

**Response to Two Questions:
Is the Gospel Effective when Spoken by a Lay Person?
and
Is Pastoral Oversight the Sole Criterion for Laymen Carrying out Pastoral Functions?**

On February 25, 2016, President Matthew C. Harrison wrote to Dr. Lawrence Rast, Jr., the chairman of the Commission on Theology and Church Relations (CTCR), and Dr. Joel D. Lehenbauer, the CTCR's executive director (see Appendix A). The letter made a formal request for a study, stating:

I am requesting a brief and pointed study by the CTCR addressing these two vital topics.
1. Are the Word of God and the saving Gospel effective only when spoken by a pastor?
2. Do the Scriptures, Lutheran Confessions and the public doctrine of the LCMS (particularly Walther's "Church and Office") allow laymen to carry out the specific functions of the pastoral office (public absolution, public preaching and administration of the sacraments in the divine service) under the sole proviso that this is done "under the oversight of a pastor"?

The **first question** is: "Are the Word of God and the saving Gospel effective only when spoken by a pastor?"

Our answer is No. The Scriptures are replete with examples of Christian men and women—lay people—who share the saving truths of God's Word with others. The Old Testament tells of "ordinary" men and women (other than those in offices of public ministry¹) who shared the good news of the LORD's mighty acts—proclaiming the saving truth of the mighty deeds that culminated in the life, death, and resurrection of our Lord Jesus Christ. Consider that every household of Israel kept the Passover *in their homes*, hearing the story of that great saving deed from parents and heads of households (Ex. 12:21-28).² Further evidence of the vital work of proclaiming and nurturing faith is evident in faithful parents like Hannah and Elkanah (1 Sam. 1). Moreover, effective use of the Gospel beyond the bounds of Israel is illustrated by Naomi who was the Spirit's instrument in nurturing the faith of Ruth (Ruth 1:16-18).³

The efficacy of the Word of God, regardless of the speaker, is just as apparent in the New Testament. The President's request refers to the Samaritan woman in John 4 who shared the new-found Messiah with the people of her village with this result: "Many Samaritans from that town believed in him because of the woman's testimony" (John 4:39). This incident clearly

¹ We use the titles office of the public ministry, office of the ministry, and preaching office synonymously herein. In our present day, the office includes pastors as well as ordained servants of the Word who serve in positions such as district president, professor, teacher of theology, missionary, and so forth.

² This yearly observance, so central to the entire Old Testament revelation, proclaimed a saving act that was the precursor and type of the sacrifice of Christ our Passover (1 Cor. 5:7). It depended entirely on the proclamation of the laity of Israel.

³ Other examples include Deborah, Esther, Mordecai, Shadrach, Meshach, Abednego, and Daniel. Some might suggest that they be considered prophets in some general sense, but there is no evidence that any of these individuals were called to such an office *per se*. Yet, each is instrumental as a witness to the one true God and His saving grace and power.

indicates the effectiveness of a lay woman's proclamation. Further examples are again replete. Acts 8 tells of *all* the Jerusalem church, with the exception of the apostles, being scattered by a persecution (8:1-3). It adds that "those who were scattered went about preaching [εὐαγγελιζόμενοι] the word" in Samaria (8:4). Samaritan conversions were confirmed by the apostles (8:14-17). Acts 11 returns to the dispersion again, telling of scattered believers "speaking [λαλοῦντες] the word" and "preaching [εὐαγγελιζόμενοι] the Lord Jesus" both to Jews and then to Gentiles in Antioch. The Word was efficacious, for "a great number who believed turned to the Lord" (11:19-21).⁴

These New Testament descriptions offer unambiguous examples of efficacious proclamation by baptized men and women who are not in the office of public ministry. They illustrate the "royal priesthood" in action. All of God's redeemed people—that is, the church in its entirety—are called to be "a chosen race, a royal priesthood, a holy nation, a people for his own possession, *that you may proclaim [ἐξαγγείλητε] the excellencies of him who called you out of darkness into his marvelous light*" (1 Pet 2:9; see also Rev. 1:6; 5:10 emphasis added). To the entire church—to all who believe that Jesus is the Christ, the Son of the Living God—Christ gives the keys that lock and unlock the gates of heaven (see Matt. 16:15-19 and 18:15-20). Therefore, the whole church has a responsibility to speak the Word (Col. 3:16). Every "new creation" (a believer reconciled to God through Christ) is entrusted with the message of reconciliation as an ambassador of the message, and the very righteousness of God (2 Cor. 5:17-21). So fathers bring up their children in the Word of God (Eph. 6:4); wives and husbands seek to save their spouses by the Word (1 Cor. 7:16); and all Christians are urged to "speak the truth" with neighbors and friends alike (Eph. 6:25) including the Gospel, the highest truth.

The Confessions are consistent with this. Citing 1 Peter 2:5, the Apology says that the "spiritual sacrifices" of the holy priesthood are "*the preaching of the gospel*, faith, prayer, thanksgiving, confession, the afflictions of the saints, and indeed all the good works of the saints."⁵ The *Smalcald Articles* remind us that the church is "holy believers and 'the little sheep who hear the voice of their shepherd'" (SA III:12, 3) and affirm that "The keys are an office and authority given to the church" (SA III:7, 1).⁶ The Treatise then states that "all ministers [are to be seen] as equals and teaches *that the church is superior to its ministers*" (Tr 11).⁷ It adds that "the keys do not belong to one particular person but to the church" (Tr 24) and reminds readers that the efficacy of lay absolution "in an emergency" is based on Christ's words "that the keys were given to the church, not just to particular persons: 'For where two or three are gathered in my name . . .' [Matt. 18:20]" (Tr 67). Even more significant is the heading repeated throughout the various sections of the Small Catechism: "As the Head of the Family Should Teach It in a

⁴ The Jerusalem church then sent Barnabas to exhort the new believers and further the work of proclamation (11:22-26). The work of the scattered believers and the further work of Barnabas, whose appointment by the apostles indicates that he is in the preaching office, exemplifies the complementarity of the royal priesthood and the office.

⁵ Ap XXIV, 25, emphasis added.

⁶ Quotations from the Lutheran Confessions are from Robert Kolb and Timothy J. Wengert, *The Book of Concord: The Confessions of the Evangelical Lutheran Church*. Minneapolis: Fortress Press, 2000.

⁷ Emphasis added.

Simple Way to His Household.”⁸ The household in question is, of course, the family, but servants as well.⁹

This same understanding is emphatically underscored in Walther’s *Kirche und Amt*, which articulates the LCMS position on church and ministry.¹⁰ Walther asserts “that God has mandated that the whole, true, holy, Christian Church preach His precious Gospel and make it known.”¹¹ He quotes Luther’s *Concerning the Ministry*, to the same effect: “The Keys belong to the whole communion of Christians and to everyone who is a member of this same communion, and this pertains not only to their possession but also to their use and whatever else there may be.”¹² In addition to the citation of *Concerning the Ministry* provided in Walther, we add what Luther says after he anchors the office of the keys in the priesthood of believers: “all Christians are priests in equal degree”; all priestly work (teaching, preaching, baptizing, administering the Supper, binding and loosing sin, prayer, sacrifice, judging doctrine) depends first and foremost on “the teaching of the Word of God”; and this “first office,” “the ministry of the Word, therefore, is common to all Christians.”¹³

In comments on Thesis VII on the office, Walther says:

According to Holy Scripture, every true Christian is a spiritual priest and therefore is entitled and called not only to use the means of grace for himself *but also to impart them to those who as yet do not have them and therefore also do not yet possess with him the rights of the priesthood*. However, in the place where all possess these rights, no one may exalt himself over the others or exercise them over against the others. But in all places where Christians live together, the rights of the priesthood are to be administered publicly on behalf of the fellowship only by those who have been called by the fellowship in the manner prescribed by God.¹⁴

These references from Scripture, the Confessions, Walther, and Luther suffice to corroborate our opinion that the Word of God and the saving Gospel are effective when spoken by any member of the royal priesthood—man, woman, or child. The Word is never without effect (Is. 55:11)!

The second question is this: “Do the Scriptures, Lutheran Confessions and the public doctrine of the LCMS (particularly Walther’s ‘Church and Office’) allow laymen to carry out the specific functions of the pastoral office (public absolution, public preaching and administration of the

⁸ This is the wording of the translation used in *Luther’s Small Catechism with Explanation* (St. Louis: Concordia Publishing House, 1986).

⁹ LC Preface 4.

¹⁰ The Missouri Synod unanimously adopted Walther’s theses as its position on church and ministry in 1851 and again reaffirmed them together with Walther’s entire volume in 2001 (Res. 7-17A). References herein are abbreviated as *Church and Office* and quotations and page references are from the 2012 edition: *The Church and The Office of The Ministry: Kirche und Amt: The Voice of Our Church on the Question of Church and Office*, J. T. Mueller, trans., Matthew C. Harrison revision (St. Louis: Concordia Publishing House, 2012).

¹¹ *Church and Office*, Treatise IV on the Church, 40.

¹² Ibid., 45. The Luther reference is to *Concerning the Ministry*, available in English translation in AE 40. AE 40’s translation of this sentence is as follows: “The keys belong to the whole church and to each of its members, both as regards their authority and their various uses” (AE 40:27).

¹³ AE 40:21.

¹⁴ *Church and Office*, 264, emphasis added.

sacraments in the divine service) under the sole proviso that this is done ‘under the oversight of a pastor’?”

Again, our answer is No. We must speak somewhat more cautiously, so that we do not appear to contradict our answer to the first question. The quote from Walther on Thesis VII on the preceding page provides a helpful balance. It affirms that every Christian—every priest—is “entitled and called” to share the Word of God with others. Walther goes on to say, however, that “where Christians live together” the Gospel is preached and sacraments are administered “only” by one called to that office.

Teachings about the efficacy of the Word and the royal priesthood have led some Christians to misunderstand the need for or to denigrate the office of the public ministry. However, Scripture’s teaching about the power and efficacy of the Word—no matter the speaker—is not set in opposition to the office of the ministry. The priestly work of the people of God and the special calling to the preaching office are complementary, existing side-by-side in Scripture. Thus our Lord calls not only the crowds to be His disciples, but He also authorizes certain men to preach the Kingdom on His behalf (Luke 9:1-6; 10:1-12). Even as our Lord gives the keys to the whole church (Matt. 18), so also He gives them to a particular apostle, Peter (Matt. 16:19), and to the group of apostles as well (John 20:23). Though all believers have in common the right and responsibility to share the Gospel in daily life, in the church as it gathers not all are apostles, or prophets, or teachers—or for that matter, pastors, professors of theology, or missionaries (1 Cor. 12:29). Only some are sent to preach for the church (Rom. 10:15), only some should be teachers in the church (James 3:1), and only certain men with specific qualifications (most especially teaching ability) should have the office of “bishop” or “elder” (the office we typically designate with the title of pastor—1 Tim. 3:2-3; 2 Tim. 2:1-2; 2:24-26; Titus 1:7-9).

This office (the office of public ministry, the preaching office, the pastoral office) is not mere convenience for the church. It is not optional, or a choice for a church to accept or reject based on human wisdom or whimsy. It is commanded in Scripture—that is, the office is God’s institution, not man’s. “I will give you shepherds [pastors]” (Jer. 3:15). Even as He did immediately (that is, directly) in His earthly ministry, our Lord also today designates and appoints men to “Feed my sheep” and to be His servants, calling them through His church.¹⁵

The Lutheran churches confess: “To obtain such [justifying] faith God instituted the office of preaching, giving the gospel and the sacraments” (AC V German) or “the ministry of teaching the gospel and administering the sacraments” (AC V Latin). The office is not viewed as having effected a qualitative change in the individual who holds it as Rome maintains, but is defined by actions, or functions: preaching, teaching, giving, administering. This fits the biblical language of the office, which also does not emphasize status or personal authority, but action (see the preceding paragraph). Such action, however, is not carried out by any and every individual, but by those men who have been appointed by the church in an ordered and public manner: “Concerning church government it is taught that no one should publicly teach, preach, or

¹⁵ See John 21:15-17 and Matt. 28:19-20 where the preaching office of the apostles continues “to the end of the age” as well as 1 Cor. 4:1 where Paul speaks of himself, Peter and Apollos as servants and stewards of Christ and His mysteries; see also Acts 14:23; 2 Tim. 2:2; Titus 1:5; see also 1 Tim 1:3-7.

administer the sacraments without a proper [public] call” (AC XIV German).¹⁶ The Confessions are consistent in assuming this office/work. While the confessors faced the refusal of Roman bishops to ordain men to the preaching office, their response was not to dispense with this office (or ordination), but to insist that because their churches required the office, they would confirm (appoint, ordain, choose—such verbs are used interchangeably) men without awaiting approval from Rome (Ap XIV, SA III:10; Tr 66-67, 72). We also note that Luther’s Table of Duties in the Small Catechism (1540 edition) includes a section titled “What Christians ought to do for their teachers and pastors” which assumes not only the office (*Seelsorger*) but also the kind of respect and provision that the office holder is to receive.

Moreover, the actions of the office always assume work that is done *in the regular life of the church*—in its worship especially. In a mission setting—where there is no church—every believer may be the Spirit’s instrument in the work of gathering a church. But, as a church is gathered—when there is ordered assembly marked by the preaching of the Gospel and the administration of the sacraments for those gathered (AC VII, VIII)—the gathered church is rightly served by a man who is appointed to be its shepherd. The office of the public ministry is therefore inextricably linked to the church and its gathered life.

This is the understanding of *Church and Office*. Walther’s theses on the ministry are clear in their teaching, developing an understanding of the preaching office that maintains its necessity while preventing clerical arrogance. God established the office, basing it not on the merits of the office-holder, but on the power of the Word. He confers it by the church’s call. Because of its divine institution, the preaching office is the highest churchly office.

Thesis VII on the office is noteworthy given the question we are addressing. It reads:

The holy preaching office is the authority, conferred by God through the congregation as the possessor of the priesthood and of all churchly authority, to exercise the rights of the spiritual priesthood *in public office* on behalf of the congregation. (Emphasis added.)

Walther keeps priesthood and public ministry together, unlike some Lutherans of his day and ours, and many other Christians. The authority of the office is exercised “on behalf of the congregation” which is “the possessor of the priesthood and of all churchly authority.”

Walther relies heavily on Luther, who fiercely defends the rights of the royal priesthood and, from that, draws forth not what some might expect—that no office is needed or that it is purely optional—but the conclusion that “you must have a ministry.”¹⁷ Luther affirms that all believers have “the functions of a priest” by the fact that they are priests of the Great High Priest. Indeed,

¹⁶ The translation of AC XIV’s Latin text reads: “Concerning church order they teach that no one should teach publicly in the church or administer the sacraments unless properly called.” The adverb publicly and the adjective public here indicate more than something done openly, for example, in a church service open to the public, but includes the sense of what is done *on behalf of* the church. As the CTCR said in 1981: “The Power or Office of the Keys, given by Christ to the church, is exercised publicly on behalf of the church by the called ministers” (see *The Ministry: Offices, Procedures and Nomenclature*, pages 8-9 in print edition, page 4 in electronic edition at www.lcms.org/ctcr).

¹⁷ *Concerning the Ministry*, AE 40:9.

“The first office, that of the ministry of the Word, therefore, is common to all Christians.”¹⁸ This is no invitation to chaos since no one can “*arrogate to himself alone what belongs to all.*”¹⁹

A critical component of the second question is its reference to pastoral functions enacted “in the divine service” (that is, to *public ministry*). Since the “office of public ministry” is defined by the acts of preaching, teaching, sacramental administration, and so forth in both *public services* and in every other aspect of the pastor’s spiritual care *on behalf of the church* (see footnote 16 above), the foregoing scriptural and confessional material together with Walther’s masterful synthesis leads toward our answer to the president’s question. The ministry of the Word is given to all Christians and each will exercise it in some fashion or another, according to his or her vocation or daily responsibilities and opportunities. But in the public services of the church it is explicitly the case that preaching, teaching, and sacramental administration are the vocation of the pastor, not the entire congregation or its individual members. When one *who has not been called to the preaching office* preaches on behalf of the church in the congregation’s services, he arrogates to himself the office that belongs to all.

One element of the question remains unanswered, namely, the propriety of a lay preacher for public worship under the “sole proviso” of the pastor’s permission and supervision. The question mentions no exceptional or emergency circumstance—for example, when the pastor cannot lead public worship on a given Sunday and he asks a layman to deliver a sermon the pastor has written or approves a sermon written by the layman.²⁰ As Luther said, “Emergency knows no law.”²¹ The CTCR has recognized the same truth while upholding the necessity of 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).”²²

It is therefore important to note that the president’s request assumes neither emergency nor exceptional circumstances. Rather, he refers to a view that seems to see the royal priesthood and office of the ministry in more of a competitive than complementary relationship.

This view, so far as I have heard it, maintains that any layperson may carry out any of the functions or tasks of the office of the ministry in any setting (including public settings) PROVIDED that person is under the oversight or supervision of a pastor.

Thus we have had and continue to have circumstances where a pastor is present in the chancel while a layperson is consecrating the elements or preaching. This includes not only instances in which the pastor is a visitor or serving in a vacancy capacity, but also

¹⁸ AE 40:21.

¹⁹ AE 40:34, emphasis added.

²⁰ It is always necessary to remember that there are circumstances in which “specific functions of the pastoral office” will necessarily be undertaken by laymen. Thus, in an emergency anyone may baptize and there have been many circumstances (e.g., persecution, church planting, evangelizing or witnessing) when a lay person is called on to proclaim the Word, doing so as a faithful Christian, not as one usurping an office.

²¹ AE 22:338.

²² *The Ministry: Offices, Procedures and Nomenclature*, p. 35 print edition., p. 31 electronic edition.

those in which the pastor of the congregation observes while a layman assumes the specific responsibilities the pastor was called to fulfill.

Even as Luther acknowledged that emergency knows no rule, he also carefully preserved the importance of the public ministry and was quick to respond to critics who said he had undermined the office. “You also lie that I have made all laymen bishops, priests, and spiritual in such a way that they may exercise the office without a call. But, as godly as you are, you conceal the fact that I added that no one should undertake this office without a call unless it be an extreme emergency.”²³

We note that the president’s question envisions neither an emergency nor an educational setting in which a pastor supervises and approves a seminarian’s sermon. Rather, his question pertains to a circumstance in which a pastor has decided that he will have a layman preach in his stead, even though he might just as well preach himself. His defense for such a practice is that the layman is under his supervision.

In the opinion of the CTCR, there is no biblical or confessional justification for having a layman preach in such cases. The pastor’s action claims unilateral authority to “call” someone to the preaching office. Only the church as a whole has such authority, not individuals. He may not arrogate to himself what belongs to the whole church, even if he arrogates it in order to share it with another. To act in this manner is contrary to the good order of the church and inevitably results in dissension (1 Cor. 14:40).²⁴

President Harrison’s request makes note of a 2010 CTCR opinion, “Request for a Theological Opinion from the South Wisconsin District President Regarding *Augsburg Confession* Article XIV” (see Appendix B). That opinion includes the following:

Article XIV of the Augsburg Confession (which is grounded in the teaching of Holy Scripture) forbids such a practice [the practice of regular preaching and administration of the sacraments by laymen], 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,

²³ AE 32:174.

²⁴ As Walther clearly taught, local congregations have the right to call their own pastors (See C. F. W. Walther, *The Congregation’s Right to Choose Its Pastor*, Fred Kramer, trans., Wilbert Rosin, ed. [Fort Wayne: Office of Development, n.d.]). At the same time, local congregations that have voluntarily affiliated with the Synod enjoy not only rights, privileges and benefits, but also as members freely take upon themselves the responsibility of walking together according to the Synod’s constitution and bylaws. One of these responsibilities is to call pastors according to the agreed upon procedures outlined in the Synod’s *Handbook*. Thus the congregation retains its right to call, but limits the manner in which it exercises its calling prerogatives as outlined by the *Handbook*, Bylaws 2.5.1, 2.5.2, and 2.5.4. See C. F. W. Walther, “Duties of an Evangelical Lutheran Synod,” trans. Everette W. Meier, in *Essays for the Church* (St. Louis: Concordia Publishing House, 1992), 2:6-63.

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.²⁵

In conclusion, then, our answer to both questions is No.

*Adopted by the Commission on Theology and Church Relations
Adopted May 14, 2016*

²⁵ Both the opinion and the referenced report are available online at www.lcms.org/ctcr.

Appendix A



Office of the President
The Reverend Doctor Matthew C. Harrison
President of the Synod

Thursday of Lent II, A. D. 2016
February 25, 2016

Dr. Lawrence Rast, Jr.
Chairman-CTCR
c/o Concordia Theological Seminary
6600 N Clinton Street
Fort Wayne, Indiana 46825

Dr. Joel Lehenbauer
Executive Director
Commission on Theology and Church Relations
1333 S Kirkwood Road
Saint Louis, Missouri 63122

Dear Drs. Rast and Lehenbauer,

Grace and peace.

Per bylaw 3.9.5.2, “the CTCR shall assist the President of the Synod at his request in discharging his constitutional responsibilities for maintaining doctrinal unity within the Synod,” I am making the following request.

I continue to hear of two issues, which I believe are related as two extremes which have developed in opposition to each other, and neither of which I believe represents the doctrine of Scripture, the Lutheran Confessions or the stated doctrine of the LCMS.

On the one hand, I continue to hear reports from district presidents and others, that there are some pastors who assert that the Word of God is effective only when spoken by a pastor and that the task of sharing the Gospel—evangelism or witnessing—is to be done only by pastors, not laity. This is a serious denial of the objective power of the Word of God, and a serious rejection of the rights and responsibilities of the spiritual priesthood to speak the Word of God to family, friends and neighbors in the context of every vocation. Note what John 4:39 says of the woman by the well, “Many Samaritans from that town believed in him because of the woman’s testimony.”

On the other hand, I am increasingly concerned when I read and hear nebulous statements such as, “the LCMS needs to unshackle the laity for mission.” We CERTAINLY do encourage lay people in the mission of telling the lost about Jesus! But it seems clear to me that underlying this statement is often a doctrine which assumes competition and even conflict between the spiritual priesthood and the office of the ministry rather than a godly



and harmonious relationship between them. Such a view is at odds with Holy Scriptures, the Lutheran Confessions and the stated public doctrine of the LCMS. This view, so far as I have heard it, maintains that any layperson may carry out any of the functions or tasks of the office of the ministry in any setting (including public settings) PROVIDED that person is under the oversight or supervision of a pastor.

Thus we have had and continue to have circumstances where a pastor is present in the chancel while a layperson is consecrating the elements or preaching. This includes not only instances in which the pastor is a visitor or serving in a vacancy capacity, but also those in which the pastor of the congregation observes while a layman assumes the specific responsibilities the pastor was called to fulfill. Of course, the LLD task force has noted that LLDs are being used in this fashion (contrary even to the directives of Wichita 1989 in some circumstances), and certainly contrary to CA 14.

Moreover, a missiology is being expressed in some circles within the Synod, which asserts that even the enormous flexibility provided by the seminaries' SMP programs as well as specialized training programs for cross-cultural outreach, are not enough. On more than one occasion I have witnessed leaders express the idea that our entire seminary program is outmoded and that all education should be carried out contextually. Another aspect of this is the notion that, so long as a house church or cell is under the "supervision" of a pastor, any person as needed may be chosen to "pastor" that particular cell or house church, including administering the sacraments. This is contrary, of course, to the CTCR's "Response to Questions Regarding *Augsburg Confession* Article XIV" [December 18, 2010].

As noted in the LLD Task Force report, the New Testament expressions for "oversight" (*episkepe*- word group) are not used of pastors overseeing other pastors, or those doing pastoral functions or tasks on behalf of the pastor.

Rather, it is the sheep themselves [who are overseen by pastors-shepherds]. This can be seen in Acts 20:28: "Take heed to yourselves and to all the flock, among whom the Holy Spirit has placed you as *overseers, to engage in shepherding* (ποιμαίνειν, present infinitive) the church of God...." *One oversees by acting as a shepherd among the people whom God has commended to one's charge, not by overseeing others doing the work of shepherding.* A corporate, delegation model is not at all in view.

This in no way denies that virtually all Lutherans have for our entire history acknowledged and supported situations where lay men have led the liturgy, and delivered a sermon prepared by a pastor in remote or truly extenuating circumstances. In addition, there is no objection to a layman gathering others in a home or other local setting, to start a small mission. Such a person would well lead prayer, Bible study etc., as that group moves toward becoming a mission congregation. But such would be done in conjunction with a pastor, who at the proper time would begin offering the public service of Word and Sacrament. And we have SMP and other options for men in various non-Anglo circumstances, which require flexibility.

Finally, I am requesting a brief and pointed study by the CTCR addressing these two vital topics. 1. Are the Word of God and the saving Gospel effective only when spoken by a pastor? 2. Do the Scriptures, Lutheran Confessions and the public doctrine of the LCMS (particularly Walther's "Church and Office") allow laymen to carry out the specific functions of the pastoral office (public absolution, public preaching and administration of the sacraments in the divine service) under the sole proviso that this is done "under the oversight of a pastor"?

I do hope you can attack these questions with some alacrity.

Thanks for your fine work.

A handwritten signature in black ink, appearing to read "MCH", with a stylized flourish extending from the end.

Rev. Dr. Matthew C. Harrison, President
The Lutheran Church—Missouri Synod

**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.¹ 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,”³ 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 on 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. Melancthon 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 Melancthon 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”⁷ 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

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

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."

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