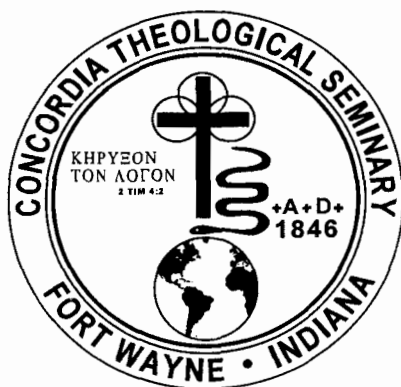


# CONCORDIA THEOLOGICAL QUARTERLY



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# Theological Observer

## Out of the Mouths of Babes – Almost

Experience may not be the best teacher, but it is certainly the most convincing. This means we cannot have certainty about anything we are taught in a classroom until we actually get into a hands-on situation. In medicine this requires that after two years of classes, future physicians actually go to hospitals and do rounds in the sub-disciplines of orthopaedics, ophthalmology, gynecology, pediatrics, obstetrics, oncology, and so forth. Is there any reason we cannot do the same thing in theology? Part of teaching dogmatics is addressing false doctrines. This is not done because we Lutherans want to be negative, but true doctrine implies false doctrine in the same way a good God implies an evil satan. Should the case arise that a false doctrine is not obvious in teaching the true doctrine, it will sooner or later surface. My suspicions are that seminary students are not convinced that what the instructor says about other churches and their false teachings is really so.

Some years ago I thought that a course in dogmatics should include visiting other seminaries in the United States or even visiting the theological schools of German universities and attending the lectures and, where possible, meeting with the professors to discuss how they do theology. This would not be a fact finding trip, though some might suspect that this was the motive. Imposing on someone else's hospitality for purposes of interrogation is minimally unethical and assures that a return trip will be denied. Field trips are standard in colleges. In seminaries students are given the opportunity to visit the Holy Land and museums where artifacts from the biblical period are collected. How about a field trip in dogmatics? If students learn to preach by listening to and watching others preach, they can develop theologically by hearing theologians whose books they have read or, more likely, whose positions heard about from others. Hearsay is never really good enough. Organizing these kinds of field trips to other theological schools would be complex and is not likely to happen. Besides it would take away valuable time from students who have family obligations that require at least part time and some times full time employment.

Should it prove impossible for the mountain to come to Mohammed, Mohammed can come to the mountain or he can bring the mountain with him. This happened when a student at one of the seminaries of the Evangelical Lutheran Church in America transferred to Concordia Theological Seminary in Fort Wayne. In making references to what are current ELCA theological positions, the instructor was no longer limited to official documents, which are sufficiently explicit, but he could ask this student what he had learned from ELCA professors. This student's experiences were made more accessible, when he set down his experiences in the campus paper. In spite of the brevity demanded by student publications, his article is a combination between a spiritual autobiography and a theological one. Our interest was not tracing his spiritual footsteps – after all everyone has a spiritual biography – but to hear about what happens in ELCA seminaries. What do their students hear? Hearing and learning are two different

matters, as all teachers know. Mohammed had brought the mountain to us, a kind of field trip in reverse. For the record, the student was a member of an ELCA congregation and intended to serve as a pastor in that church. He was not an LCMS plant.

The article provides the names of the professors, so we are not dealing with such generalities of "ELCA professors teach." Recorded in the article are observations and not deductions. Names of the professors are not included here, but the professors mentioned in the article will be identified by their disciplines. So let's begin. Old Testament class was team taught by a Lutheran clergyman and a female Presbyterian minister who had left the Lutheran church because "she was 'tired of leaving her mind at the sanctuary door.'" A full exercise in higher criticism was supplied by the Lutheran minister and feminist theology offered by his Presbyterian counterpart who provided "post-modern feminist readings of the texts." (This is the usual fare at mainline seminaries and at meetings of the Society of Biblical Literature.) Also, Genesis is a collection of stories of ancestor worship. (Abraham, Isaac, Jacob and the twelve patriarchs were really gods of separate tribes. This is old hat.) The Greek II professor denied the "'Real Presence' of Christ's body and blood at the eucharist." Hebrew class informed the students that Adam was sexless until Eve was created. (If this were indeed the case, he [it] hardly needed Eve.) A tutor in Hebrew was surprised, when she was invited to speak in chapel, since she was neither an M.Div. student nor in the ministry, and to boot she was "an open lesbian." Introduction to Theological Studies emphasized different aspects of liberation theology. The positive side of the course was learning Luther's explanations of the Apostles' Creed in the Small Catechism and the downside was learning of "the seminary's unofficial policy to refrain from using masculine names and imagery for God." (Would this include Father and Son?) Now to the chapel. For a "joint Jewish-Lutheran chapel service" all Christian symbols that could possibly offend the Jews were removed. With this development Episcopalian students removed themselves to celebrate their own eucharist. Thank heaven for sectarian Anglicans! Of course there is much more to what happens at this ELCA seminary and others. For starters our readers can do their own research in finding the periodical in which the article in which these tidbits are found. Then they take their own field trips to the nearest ELCA seminaries and come to their own conclusions and write their own articles. (Depending on length, literary style and historical-critical analysis, they will be considered for publication by the editors on these pages.) After reading about this seminary's student's theological pilgrimage, I wondered how we could speak of our "fellow Lutherans in the ELCA." If this phrase has any meaning, it cannot refer to these seminary instructors but to a quickly dwindling lay remnant in the congregations. As mentioned nothing is finally conclusive for us, unless we experience it for ourselves and so everyone might want to consider organizing her or his own field trip. The student author was hesitant in jumping from one seminary to another and from one church body to another. When he took the leap of faith, he knew himself to be morally obligated to explain his impending action

to the congregation of which he was a member and which had spiritually supported him. He said that if he believed in what seminary taught him, he would have no reason to belong to any church at all or for that matter to be a Christian or even a believer in God.

David P. Scaer

### **Rediscovering the Treatise As Ecumenical Response**

When the year 1577 arrived and Lutherans were bringing their authoritative documents to a conclusion in the Formula of Concord, the Treatise on the Power and the Primacy of the Pope was no longer seen as one of the distinctive confessions of the Lutheran Church. The Formula, in both the Epitome and Solid Declaration, had subsumed Melancthon's document into Luther's Smalcald Articles and so it was generally thought that the Reformer had also authored the Treatise. Finding reasons for the confusion is not hard to find, since both the Treatise and the Smalcald Articles were formalized at conclaves of theologians and princes held in the city of Smalcald in the month of February 1537. Still this hardly an acceptable reason for the confusion. Worthy of some note is that the princes subscribed to Melancthon's Treatise, but they backed off from Luther's more fiery Smalcald Articles.

Even without training in literary criticism, someone on the Formula's authorial committee should have noted that the measured, scholarly style of the Treatise could have hardly come from the pen which had given birth to the Smalcald Articles, a document that left no doubt about what Luther thought about the pope. Perhaps the confusion resulted from a subliminal response on the part of the writers of the Formula, who wanted as few reminders of Melancthon as possible. After all his name does not grace its pages. Speak about gratitude! By submerging it into the Smalcald Articles, they made the Treatise Luther's child and its true parent was forgotten. This slight of history has been rectified in the ordination rite of the Agenda of Lutheran Worship, which requires candidates to give a specific confessional allegiance to the Treatise. In view of recent less friendly exchanges over the doctrine and practice of the ministry in Lutheran quarters, the Treatise might have value beyond inclusion in the ordination liturgy. It addresses the place of the pope in Christendom and the differences between bishops and priests, issues that now concern the ELCA, but also of some interest to the rest of us. Before locating the specific usefulness of the Treatise, a few preliminary remarks are in order.

In the last few years a large majority of world Lutheranism has involved itself in ecumenical alliances that could have hardly been imagined a generation ago. For anyone with with any sense of tradition and confessional heritage, these actions have been mind boggling. In one action the ELCA entered into full altar and pulpit fellowship with four churches that are thoroughly Reformed in doctrine, practice and heritage, and another action wiped the slate clean with the

Roman Church on the issue of justification. Then the ELCA went fishing in Anglican waters and agreed to have bishops in the apostolic succession ordained their bishops. Bishops from the Church of Sweden would be acceptable substitutes for Episcopal ones. At first glance it may seem that the ELCA got the short end of the stick in this bargain. It had to accept bishops consecrated in the line of apostolic succession, but the Episcopal Church was not asked to accept the Augsburg Confession, which is the identifying document of the Lutheran Church. Instead of bearing the name of "Lutheran," some churches appropriately have called themselves churches of the Augsburg Confession and have added the word "unaltered" as a final salvo against the Reformed. It also comes as close to being the universally acceptable and minimum confession among Protestants. John Calvin signed it and traces of it surface in the Thirty-Nine Articles of the Anglican Communion. In aligning themselves with the ELCA, Episcopalians make a point of priding themselves in their lack of doctrinal precision. Apostolic succession is the one exception, but then again this may be a required practice and not a doctrine. Without this succession the Episcopal Church would be less than episcopal, since "episcopal" means "bishop," and, in their case, bishops standing in an unbroken line since the time of the apostles. Likewise a Lutheran church that equivocates on the Augsburg Confession is hardly Lutheran at least in the historical sense which has been in place since June 1530. A second look at the agreement may show that neither the ELCA nor the Episcopal Church came out on top.

Incumbent ELCA bishops will not have to be (re[?]-) consecrated by Anglican bishops to be continued in office and men and women now functioning as ELCA pastors will not need to go to an Episcopal bishops for another ordination. Up to this time the Anglican Communion recognized only their own ordinations and those administered by Roman and Orthodox bishops. (For the record the LCMS does not recognize any ordination administered to women, even if it is passed on to them through the line of apostolic succession.) The agreement with the Episcopal Church only requires that bishops in the apostolic success participate in future consecrations of ELCA bishops. Bishops not in the succession will assumably participate as they do now. Since the character of ordination is an unsettled issue in some Lutheran quarters, it seems awkward to look upon the consecration of bishops as an additional required church ritual. Why make the consecration of bishops by bishops standing in the apostolic succession a necessary requirement for the ministry, when some Lutherans find no divine mandate for ordaining pastors? More has to be said about this in looking at the Treatise. It will take some years before all ELCA bishops stand in the line of apostolic succession and even more time before these properly consecrated bishops subsequently properly ordain candidates for the ministry. During the interim, in which the sweet water of apostolic succession is mixed with the salty water of an inadequate ordinations, the Episcopal Church has agreed to recognize the validity of the Sacraments in the ELCA administered by pastors who have not been ordained by bishops with apostolic succession. Considering that a totally

properly consecrated clergy may not be in place for at least another fifty years, this is a remarkable concession on the part of the Episcopal Church for whom apostolic succession is supposedly nonnegotiable. At least for the interim it is negotiable. Since some ELCA bishops, who do not now possess this succession, may still be ordaining pastors twenty years from now, a total saturation of apostolic succession into its clergy could conceivably only be completed by year 2070! As a united communion the ELCA and the Episcopal Church have about nine million members, with the ELCA accounting for at least sixty percent of the total combined membership. The ratio of practicing clergy in each group may fall somewhere around the same percentage. So that for two validly ordained Episcopal clergy persons celebrating a valid Holy Communion now, there are three non-validly ordained Lutheran clergy persons doing the same thing validly. At least they were non-validly ordained up until the agreement and doing less than fully valid rituals. The Episcopal Church has made a huge concession in conceding that sacraments can be validly administered by those Lutheran pastors not standing in the apostolic succession. So when push comes to shove, apostolic succession is not all that necessary. Someone may ask if Lutheran pastors do not need apostolic succession in the year 2000, would they really need it in the year 2100. There is still another twist to the arrangement. With the Episcopal Church's declining membership, preserving the apostolic succession may be the ELCA's gift for its new partner church. What the ELCA has freely received it can freely give back to the church that bestowed it. This rare ecclesiastic gene and endangered species has been preserved.

Among the ELCA's ecclesiastical achievements, however, the agreement with the Episcopalians earns a only silver medal. The gold goes to ELCALWF *Joint Declaration on the Doctrine of Justification* with the Vatican. A bronze goes to the ELCA agreement to practice altar and pulpit fellowship with four Reformed churches. Subsequent fellowship with the Moravians doesn't even place. In its ecumenical dexterity in stretching the hands of fellowship into every corner of Christendom, the ELCA has accomplished what the Episcopal Church, the United Church of Christ, and the National Council of Churches all attempted but failed.

My ranking of the ELCA's ecumenical accomplishments breaks with the crowd. In spite of the wide publicity, first place goes not to the Roman connection but to the Reformed connection. The agreement with Rome changes nothing in the parishes of either church, but the one with the Reformed does. Rome does not welcome Lutherans at its altar, but on the other hand laity and clergy of Reformed and Lutheran churches can move back forth with impunity. Lutheran churches have not become one church with Rome, but Lutherans and Reformed churches have. Some Lutherans may recognize that Reformed liturgies will be less definite in identifying the bread of the Lord's Supper with Christ's body. Someone might notice that a Reformed minister serving in his own church or in an ELCA parish may not be overly concerned about properly disposing of the consecrated bread and wine which Lutheran understand really are Christ's body and blood. Organizational changes are secondary but are bound to happen by combining

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foreign and domestic missions, seminaries and publishing houses. How about Augsburg-Westminster Press?

Second place among the ELCA's ecumenical accomplishments goes to the Episcopal connection. Episcopal liturgies are so close to Lutheran ones that ELCA parishioners should feel at home with them. Though we have argued that in allowing a non-apostolically ordained clergy to administer the Sacraments, the Episcopal Church has perhaps unwittingly gutted their own polity which is the glue which holds them together, a real problem has already surfaced in the ELCA in requiring Episcopal bishops to participate in the consecration of ELCA bishops. A good number of ELCA clergy and pastors are opposed to this. Since there are an abundance of Episcopal bishops, they will be on the ready when called upon to share the leaven of apostolic succession in the consecrating of ELCA bishops. To prime the pump they might also show up for the ordination of ELCA pastors.

Still in the center of public's attention is *Joint Declaration on the Doctrine of Justification*, since it seems that Rome has taken it less seriously than Lutherans have. Whatever progress was made in the *Joint Declaration* seems to have been unraveled by *Dominus Deus*, a document issued on September 5, 2000 by the Vatican Congregation for the Doctrine of the Faith. The man behind the pope's encyclical is the capable Cardinal Joseph Ratzinger, who would be Rome's prime minister, if the position existed. At the heart of the document is that Rome sees itself as the only expression of the catholic church: "there exists a single church of Christ, which subsists in the Catholic Church, governed by the successor of Peter and by the bishops in communion with him." In spite of the negative response from Lutherans to this claim, this hardly startling. Without it should, Rome would have given up its one reason for existence. Without a pope Rome would not be Rome. Confessional Lutherans make a similar claim but not for their leaders but for their doctrine. Rome attaches the reason for its superiority to her allegiance to the pope and Lutherans attach their uniqueness to its doctrine formulations. *Dominus Deus* makes an exception for the Eastern Orthodox churches who have a valid apostolic succession without recognizing papal supremacy, but this concession will not win any those whom it intends to please. The Orthodox community of churches is more fervently anti-Roman than even Luther's most ardent defenders, among whom we in The Lutheran Church-Missouri Synod count ourselves the foremost. The problem for Protestants is that *Dominus Deus* places Protestant Christianity on the edge of the true church, that is, Rome. "The ecclesial communities which have not preserved the valid episcopate and the genuine and integral substance of the eucharistic mystery, are not church in the proper sense; however, those who are baptized in these communities are by baptism incorporated in Christ and thus are in a certain communion, albeit imperfect, with the church (read: Rome)." If half a loaf is better than none, then the rest of us do not leave Rome's table hungry. Our eucharist does not measure up to Rome's standards, but our baptism does. On our sacramental score card one out of two is not bad. Since Rome counts seven sacraments, we come up with a significantly lower percentage. *Dominus Deus*



would not have mattered, if the ELCA had not made some significant concessions on the central Lutheran doctrine of justification with Rome. Because of the agreement some Lutherans were right in expecting a slightly better treatment from the pope. Of course the Lutherans were not the only ones with hurt feelings. Anglican (Episcopal) bishops, ordinations, and sacraments remain invalid and unrecognized and the quarreling Eastern Orthodox patriarchs, metropolitans, and bishops remain united in their opposition to any authority the pope claims over them. Lutherans loose on two counts. ELCA agreement on justification has not moved the pope's heart and the apostolic succession gained through the Anglican connection does not meet muster in Rome. It looks like we are all back at square one-1537. In spite of Rome's traditional claims, *Dominus Deus* does hold out, as noted above. Lutherans say something similar when we say that Christians in false churches are saved because they believe those doctrines that we say are necessary for salvation. A continued disappointment is Rome's universalism in allowing for salvation outside of Christendom-but that position is a natural result of its teaching on the role works in salvation.

Melanchthon's Treatise on the Power and Primacy of the Pope was adopted by Lutherans at Smalcald to address problems that are still with us almost half a millennium later. This document specifically denies the bishop of Rome's claim "to be superior by divine right to all bishops and pastors" and that his decrees have divine authority behind them. In the same document Lutherans refused to accept that submission to him determined the boundaries of the church. According to Roman Catholic definition during the Reformation Lutherans were outside of the church and *Dominus Deus* is hardly saying anything less or more. So why the fuss. Luther, Melanchthon, Martin Chemnitz, and the other Lutheran fathers knew exactly what the pope's terms were and we should hardly be amazed that things have not changed.

What might not be as obvious is the role the Treatise has in the ELCA accession to having Episcopal bishop consecrated their bishops. Apart from the confessional principles which are applicable in this situation, this agreement is fraught with inconsistencies, the chief of which is that Lutheran and Episcopal bishops may not be the same kinds of "bishops." A less imaginative person would say this is mixing apples and oranges, not that this is bad in every case. In America ELCA bishops were called synod presidents until the 1980s and their functions were closer and still are to that of LCMS district presidents and not bishops in those churches like Rome, the Eastern Orthodox and Anglican communions, which see bishops as the chord which holds the church together. All these bishops serve until retirement and have the right to ordain for life. Traditionally Lutheran presidents or bishops stood for election after their terms expired. Lutherans saw the divine office in that of the pastor and not the bishop as these other communions do. For Lutherans the bishop was an extension of the pastoral office and for Episcopalians the pastor (a.k.a. as rector, vicar, archdeacon) was seen as an extension of the bishop. In bringing churches with the same doctrine but with different polities together, these do not have to remain insurmountable obstacles.

Problematical is who has the right to ordain. This also can be a point on which compromise in practice is possible. With only one known exception the Lutherans did not ordain any new clergy until the Reformation was into its twentieth year, because they were determined to maintain the ancient church practice of ordination by bishops. Only when the Roman bishops did not cooperate, did Luther and the reformers, especially his colleague, Johannes Bugenhagen, take it upon themselves to ordain pastors. Ordination by bishops did have symbolic significance in asserting that a pastor was assigned to a particular place, but that his ministry was bestowed and recognized by the entire church. More than a mere parochial act, it was the act of the church catholic. It still has this catholic significance today in that it expresses a vertical unity with all the pastors who ever served the church since the time of the apostles and horizontal unity with all pastors who preach the gospel and administer the sacraments now. So even today in the LCMS district presidents have the responsibility for ordaining candidates for the ministry or at least authorizing these ordinations. The Treatise holds that the parochial and episcopal functions belong to the one office of the ministry and by human arrangement some ministers exercise some functions and others exercise other functions. In certain situations a pastor can take the place of a bishop and ordain: "it is clear that an ordination performed by pastor in his own church is valid by divine right." Problematic in the ELCA arrangement is that bishops may or should ordain, but this privilege can only be exercised by bishops standing in the apostolic succession.

Take this scenario. We could agree in the LCMS to have only district presidents/bishops ordain candidates for the ministry and this could be done at district and synod conventions or in the home or calling congregation of the candidates. Lutheran churches have diverse practices. Bugenhagen and Luther did the ordaining in Wittenberg weeks and months before the candidates reached the congregations they were called to serve. The situation could arise that a district president would not be available for example in some remote location in Asia, Africa, or Russia to ordain pastors. There is no reason that the people should be deprived of a pastor until a synod or church president were available. In such a case a pastor designated by the authorizing church and its president could and should ordain and this ordination would be of no lesser value than one administered by a church president or bishop. Such was the case in the first Lutheran ordinations in America. Justus Falckner was ordained by Andreas Rudman under the auspices of the Church of Sweden, and Rudman spoke of both the legitimate and historic character of the practice:

Episcopal authority to consecrate churches, ordain, etc. has been delegated to me by the bishop [in Sweden] especially in a case of this kind. It has been done before in Pennsylvania among the Swedes by Domine Lars Lock, who ordained Avelius [Abelius Zetskoorn] there, etc. Moreover, you remember that Lutherans in Holland have no bishop and

nevertheless have ordained by joint action of the presbyters. Henceforth let there be no doubt. . . .<sup>1</sup>

Ordination by pastor will no longer be allowed in the ELCA, even though it is specifically allowed by the Treatise and was the necessary practice in America until at least the founding of the Pennsylvania Ministerium in 1748, a predecessor body of the ELCA. Its church council will not allow for the exceptions requested by a member synod.

We do not question whether participation of Episcopal bishops in the ELCA consecrations and ordinations is proper, since both churches claim a necessary modicum of agreement in faith or lack of faith, depending on perspective. Such mutual participation would not be possible for the LCMS, since we are not even close to any kind of agreement with either the Episcopal Church or for that matter the ELCA. The ordination service is itself a confession of a shared faith and on this account along with other reasons it is a catholic rite, that is, we are doing something the church has always done. Since within the next half century the majority of clergy in both the Episcopal Church and the ELCA will be women, it must be clearly said that ordinations administered by women, whether they are bishops or pastors, and received by women, are neither valid nor catholic. In ordaining women the ELCA has contravened a specific apostolic word (among other things) and are guilty of libertinism and, by insisting that only bishops ordain pastors, they have fallen in the other direction into legalism and denied a certain freedom specifically allowed by the Lutheran Confessions.

David P. Scaer

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<sup>1</sup>VanLaer, *Lutheran Church in New York*, cited in *The Lutherans in North America*, edited by E. Clifford Nelson, revised edition (Philadelphia: Fortress Press, 1980), 13.