishops (Tr 60-65), Melanchthon turns to the issue of obtaining pastors for the churches (Tr 66-78). Repeatedly he uses several terms in order to describe the process: the right of calling (*jus vocandi*), the right of choosing (*jus eligendi*), and the right of ordaining (*jus ordinandi*). At times he refers to all three together, "call, elect, and ordain" (Tr 67), and at other times he simply uses two expressions, "elect and ordain" (Tr 67, 70, 72). The terminology here indicates that the entire church is involved in obtaining pastors, people through election and pastors through ordination. Moreover, Melanchthon describes those who are called, elected, and ordained as competent (*tuchtige Personen*, German text of Tr 72)—which presumes some form of determination of their fitness.⁶

It is particularly important to emphasize that "the entire church" is involved in a right call. Our Synod has put this into practice by establishing an orderly practice of training, certifying, ordaining, and calling men into the pastoral office in a way that is recognized by the entire Synod. For the most part, those who serve in the public ministry in the LCMS are prepared and certified by the Synod's seminaries, called (placed) and ordained by means of the cooperative work of the Council of Presidents and congregations (or other entities), and receive any later calls again by means of cooperation between district presidents and congregations/entities. However, because of a combination of factors, including regional pastoral shortages, growing ethnic and linguistic diversity in the U.S., and growing numbers of congregations that cannot support a pastor, other means of providing for public preaching and teaching of the Word and administration of the Sacraments have developed in the LCMS, especially in recent years (e.g., SMP, EIIT, district diaconal programs). Such programs have sought to meet the vital need for the public administration of the Word and the Sacraments while recognizing that our traditional seminary training is not able to meet that need completely. There have been vigorous debates about pastoral preparation and about the validity, necessity, and propriety of certain practices and programs seeking to provide pastoral care in exceptional circumstances. Still, the very fact that Synod deals with these issues in a Synod-wide process of debate and decision-making illustrates

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⁶ *Divine Call*, 13-14.

⁷ Ibid.

that the LCMS is committed to maintain an orderly process of preparing ministers that all can affirm.⁸

As noted above in this response (p. 1), the circumstances described in the request from the District President do not indicate an emergency or exceptional circumstance. A congregation that is served by a rostered pastor has chosen to delegate duties which only the pastor (as the one who has been placed into the office of the public ministry) is to fulfill, namely, preaching and teaching the Gospel and administering the Sacraments on behalf of the congregation to groups within the congregation. This is the very essence of the work of public ministry (AC VII, XIV) and not the work of the priesthood of believers. By appointing individuals to carry out these responsibilities, the congregation has, in effect, appointed them to the office of the public ministry apart from the confessional fellowship of the Synod. In 1981 the CTCR affirmed the necessity that churches which are bound together in a common confession not act unilaterally in admitting individuals to the pastoral office.

We stress the fact that ordination is the declaration of the whole confessional fellowship. In the end, a single congregation or an agency representing larger segments of the church does issue the call. Nevertheless, in a synod of congregations bound by a common confession and loyalty, good order demands that admission into the pastoral office or into its closely allied auxiliary offices is not the act of a single congregation or agency.⁹

Adopted by the CTCR December 18, 2010

⁹ The Ministry: Offices, Procedures, and Nomenclature (1981) available on CTCR website, p. 25.

⁸ This was illustrated recently by 2007 Res. 5-01B, which sought to address both a pressing needs for pastors and the Synod's "doctrine of the ministry and our commitment to high standards of pastoral education and formation."