

The Doctrine of Church and Ministry Today in the LCMS, WELS, and ELS

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Introduction: A Personal Question (and Difficult Assignment)

I would like to thank the Association of Confessional Lutherans for inviting me to speak on a topic that is very close to home. You could say that the doctrine of church and ministry is one of those topics in which I am *personally* invested. I realize that in the minds of many people, being personally invested in an issue is an impediment to what might be considered an objective treatment. If one is seemingly less committed to the issue and more committed to the Stoic ideal of personal detachment—if his point of view is stated in the subjunctive mood, as it were, because he has no real dog in the fight—then he is regarded an objective and competent source. When it comes to theological conversation, we are certainly wise to follow the golden rule: represent others as fairly as you would like them to represent you. But we are even wiser to remember that theology is more than an academic problem or a politically-sensitive means to an end. Theology is personal. It *must* be personal because it concerns the gospel which personally regenerates me and keeps me in the saving faith. This whole debate over the doctrine of church and ministry is no different; like every doctrine, it touches human experience at the deepest level.

The topic assigned to me is: “The Doctrine of Church and Ministry Today in the LCMS, WELS, and ELS.” Since this is a rather difficult topic it bears a few minutes of fleshing out.

First, we consider the subject: “*The Doctrine of Church and Ministry*.” We are not talking about two doctrines here--one of the church and one of the ministry--but *one* doctrine. Whenever we find doctrine (singular) in front of two articles like this, it should be taken as a synonym for gospel in the narrow sense of the word. We are talking about the *gospel* of church and ministry. The gospel unites. Once upon a time, the Evangelical Lutheran Church, including the Old Synodical Conference, was united on the doctrine of church and ministry. We became divided when we started talking about this relationship in terms of the law (things the church does for itself), rather than the gospel (things Jesus does for his church). A dogmatic shift from gospel to law has caused much confusion over the past century and made it extremely difficult for divided parties to understand each other and agree. A legalistic way of talking about “the divine call,” “ordination,” “the ministry,” and “the priesthood of all believers,” among other buzzwords, has shrouded the evangelical context in which these words could help to unite us rather than divide us.

The second thing that makes this topic so difficult is the adverb, “Today:” “The Doctrine of Church and Ministry *Today*.” I might have given you an informative survey of the debates that went down a century ago between C. F. W. Walther and J. A. A. Grabau or between Franz Pieper and August Pieper. Who knows what could be accomplished with the benefit of

historical distance? But I have been asked to talk about where this matter stands *today*. I cannot change what theologians a century ago believed about a church-divisive issue. But those still living today are vulnerable to persuasion. They can change. To quote Rocky Balboa, “Everybody can change.” The way I see it, I need to state your current position to your own satisfaction as best I can in my own words, so that you may respond: “Yes, that is precisely what I believe; I couldn’t have said it better myself.” For that, I need to make a *theological* argument. Anything less than such a present-tense *theological* approach to your personal view will do little to bridge the divide.

Finally, we come to that prepositional phrase, “*in the LCMS, WELS, and ELS.*” How am I supposed to *know* what you believe and state it to your satisfaction unless I can point to a specific source? While all three synods have officially adopted positions on church and ministry, one is not like the other. We are comparing apples and oranges. The only official statement that truly represents what a synod believes, teaches, and confesses goes by the title: “Theses on the Church and Ministry”¹ and was adopted by the WELS in 1969. In the WELS, what you see on paper is generally what you get. Not so in the LCMS. The LCMS officially holds to C. F. W. Walther’s book, *The Voice of Our Church Concerning the Question of the Church and the Ministry*, written in 1852 and translated into English by W. H. T. Dau in 1932.² Walther’s book was reaffirmed and officially adopted by Resolution 7-17 of the 61st Regular Convention of the LCMS in 2001, but this fact accomplishes very little in the way of doctrinal representation. Pastors and congregations in the LCMS who accept Walther’s *Theses* either disagree on how they should be interpreted or regard them as not quite relevant to our present day.

The situation in the ELS is even more difficult. Its official doctrine was adopted by a 63% majority vote at the 2005 convention in the form of a document called, “The Public Ministry of the Word” (PMW).³ This document put an official end to an ongoing debate in the ELS over the doctrine of the ministry. However, the debate was never truly resolved. As it stands now, the PMW does not represent agreement in the ELS on the doctrine of church and ministry. It is interpreted differently by different parties ranging from those more sympathetic to the traditional Missouri view to those firmly committed to the WELS view to those who are somewhere in the middle. The ELS has always been a rather mixed group. I’ve heard it described as 25% Wisconsin, 25% percent Missouri, and 50% Norwegians who just want to get along. However you cut it, culturally or demographically, the ELS does not agree with itself on what its official document says; even though the PMW is the officially binding position of the synod.

¹ <http://www.wels.net/about-wels/doctrinal-statements/church-and-ministry>

² C. F. W. Walther, *The Voice of Our Church Concerning the Question of the Church and the Ministry*, translated by W. H. T. Dau (St. Louis: Dau, Engelder, and Dallmann, CPH, 1938).

³ <http://www.evangelicallutheralsynod.org/beliefs/doctrinal-statements/the-public-ministry-of-the-word/>

Official statements in the LCMS and official statements in the WELS and ELS do not function in the same way. In the WELS and ELS, when the convention decides to make a doctrinal statement official, it is binding on the entire synodical body with no exceptions. If pastors or teachers do not agree with the synod's position, they must either leave the synod or forever hold their peace. They do not wait three years to get their boys together for the next go-around, for one more last chance to ramrod their position through the convention. Conversely, nobody in the LCMS is under the impression that the synod represents, or is even capable of representing to any significant degree, a united position on any divisive issue, to say nothing of the doctrine of church and ministry. Thus, we are faced with three different questions: What does the synod teach? What difference does it make what the synod teaches? What does the synod think the synod teaches?

The only normative source that the LCMS, WELS, and ELS are supposed to share in common is the Bible and its correct interpretation in the Book of Concord to which our pastors and teacher have voluntarily subscribed. Our churches have also retained the traditional ordination rites, which, significantly, build on the same biblical texts to establish the ministry of the Word. I will therefore begin to articulate your position and my position together by locating the doctrine of church and ministry in the Lutheran confessions; next, I will indicate where we have drifted away from each other and our Lutheran tradition; and finally, I will suggest how we may recover the Lutheran tradition and our unity.

The Doctrine of Church and Ministry in the Lutheran Confessions

The Augsburg Confession organizes the church and her ministry around the doctrine of justification through faith. When the Lutheran princes presented their confession to Emperor Charles V at the Diet of Augsburg on June 25, 1530, Article IV, "Of Justification," and Article V, "Of the Ministry," formed a single statement, joined grammatically to a single concept, and stated in opposition to a single error. We may therefore read AC IV into AC V as follows:

So that we may obtain this faith [which God for Christ's sake imputes for righteousness in His sight], the ministry of teaching the gospel and administering the sacraments was instituted. For through the Word and sacraments as through instruments the Holy Spirit is given, who effects faith where and when it pleases God in those who hear the gospel... [They condemn the Anabaptists ...who think that the Holy Spirit comes to human beings without the external Word...]⁴

This logic comes straight from the Bible. St. Paul writes: "[H]ow are they to believe in him of whom they have never heard? And how are they to hear without someone preaching?"

⁴ Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, translated by Charles Arand, Eric Gritsch, Robert Kolb, William Russell, James Schaaf, Jane Strohl, Timothy J. Wenger; (Minneapolis: Fortress Press, 2000), 39, 41.

(Rom. 10:14). Everything the Lutheran confessions teach on the doctrine of church and ministry follows the basic template of AC V.

What do the Lutheran confessions teach concerning the ministry? The German text of AC V says it all in a single independent clause: “God instituted the preaching office.” God *instituted*... What does this mean? Just as we go to specific words of institution to find the sacraments, we find the New Testament ministry in words of Jesus containing a specific command and promise.⁵ Jesus sent forth his apostles with a command. We read in AC XXVIII, 5-7: “For Christ sent out his apostles with this command [to preach the Gospel, to remit and retain sins, and to administer Sacraments] ...”⁶ The confessions list the following five passages as words of institution:

- (1) Mark 16:15: “Preach the gospel...” (AC 28, 6-7).
- (2) John 20:21-23: “As the Father has sent me, so I send you” (AC 28, 6-7; Tr 9, 23, 31).
- (3) Luke 10:16: “The one who hears you hears me...” (AC 28, 22; Ap 7/8, 28, 47).
- (4) John 21:17: “Feed my sheep” (Tr 30).
- (5) Matt. 28:19, 20: “[M]ake disciples of all nations...” (Tr 31).⁷

Two things are worth pointing out in these words of institution: *first*, we see that included in our Lord’s command are specific activities, all uniquely spiritual in nature: “preaching, teaching, binding, forgiving, feeding.” The Latin text of AC V brings out the verbs more explicitly: it is “the ministry of *teaching the gospel and administering the sacraments*.” The gospel and sacraments do not teach and administer themselves. These activities entail actual real life people doing them. *Second*, the confessions are everywhere clear that what we today call pastors are incumbents of the office Jesus instituted when he sent out his apostles.⁸ If

⁵ See Thomas Winger, “The Office of the Holy Ministry according to the New Testament Mandate of Christ,” *Logia: A Journal of Lutheran Theology* 7, no. 2 (1998), 39: “[J]ust as Lutherans speak of the ‘words of institution’ for baptism, absolution, and the Lord’s Supper, so also it is in keeping with the way of the Confessions to speak of ‘words of institution’ for the pastoral office. It is in these passages that the office receives its mandate and promise.” See Apology XIII, 17, in Kolb-Wengert, 221: “No intelligent person will argue much about the number or the terminology, as long as those things are retained that have the mandate and promises of God.”

⁶ Kolb-Wengert, 93.

⁷ See John Kleinig, “The Office of Ministry and Ordination.” Paper prepared for N.S.W. Pastors Conference, 4. Kleinig notes further: “The early Lutheran rites for ordination and subsequent Lutheran rites appeal most commonly to Matthew 28:16-20 and John 20:20-23 as Christ’s mandate for the office of ministry in the church. They assume that Jesus addresses the apostles in John 20:20-23, just as he does in Matthew 28:16-20. They also assume that Christ’s promise to be with his eleven disciples until the close of the age in Matthew 28:20 implies that they are to pass on their commission to others after them.”

⁸ Treatise 31 says: “Christ gave to the apostles only spiritual power, i.e., the command to teach the Gospel, to announce the forgiveness of sins, to administer the Sacraments, to excommunicate the godless without bodily force.” See also Herman Sasse, “Die lutherische Lehre vom geistlichen Amt,” unpublished paper, 1943/1944, 33; quoted in Kleinig: “[T]his mandate did not cease to exist with the death of the apostles. According to Matthew 28:20, it continues until the end of time and is carried out by the bearers of the ministry in the church as the successors of the apostles and the representatives of the entire church.”

you are in the preaching office today, you have received the same divine command that Jesus gave to his apostles to carry out all of the same activities.⁹ We apply the same rule of interpretation to the institution of the sacraments: what was instituted by Jesus then obtains no differently today.

What do the confessions say about the church? The second sentence of AC V reads: “[The Holy Spirit] effects faith where and when it pleases God in those who hear the gospel...” Notice that while the Spirit works freely, “where and when it pleases God,” it pleases God for our sake to work *through* specific means, “through the Gospel and Sacraments,” and *in* specific places, “in those who hear the gospel.” The Holy Spirit is the One who makes believers. Since we cannot see the Holy Spirit or the faith he effects in people’s hearts we sometimes call this assembly of saints the “invisible church.” This is the church “properly speaking” as we confess in AC VIII. On the other hand, these believers are easily recognized by the instruments the Holy Spirit uses to create faith *in those who hear the gospel*. Luther remarks in his Smalcald Articles (III, XII): “God be praised, a seven-year-old child knows what the church is: *holy believers* and ‘the little sheep *who hear the voice of their Shepherd*.’”¹⁰ We call this the “visible church” because we are able to point to it and locate it. There, we confess in AC VII, is “the assembly of saints *in which* the gospel is taught purely and the sacraments are administered rightly.”¹¹ So, the church properly defined in AC VIII is recognized in AC VII by the specific activities set forth by God’s command in AC V.

This brings us to one more consideration: what do the Lutheran confessions teach concerning the divine call? The first explicit reference to the “call” is in AC XIV, “On Church Government,” which says that: “...no one should teach publicly in the church or administer the sacraments unless properly called.”¹² Notice these are the same activities included *in Christ’s command*, and here they are being carried out *in the church*. While AC XIV does not list any Bible passages to support its assertion, the phrase, “rightly called” (*rite vocatus*), clearly presupposes the final bracket of Paul’s logic in Rom. 10:15, where he asks: “...and how shall they preach unless they are sent?” God sends preachers. Therefore, AC XIV also presupposes that the incumbents of Christ’s office are qualified to do what God sent them to do. According to 2 Tim. 2:24, ministers must, among other things, be “apt to teach,” and the church, since has the right to make that determination according to God’s

⁹ It seems that, in addition to the fact that apostles were eye-witnesses and sent immediately by Christ, the difference between an apostle and a pastor is that the former did not regularly preside over a congregation. Paul writes in Rom. 15:20: “Yea, so have I strived to preach the gospel, not where Christ was named, lest I should build upon another man’s foundation...”

¹⁰ Kolb-Wengert, 324-325.

¹¹ Kolb-Wengert, 43.

¹² Kolb-Wengert, 47.

Word.¹³ The Treatise on the Power and Primacy of the Pope is clear. Citing 1 Peter 2:9, “You are a . . . royal priesthood . . .,” it concludes that “these words apply to the true church, which, since it alone possesses the priesthood, certainly has the right of choosing and ordaining ministers.”¹⁴

The same God who instituted the ministry in AC V calls ministers to fill the ministry in AC XIV. When our resurrected Lord Jesus sent forth his apostles at the end of Gospels, he was instituting the ministry and calling his ministers at the same time. But today we must distinguish between the divine institution and the divine call.

1. God instituted the preaching office *in the past tense, outside of the church (that is, in his external Word)*, and *logically prior to the church*.
2. God calls qualified men to the preaching office *in the present tense, inside the church*, and *logically posterior to the church*.

Jesus called the apostles *immediately*, but today Christ calls his servants *mediately* using the church as his calling instrument. Why? Because everything the pastor is called to do in the church--preach, teach, and administer the sacraments, is a service to the church and secures its holy status before God. The ministry belongs to the church. It is her birthright through the washing of regeneration and renewal by the Holy Spirit (Titus 3:5). God does not give his church his grace and then deprive her of the means of his grace. It was in order that we may obtain that particular faith by which we are justified for Christ's sake and received into God's favor that God instituted the preaching office for his church. And the Holy Spirit brings this ministry home to his church, indeed to every single individual Christian, personally, when he creates and sustains faith in those who hear the gospel. That is the doctrine of church and ministry in the Lutheran confessions.

The Dogmatic Shift in the Synodical Conference

When the Evangelical Lutheran Synodical Conference of North America was formed in 1872, C. F. W. Walther of the Missouri Synod, Adolf Hoenecke of the Wisconsin Synod, and H. A. Preus of the Norwegian Synod (which later begat the ELS) were united by their unconditional subscription to the Lutheran confessions. And, despite their cultural

¹³ As Apology XIV testifies, the evangelical churches earnestly wished to retain the canonical ordination, *although it was established by human right*. See also Apology XIII, 11-12, where Melancthon concedes to calling ordination a sacrament if what is meant is the ministry of the Word *because* “the ministry of the Word has the command of God and has magnificent promises like Romans 1[:16]: the gospel ‘is the power of God for salvation to everyone who has faith’” (Kolb-Wengert, 220, my emphasis).

¹⁴ Four times between paragraphs 67 and 72 the Treatise repeats that wherever the church exists, there is the right to choose and ordain ministers. See Kolb-Wengert, 340 -341.

differences, they spoke the same confessional language with respect to church and ministry.¹⁵ But they came to it from different directions. Whereas the confessions treat the divine institution of the ministry first and the Holy Spirit's work of creating faith second, proceeding from the visible church (AC VII) to the invisible church (AC VIII); the Synodical Conference tended to move from church to ministry, from invisible to visible. But they arrived at the same doctrine.

This inverse approach--from church to ministry--reflects the order typically found in Lutheran dogmatics textbooks. But to Walther and his fellow Saxons, who would later form the Missouri Synod, this was more than a theoretical question concerning the arrangement of topics. It was an existential question: if Christians on the American frontier believe the gospel, and no duly ordained bishop is there to oversee it, are they still the church? In the wake of Martin Stephan's dismissal, the task fell to Missouri's chief theologian, C. F. W. Walther, to grapple with this difficult (and personal) question. In 1841, in what is known as the Altenburg Debate, he persuaded a certain F. A. Marbach, a lawyer, that even without the traditional church orders and Stephan's investiture, "the church is here," and "the Lord's Supper is here."¹⁶ Where there is faith, there is the right of preaching. How else should they obtain saving faith unless they had the gospel preached to them? Does God in heaven need to wait for the German ministerium to elect pastors before he may reckon his Son's righteousness to his saints in Perry County? If ever there was a time to assert the doctrine of the *invisible* church and the priesthood of believers it was now.

And that is precisely where Walther began to formulate what we now call the Missourian doctrine of church and ministry. Beginning with his book, *Church and Ministry*, Walther used the same line of argumentation in all of his publications dealing with the same question posed a decade earlier. His logic went something like this:

- (1) The church consists of being united to Jesus through faith, and since you cannot see this faith, the church is properly speaking *invisible* (2 Tim. 2:9).
- (2) The *invisible* church, by virtue of being the spiritual priesthood, has immediate possession of every spiritual power, which includes the power of preaching the gospel and administering the sacraments.

¹⁵ Rolf Preus writes in "The Old Ministry Debate in the Synods of the Synodical Conference and in the ELS Today" (Conference Paper, September 23, 2005) : "Herman Amberg Preus, who served as president of the Norwegian Synod during most of the time Walther was president of the Missouri Synod, repeatedly praised Walther's salutary influence on the Norwegian Synod precisely in the area of church and ministry" (<http://christforus.org/Papers/Content/OldMinistryDebate.html>). See also Rolf Preus, "The Legacy of Herman Amberg Preus," *Lutheran Synod Quarterly* 44, no. 1 (2004): 22.

¹⁶ Carl S. Meyer, ed., *Moving Frontiers: Readings in the History of the Lutheran Church—Missouri Synod*. Edited by Carl S. Meyer (St. Louis: Concordia Publishing House, 1964), 141.

- (3) Therefore, the right of transferring the office of the keys to qualified incumbents, that is, the right of calling pastors, belongs to the *invisible* church.

In the practical question of who has the right to call pastors, Walther begins with the *invisible* church because only believers possess the keys *immediately*. Unbelievers and hypocrites do not have the right to call no matter how often they attend church and partake of the means of grace. Only believers may call. The invisible church will always assert its right to have the gospel preached—just as surely as the dogs will always lap up the crumbs that fall from the Master’s table (Mark 7:28). Where there is faith, there the gospel *will* be preached because Christians *will* call pastors. And where you see the gospel and sacraments being administered, says Walther, “there, the invisible gates of the church are opened.”¹⁷

When we read Walther’s *Church and Ministry*, it is important not to confuse the *institution* of the office with the *call* into the office. Walther did not disagree with the Romanizing Lutherans, particularly, J. A. A. Grabau and Wilhelm Löhe,¹⁸ over the institution of the ministry, but over the church’s right to *confer* the ministry.¹⁹ To say that the priesthood of believers *confers* the ministry is not to say that priesthood *generates* the ministry as a certain Erlangen theologian, J. W. H. Höfling, maintained.²⁰ Walther and the Synodical Conference fathers were unanimous in their teaching that Jesus instituted the pastoral office

¹⁷ Walther, *Church and Ministry*, Thesis V, 68.

¹⁸ Wilhelm Löhe, *Aphorismen über die neutestamentlichen Ämter und ihr Verhältnis zur Gemeinde: zur Verfassungsfrage der Kirche* (Joh. Phil. Raw, 1849), 71, in C.F.W. Walther, “The Congregation’s Right to Choose its Pastor,” Translated by Fred Kramer, *Der Lutheraner*, 17, No. 3 (September 18, 1860), 19: “Everywhere in the New Testament we see that only the sacred office begets congregations, nowhere that the office is merely a transferring of congregational rights and plenary powers, that the congregation bestows the office. The office ‘stands in the midst of the congregation like a fruitful tree, which has its seed in itself; it replenishes itself.’” See also Löhe, *Kirche und Amt, Neue Aphorismen* (Erlangen: Verlag von Theodor Bläsing, 1851), in Löhe, *Gesammelte Werke*, (5/1), 547: “Gott gibt das Amt. Er macht nicht zuerst die Gemeinde als Trägerin und Inhaberin des Amtes, dass sie es weitergäbe und die eigentliche Amtsträger es alsdann von ihr und sekundär hätten.” According to Loehe, the *visible* church order (Kirchenordnung), which includes the rite of ordination, is an integral part of the *invisible* order of salvation (Heilsordnung).

¹⁹ Walther, “The Congregation’s Right to Choose its Pastor,” 18-19: “The reason that Loehe fights so decidedly against the right of the congregations to choose their pastors is his false doctrine of the ministry. He rejects the biblical doctrine of the Lutheran Church that Christ gave the office to his whole church, and that the pastors merely publicly administer this universal office as servants of the church. Rather, Loehe believes and teaches that pastors constitute a special, privileged class of people, a special estate in the church, a ‘sacred aristocracy’ a certain ecclesiastical class of nobles and priests.”

²⁰ This is the position of Höfling, “*Grundsätze evangelisch-lutherischer Kirchenverfassung*,” (Erlangen: Verlag von Theodor Bläsing, 1853). For Höfling, the invisible church comes first, and the ordered ministry of the Word is a necessary corollary of the invisible priesthood as it exercises its spiritual rights and abilities with the direction of the Holy Spirit. For a good comparison of Löhe’s “institution theory” and Höfling’s “transference theory,” see Friederike Nüssel, “Zum Verständnis des evangelischen Bischofsamtes in der Neuzeit,” in *Das kirchliche Amt in apostolischer Nachfolge, vol. II: Ursprünge und Wandlungen*, edited by Dorothea Sattler and Gunter Wenz (Frieberg im Breisgau: Verlag Herder (Vandenhoeck & Ruprecht), 2006:145-189.

when he sent his apostles into the world with his command to preach. Consider Walther's first two theses on the ministry:

Thesis I: "The holy ministry, or the pastoral office, is an office distinct from the priestly office, which belongs to all believers."²¹

Thesis II: "The ministry of the Word or the pastoral office is not a human institution but an office that God himself has established."²²

To prove the institution of the ministry from Scripture, Walther appeals to Mark. 16:15; John 20:21-23; and 21:15-17.²³ Prof. Hoenecke of the Wisconsin Synod is even more explicit than Walther. He writes in his *Evangelical Lutheran Dogmatics*: "The ordinary preaching office is the continuation of the extraordinary apostolic office, a continuation God himself wants. It is of divine institution in and with the apostolic office."²⁴ Hoenecke, too, cites the traditional institution texts, in particular, Matthew 28:18-20 and Mark 16:15, as biblical support.

I believe that the division we are experiencing today in the LCMS, WELS, and ELS on the question of church and ministry began when the second generation of Synodical Conference theologians abandoned their fathers' exegetical procedure of grounding the ministry in Jesus' words of institution.

We see this dogmatic shift already in Franz Pieper. While Pieper agrees with Walther that the pastoral office is the one and only divinely instituted office in the church, and therefore the highest office from which all other church offices flow, he departs from his teacher when he comes to the words of institution. He regards texts like Matthew 28:18-20 as referring to the ministry in the "wider sense," which is not distinct from the priesthood of believers.²⁵ To prove the divine institution of the *public* ministry, which he calls the ministry in the "narrower sense," and thus to arrive at the same dogmatic conclusion as Walther, Pieper appeals to passages like Matt. 18:17 and 1 Cor. 5:13 to show that God wants Christians to form local congregations. He then derives the divine institution of the pastoral office from the

²¹ Walther, *Church and Ministry*, 161.

²² Walther, *Church and Ministry*, 177.

²³ Walther, *Church and Ministry*, 177. Walther cites Matthew 10; 28:18-20; Luke 9:1-10; Mark 16:15; John 20:21-23; and 21:15-17.

²⁴ Adolf Hoenecke, *Evangelical Lutheran Dogmatics*, vol. IV, 192. See also page 187: Thesis I: "The teaching office, by which we here understand the estate (Stand) of the ministers of the word, the pastors, is a divine institution."

²⁵ Franz Pieper, *Christian Dogmatics, Vol. III*, Translated by Walter W. F. Albrecht (Concordia Publishing House, St. Louis: 1953), 439.

divine mandate to form local congregations.²⁶ According to Pieper, the priesthood of believers presupposes the public ministry, but this ministry does not materialize into one divinely fixed form except through the narrow precincts of the local congregation—and this in sharp distinction to “the representative church,” such as synods, which have no mandate. Only the local congregation and the local pastorate are established by divine right. It is precisely on this point, where Missouri’s brothers to the north cry foul.

The actual word used by the faculty of Wisconsin Lutheran Seminary in Wauwatosa was “legalism.” Towards the beginning of last century, J. P. Koehler, followed by his colleagues, August Pieper (Franz’s brother) and John Schaller, challenged the rigid dogmatic method not only of Franz Pieper, but of the entire Synodical Conference tradition, including their fathers, Walther and Hoenecke. The golden thread running through their argument was: “You can’t say what Scripture doesn’t say.” Driving the exegetical cause of this Wauwatosa triumvirate, however, was a mounting dogmatic *reaction* to Missouri’s doctrine of church and ministry. This reaction, which was compounded by practical questions over who has the power to excommunicate, the congregation or the synod, unleashed a series of “what-about” questions which paved the way for the new Wisconsin view adopted in 1969.²⁷

What about gatherings around the means of grace in addition to the local congregation? Is the synod church, or is it merely a human arrangement?²⁸ What about forms of the public ministry in addition to the local pastor? Is the parochial day school teacher in the office that God instituted, or is he merely in an office that the church instituted to assist the pastor, as Walther and Missouri teach? Since the WELS “Theses on the Church and Ministry” were forged largely in response to Missouri, the easiest way to grasp the WELS position is by what they hold to be “untenable.” Concerning the church the “Theses” declare:

We hold it to be untenable to say that the local congregation is specifically instituted by God in contrast to other groupings of believers in Jesus’ name; that the public ministry of the keys has been given exclusively to the local congregations.

Likewise, concerning the ministry the “Theses” state:

²⁶ Pieper, 421.

²⁷ See For an excellent review of the history and development of Wauwatosa Theology, see Peter M. Prange, “The Wauwatosa Gospel and the Synodical Conference: A Generation of Pelting Rain,” *Logia* 12, no. 2 (Eastertide 2003), 31-45.

²⁸ The definitive answer for the Wisconsin Synod was summarized by August Pieper in an article from 1912, “The Doctrine of the Church and Its Marks Applied to the Synod” *The Wauwatosa Theology*, Vol. III (Milwaukee: Northwestern Publishing House, 1997). Pieper asserts that the church is “*not the outward organization into an outward local congregation, but faith or being sanctified in Christ Jesus through faith.*” Then, asking whether the synod bears the infallible marks whereby this church may be recognized, he responds emphatically “Yes! For there the Word reigns *mightily*, with prayer and public preaching and essay and hymn and appointing preachers, with absolution and administering the Sacrament” (66-68).

We hold it to be untenable to say that the pastorate of the local congregation (Pfarramt) as a specific form of the public ministry is specifically instituted by the Lord in contrast to other forms of the public ministry.

Here is the hard and fast rule of the Wauwatosa gospel: *That* the gospel is being proclaimed is necessary; *how* the gospel is being proclaimed is incidental.²⁹ If you ask what Jesus instituted, you are asking what is *necessary* for us to obtain justifying faith.³⁰ That is the question at issue in AC V. It concerns what the scholastic theologians called “necessity of means.” The tacit syllogism of the Wisconsin Synod runs like this:

1. SINCE the public ministry of word and sacrament is necessary for faith,
2. AND faith is possible without pastors,
3. THEREFORE the public ministry cannot be limited to pastors.

Whatever particular form of proclamation you see going on—whether by the pastor in church on Sunday morning or by the Sunday School teacher downstairs between services or by the parochial day school teacher next door during the week or by the synodical president behind the podium at convention—*none* of these specific forms of proclamation are specifically instituted by God. None of these external visible forms are necessary. According to the WELS, everything that is done for the church’s spiritual benefit is formed from within the church. To impose a particular form of gospel proclamation on the church from without would be to ball-and-chain the universal church to particular historical circumstance. Any such foreign intrusion constitutes a ceremonial law which obstructs the free course of the gospel, stymies the church’s mission, and delays its ability to adapt to its environment. *The accidental forms of history cannot become proof for the necessary means of saving faith.*

To summarize the WELS position as positively as possible, we can say that Jesus instituted the ministry when he gave his church, both collectively and individually, the *task* of proclaiming the gospel in word and sacrament. The ministry is the church *in action*.³¹ The

²⁹ See John Schaller, “The Origin and Development of the New Testament Ministry” *The Wauwatosa Theology*, Vol. III, 93-94: “That [the preaching of the gospel] takes place is essential; how it takes place is incidental and depends on the circumstances of the congregation and on the opportunity.”

³⁰ The confessions do indeed use the phrase, “ministry of the Word” to refer to the *power* of the Word in AC XXVIII, 8-9: “This power is exercised only by teaching or preaching the Gospel and administering the Sacraments, according to their calling either to many or to individuals. For thereby are granted, not bodily, but eternal things, as eternal righteousness, the Holy Ghost, eternal life. These things cannot come but by the ministry of the Word and the Sacraments, as Paul says, Rom. 1:16: The Gospel is the power of God unto salvation to everyone who believes.”

³¹ See Schaller, 81: “Our studies, which have adhered strictly to what is set forth in the Holy Scriptures, incontrovertibly show that the ministry, that is, the commission to preach the gospel, is given to every Christian; that at conversion not only the ability but also the impetus for this preaching is implanted in him; and that the gospel by its very nature as a *message* presupposes this preaching activity and at the same time by the effect it has guarantees it will occur.”

church subsists through its own use of the means of grace for its own edification and also for winning others to Jesus. The *public* ministry, or the ministry as it is carried out on behalf of the church, is generically the same as the *divinely instituted* ministry of all believers. What this means is that it remains formless until the Holy Spirit guides believers to *call* qualified servants as their representatives.³² In the WELS the *call* is where you must begin in order to get a concrete and visible form of public ministry out of the formless and invisible conglomeration of tasks God has given to his church in general. Rather than looking to Jesus' words of institution *outside of the church*, you must look to the call *inside* the church in order to form the office *for* the church.

This brings us at last to the ELS. If the Wisconsin Synod's dogmatic system grew out of an exegetical deconstruction of the Missouri Synod's system, then the Evangelical Lutheran Synod joins the fray with its own unique question: which dogmatic system should we borrow: Missouri's or Wisconsin's? In 1955, when the ELS suspended fellowship with Missouri for its unionistic overtures to the American Lutheran Church, this little Norwegian synod was squarely in line with Missouri on the doctrine of church and ministry. But by 2005, the ELS had officially adopted the formless doctrine of the ministry held by WELS. What happened in the course of those fifty years? There is no question that being in fellowship solely with the WELS played a huge role. This factor was enhanced by a need for the ELS to explain its practice of extending divine calls to parochial day school teachers. Since the Missouri paradigm has no satisfactory way of proving anybody's divine call but the local pastor's,³³ it was only natural that the ELS should adopt a paradigm that did not limit the ministry to that one particular form.

Although the ELS opted for the WELS view, it does not translate very smoothly into its official document, "The Public Ministry of the Word." This is due mostly to the smörgasbord style in which the document was composed. It uses the scholastic language you find in Franz Pieper's *Dogmatics*, but without Pieper's meaning. For instance, what Pieper terms the "ministry in a wider sense" to refer to any form of preaching on the part of Christians,³⁴ the PMW calls a "private use of the keys." The PMW describes Pieper's narrower sense of the ministry in terms of a "public use of the keys" and then divides this public ministry into its own version of "wider and narrower sense." In its wider sense, the public ministry includes offices such as parochial day school teacher, which has a "limited use of the keys." In its narrower sense, by which the PMW has in mind "a presiding office," the public ministry encompasses such incumbents as are qualified for "a full use of the keys." But this narrower sense then begs a further distinction between a "more restrictive" and a "less restrictive"

³² See Schaller, 94: "For whatever the Christian congregation decides upon to further the preaching of the gospel it does at the instigation and under the guidance of the Spirit of Jesus Christ."

³³ See Walther, *Church and Ministry*, 289: "Walther explains that "...the offices of Christian day school teachers, almoners, sextons, precentors at public worship, and others are all to be regarded as ecclesiastical and sacred, for they take over a part of the one ministry of the Word and support the pastoral office."

³⁴ See footnote 23.

meaning. More restrictive refers to the pastoral office. Less restrictive, which is the sense of “presiding office” intended by the PMW, refers to offices of which the incumbents are qualified for a full use of the keys but do not necessarily exercise all of these duties. Thus, in this “less restrictive” sense the parish pastor and the synodical president, for instance, are in the same category of “presiding office,” and this “by divine right.”

What makes the language of the PMW so complicated and difficult to read and understand is an underlying confusion between what Jesus instituted in the Bible and what God does in the church through his divine call. According to the ELS, Jesus instituted the public ministry, but the PMW qualifies this assertion in clear and simple WELS language: “We reject the teaching that the Public Ministry is limited to any one divinely fixed form, that is, limited to the pastoral office to the exclusion of other teachers of the Word.” The reason you may know that this or that form of the ministry is authorized by God, whether you are referring to what the PMW calls “the presiding office” or “offices with a limited use,” is because the incumbent of that office is exercising his or her work “on behalf of Christians through whom the call has come.” This is critical. The public ministry of the Word is a representative ministry of the Word; it is entirely contingent upon the call of the church. Here is the formula: “The extent to which one is authorized by the *call* of the church to exercise the keys publicly is the extent to which one is in the Public Ministry of the Word.” With these words, the ELS has clearly opted for the WELS doctrine of the ministry.

To summarize, since Jesus does not form the public ministry in his Word, as the Lutheran confessions and Walther teach, it is up to the church to form the office today by means of calling qualified people to carry out the formless ministry on its behalf. And so, I believe, the tail wags the dog.

Returning to the Tradition of the Bible (and Recovering our Unity)

Where do we go from here? As long as we are debating about how the church forms the ministry in the present tense rather than how Jesus himself formed the ministry by his own instituting command and promise in the Bible we will come to no agreement on this question. The second-generation Missourians did us no favors by abandoning the institution texts and then grounding the New Testament ministry in words that prove, tangentially at best, a divine mandate for the local congregation. Rather than locating their divinely fixed form of the public ministry by means of *limiting* the church to some external form, they should have simply *pointed* to the passages where Christ clearly establishes the full scope of the ministry and locates it *with his church* according to his promise. By limiting rather than by pointing, the Missourians have always been at a serious disadvantage when it comes to refuting the formless doctrine of the W/ELS.

I cannot change what theologians a century ago thought about this church divisive issue. But if I could suggest a better way to establish the institution of the ministry, the way Walther and the Lutheran confessions have indicated, I would direct your attention to what I

believe is the clearest passage in all of Scripture that shows the institution of the ministry and its divinely ordered relationship to the church. These are the final words our risen Lord Jesus spoke to his apostles in Matthew 28:18-20. Once we have located the ministry there and then—in that place of Scripture—we may be certain that we have also located the same ministry, together with its church, here and now.³⁵ My translation of the passage reads:

All authority in heaven and on earth has been given to me. Therefore as you go, make disciples of all nations by baptizing them in the name of the Father and of the Son and of the Holy Spirit and by teaching them to hold on to every single thing I have commanded you. And, certainly, I am with you always even until the end of the age.

I will make two observations here. First, Jesus' command indicates a distinction between the ministry and the church by including two parties: those who are commanded to make disciples and those who are to be made into disciples; those who are commanded *to* baptize and those who are commanded *to be* baptized; those who are commanded to teach and those who are taught to observe.

Whenever the Word of God is preached and heard, it is going out to the nations. Every time and everywhere this apostolic Word is being preached and heard, God is making righteous people out of unrighteous people. He is always justifying the ungodly. He is always calling sinners out of darkness into his marvelous light (1 Peter 2:9). And where God's Word is *not* being preached, there you may find a Syro-phoenician woman holding on to a preacher, even pulling him out of obscurity if she has to, and establishing it herself. There must be a distinction between preachers and hearers because the activities included in God's command and sealed by Christ's promise entail both. Preachers preach, and the church hears—by definition. The office Jesus instituted in and with his apostolate in Matthew 28, is the office of parish pastor today. In 1 Cor. 3:9, St. Paul, the apostle, says that he and Apollos, the pastor, are in the same office: "We are coworkers in God's service..." and distinguishes this office from the church, which he calls "God's field, God's building." Likewise, in 2 Cor. 5, Paul says concerning himself and Pastor Timothy, "God...has given to *us* the ministry of reconciliation" (verse 18) and then beseeches the church in Christ's stead, "be reconciled to God" (verse 20).

³⁵ Goerge Stoeckhardt, "On Quasimodogeniti Sunday," in *Unending Grace: Gospel Sermons for the Church Year (Transposed from Gnade um Gnade)*, translated by Erwin W. Koehlinger (Fort Wayne: Concordia Theological Seminary Print Shop), 183: "In those days between resurrection and ascension he established the office of the ministry. He said to his disciples: Go ye and teach all nations, baptizing them in the name of the Father and of the Son and of the Holy Ghost. And teach them to observe all things whatsoever I have commanded you. That you hear preaching Sunday after Sunday, that this Gospel resounds everywhere on earth and at all times, that poor, simple souls venture forth and proclaim to the world a teaching that mankind does not like to hear, at which many, the majority, are annoyed, occurs by virtue of the Resurrected *command*. What he, the Lord, has established and ordered must be fulfilled precisely."

The Lutheran confessions also distinguish between the action of the ministry and the action of the church. In AC VIII, we read that “...a person may use the sacraments even when they are administered by evil people.”³⁶ The minister administers the means of grace; the church “uses” the means of grace. As far as I can tell, whenever we encounter the word, “use,” in the Augsburg Confession and its Apology predicates this word, “use” (*utor*), of saints, he is using the word in the sense of, “to benefit from,” and thus, as a synonym for believing.³⁷ The church does not administer properly speaking; it uses, or benefits from, the gospel administered to it. Concerning the teaching and the hearing mentioned in AC V, Norman Nagel says, “*But the mouth and the ears are not in the same head.*”³⁸

In addition to verbs, the Treatise on the Power and Primacy of the Pope makes a further distinction. Whenever the activity of “administering the gospel” is associated with the ministry, Melancthon chooses the word **power** (*potestas*) or **command** (*mandatum*) to administer and then points to one of the sending texts for support.³⁹ On the other hand, whenever this activity is associated with the church, it is called a **right** (*ius*),⁴⁰ and this is always a reference to the church’s right to *call pastors*.⁴¹ The church’s right, therefore, consists not in administering (active voice), but in being administered to (passive voice). Hence, according to the Lutheran confessions, the union of church and ministry consists in this: that the church uses by right what the ministers administer by command. To be a minister is not necessarily to be a priest, or vice versa. You are a minister not if God has consecrated you with his blood but if he has commanded you to teach and administer the sacraments. Luther writes in his tract, *Concerning the Ministry*: “A Priest is not identical with Presbyter or Minister--for one is born to be a priest, one becomes a minister.”⁴² Pastors are under strict orders to preach, and that is what makes them pastors!

³⁶ Kolb-Wengert, 43.

³⁷ In Ap IV 18, Melancthon equates the phrases, “use [Christ] as mediator” and “believe that for his sake they freely receive the forgiveness of sins and reconciliation.” Likewise, in Ap IV 81, believing in Christ and benefiting from Christ’s office are to “make use of him as our mediator.”

³⁸ See Norman Nagel, “*Externum Verbum: Testing Augustana V on the Doctrine of the Holy Ministry,*” *Logia* (1997), 27-32: 28.

³⁹ See Tr 31: “*Christus dedit apostolis tantum potestatem spiritualem, hoc est, mandatum docendi evangelii, annuntiandi remissionem peccatorum, administrandi sacramenta, excommunicandi impios sine vi corporali...*” See also Tr 60: “*Evangelium tribuit his, qui praesunt ecclesiae, mandatum docendi evangelii, remittendi peccata, administrandi sacramenta,*” etc.

⁴⁰ Tr. 67: *ius administrandi evangelii*

⁴¹ Kolb-Wengert, 340-341. That the church retains this right to call is repeated four times between paragraph 67 and 72.

⁴² Martin Luther, “Concerning the Ministry,” Translated by Conrad Bergendoff, in *Luther’s Works*, Vol. 40, Edited by Conrad Bergendoff and Helmut T. Lehmann (St. Louis: Concordia Publishing House, 1958), 18.

There is no categorical imperative resting on the priesthood as a general rule of conscience, such that the activities Jesus commanded his apostles to carry out should be equated with the sacrificial functions of the priesthood. The command to administer the gospel is a specific command to specific individuals to do specific things in specific places. The priestly sacrifices of the church are born of the reality that God has elected these Christians, grafted them into his Son through faith in his blood, and called them to be his own beneficiaries of his grace. No greater dignity could possibly be bestowed on a single individual—not on a pastor, not on an apostle, not on a prophet, not even on an angel. Only a priest after the order of Jesus, whose sacrifices are holy and acceptable to God, has such supreme status that he may hear the preaching of the gospel and partake of the sacraments at his perfect leisure. St. Paul says: “All things are yours” (1 Cor. 3:22). Christians should enjoy these things.

Second, Jesus’ words of institution join the church and the ministry together in an evangelical union by means of the fullness of his command. His mandate comprehends everything that Jesus by his divine authority has instituted for the church’s salvation and edification. “Everything” commanded by Jesus in Matthew 28:20 is included in the ministerial activities of AC V, namely, “teaching the gospel and administering the sacraments.” If you are an incumbent of the office Jesus instituted in the Bible, your job is to teach “everything whatsoever” he commanded you (Matthew 28:20). The pastor’s job is not stipulated to him contractually, as it were, by the “call documents” he receives from his congregation. God has specified his job description in the Bible. The command, full and complete, with which Jesus sent his apostles then and still sends pastors today is not to facilitate the religion of royal priests, but to dignify them with a gracious Word that comes to them *from outside of them*.

Jesus formed the office fully and permanently for his church and promised to be with his believers in every nation accordingly. Nowhere in the Bible do you find Christ commanding one person to preach, another to baptize, another to loose and bind, and another to administer the Lord’s Supper. Those teaching in this or that place are commanded to teach “all things,” and those observing are being taught to observe “all things.” The only office in which teachers teach “all things” by virtue of their office—by preaching the whole Word, rightly dividing law and gospel, and administering the sacraments in accordance with Christ’s institution—is that of pastor of a local congregation; and the only place where people gather for the distinct purpose of observing all things Christ has commanded the apostles is where we find a local congregation. In both cases, the commission of Matthew 28 is carried out by both pastor and people as a matter of course—not merely as an incidental individual or group exercise, but according to Christ’s command and promise.

Let us consider an example comparing (A) Trinity Lutheran Church to (B) Trinity Lutheran School in terms of the *fullness* of the mandates given them:

A. Pastor: “Teach all things.” Congregation: “Observe all things.”

B. Teacher: “Teach the gospel, *but do not administer the sacraments, and teach math and geography too.*” Class: “Observe the gospel, *but do not observe the Lord’s Supper, and learn how to subtract and divide too.*”

I have not hereby *limited* the office of the ministry, but identified it according to God’s Word. The difference between pastor and teacher, church and school, is not one of holiness, but of divine origin and purpose. Jesus sent his apostles with only spiritual power for the benefit of only spiritual people. As a spiritual people, visible only to the Holy Spirit, the church requires nothing for its spiritual life, but the spiritual activities of preaching the gospel and administering the sacraments. And Jesus has given his pastors nothing but all of these spiritual duties to administer for the salvation and edification of his church. When Paul says: “All things are yours!” (1 Cor. 3), he is saying that all ministers are equal *by virtue of the fullness of their spiritual office*, and he is saying that these ministers are in the church, under the church, and in the church’s service *by virtue of the fullness of their spiritual office*.

When you have found these marks, fully and completely, you have also located the church and the divinely instituted preaching office—*together*. Just as I know and do not doubt that a group of people is a church because of its marks, I know and do not doubt that a man is in the preaching office because of the fullness of the activities he carries out in the stead and by the command of my Lord Jesus Christ. That is why I identify—I point—but feel no need to limit physically, the preaching office with the pastoral office. The physical place, setting, or instance is incidental to the office itself. The command and promise are essential.

Conclusion: What I MUST Know.

In a Sermon on John 1 preached on August 11, 1537, Martin Luther says:

Therefore if I say that all citizens and pupils hear the pastor and the teacher, I wish to intimate that the city has no other pastor than Pastor John [Bugenhagen], or no other teacher than Teacher Peter. Consequently, if anyone in that town wants to hear, learn, and accept God’s Word, he must listen to John. And if a pupil wants to learn and be instructed, he must listen to Teacher Peter. The pastor remains the teacher of them all.⁴³

Luther has not hereby limited salvation to Pastor Bugenhagen any more than Christ limits his presence to Galilee through his Easter tidings to the women at the grave (Matthew 28:7, 10). Rather, he is divinely certain to *locate* the world’s salvation in a particular place, where

⁴³ Martin Luther, “Sermons on the Gospel of St. John, Chapters 1-4,” Translated by Martin H. Bertram, in LW 22, Edited by Jaroslav Pelikan (St. Louis: Concordia Publishing House, 1957), 68-69.

Christ may be found according to his promise to be with his church until the end of the age. If I were to ask, “Where can I find the forgiveness of sins,” and you responded, “Well, nowhere in particular,” I would be up against the monster of uncertainty. When the sinner asks, “Where can I find the forgiveness of sins?” our answer must be loud and clear, and we must *know* what we are talking about: “It is right there in church, where Jesus’ Word and sacraments are administered according to his command and promise.”

Where is Jesus? Where has he promised to be? I am not looking for particular pastors. I am not looking for particular people. I am looking for a particular God and a particular place where he has promised to be. I am looking for the fullness of God’s command—where he has commanded us to teach and observe everything he graciously bestows through Word and sacrament. Where is Jesus? This question goes to the heart of the Gospel of Christ; for where Christ is present with his gifts, there faith takes hold of his promises. The church and the ministry are *there*, joined together in that particular place where the Holy Spirit has called me by the gospel out of darkness into the marvelous light of his grace (1 Peter 2:9). And there is where you and I should be joined together as well. If it is sufficient for our unity that we agree on the preaching of the gospel and the administration of the sacraments (AC VII), then it is essential that we agree on the doctrine of church and ministry today. If a seven-year-old child can point to a particular pastor preaching to particular people in a particular place, and he is not scandalized to say, “*There* is my church and ministry,” then I pray that you and I and the whole world will be able to do the same.