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A Response to an “Overture to Establish an Ordained Diaconate”

A Consultation on Ministries and Ministers has recently proposed the creation of an “ordained diaconate” in the Lutheran Church—Missouri Synod. A proposal of such significance requires, of course, careful consideration. The ensuing response assumes the pivotal truth of the following assertions:

“The pastoral office is unique in that all the functions of the church’s ministry belong to it.”¹

“The church should take her ordination seriously in this regard, that it practices ordination as it is meant to be practiced, namely as a first-time and original calling to the office, certainly also with the conferring of all functions.”²

I. Affirmations and Questions

A. Basic Affirmations

The following points of the “Overture to Establish an Ordained Diaconate” are to be acknowledged and, indeed, affirmed:

(1.) The challenges of today posed by rural and urban congregations, as well as by immigrant groups, are to be

¹The Commission on Theology and Church Relations of the Lutheran Church—Missouri Synod, *The Ministry: Offices, Procedures, and Nomenclature* (St. Louis: CTCR, September 1981), 19.

²Wolfgang Trillhaas, *Dienst der Kirche am Menschen: Pastoraltheologie* (München, 1950), 41 (translated anew).

This “Response to an ‘Overture to Establish an Ordained Diaconate’” was endorsed by the faculty of Concordia Theological Seminary in its meeting of March 22, 1999. The “Overture to Establish an Ordained Diaconate” appeared in 1998 in the “Report” of the “Consultation on Ministries and Ministers” (a “draft” of five pages dated March 16, 1998). The “overture” itself requested that the faculties of the seminaries of the Synod be consulted in the undertaking proposed (page 5). The original form of the response printed here was composed by Dr. Detlev Schulz and adopted by the Department of Systematic Theology in October of 1998. It was presented to the faculty of Concordia Theological Seminary and discussed in its meeting of December 8, 1998. This response was then revised on the basis of the oral and written comments of various members of the faculty. Douglas McC.L. Judisch, Secretary of the Faculty.

met through the ministry of word and sacrament (pages 1 and 2).

(2.) Such a ministry of word and sacrament involves the rite of ordination (page 2).

(3.) This office of the ministry can be expressed by human regulation, *de iure humano* (page 2), in terms of various levels and functions (in accord with Article XXVIII of the Augsburg Confession [as in sections 9 and 29]), even as it exists today in the form of presidents, bishops, assistant pastors, missionaries, and professors. Also to be included here is the bivocational ministry conceived by the "overture" (page 1) in which incumbents perform the ministry of word and sacrament while finding support through a parallel profession, just as the Apostle Paul remained a tent-maker and St. Luke a medical doctor.

(4.) The "*rite vocatus*" of Augustana XIV demands an appropriate education, but the standards and requirements of such an education may be reviewed (page 4).³

B. Basic Questions

The problem at hand, however, is whether the concept of an ordained diaconate is a theologically acceptable and viable option whereby the challenges of today may be addressed. In view of the most salient points of the "Overture to Establish an Ordained Diaconate" the response here is guided by the following questions:

(1.) Do the proposal and understanding of an ordained diaconate find support in Holy Scripture, the Lutheran Confessions, or elsewhere in the history of the Christian church? This question will be answered in the diachronic overview below.

³All references from the Lutheran Confessions will be from *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, translated and edited by Theodore Tappert, Jaroslav Pelikan, Robert H. Fischer, and Arthur C. Piepkorn (Philadelphia: Fortress Press, 1959), unless otherwise noted.

(2.) Can the functions or components of the office of the church (which is to say the ministry of word and sacrament) be legitimately broken down or divided from each other as the “overture” proposes to do, whereby some are applied to the diaconate and others not? In view of his being an ordained servant of the church and called to provide “basic pastoral care,” can the proposed deacon be so easily barred from making “pastoral decisions” (page 3) and assuming “responsibility” (page 2), and can the distinction between “practitioner” and “theologian” (page 4) be accepted or should it be avoided? These questions will be answered in the theological overview below.

(3.) Is the proposed application of the term “ordination” to a diaconate desirable or misleading when, within the Lutheran Church—Missouri Synod and, indeed, within Lutheran circles in general, ordination to an office of the church is still unmistakably understood as the ecclesial act of conferring all the functions and components of the office of the church on the called servant of the word and sacrament? Should or should not alternative terms to “ordination” be found for an office involving something less than all such functions and components? These questions, like those raised in point 2, will be answered in the theological overview below.

II. Diachronic Overview

A. The New Testament

References made to *diakonia* in Holy Scripture seem to express a plurality of services. Broadly speaking, however, this seemingly bewildering plurality can be divided into three main groups:

(1.) There is the generic or broad meaning of *diakonia* which refers to various “works of service” of any kind performed by all Christians (as, for instance, in Matthew 8:15 and 2 Corinthians 9:1 and following).

(2.) The word *diakonia* often depicts the office of word and sacrament, or the stewardship of the mysteries of God by the apostles (1 Corinthians 3: 5, noting also such passages as Acts 20:24 and 21:19; Romans 11:13; 2 Corinthians 4:1 and 6:3; and Ephesians 4:12 and 6:21).

(3.) Mention is also made, finally, of a particular diaconal office. In Acts 6, where such a diaconate is commonly believed to have its origins, the "seven" were initially assigned philanthropic duties in Jerusalem. This work is perpetuated in Lutheran churches today through, in particular, the services of deaconesses (in line with Romans 16:1). Such was the case in Acts 6 even if, later on, incumbents of this apostolic diaconal office, such as Philip, also performed spiritual tasks of teaching and baptizing (Acts 8:5 and following). Elsewhere, in 1 Timothy 3 (comparing Philippians 1:1 and Titus 1), the office of deacon is paired with that of bishop. Although there is no clear indication of the nature of its duties, it seems probable that this specific diaconal office had a spiritual function, yet secondary and supportive to that of the bishop.

Here the Lutheran hermeneutic must serve as a final and normative guide. Unlike the Reformed, the Lutheran tradition has absorbed all the biblical references to the apostolic ministry, to that of bishop-elders, and to the spiritual functions of deacons into the one office of the church. For the Lutheran Confessions "the term *ministerium* goes back to the New Testament word *diakonia*, and it points both to the office itself and to the activities for which this special office was designed."⁴ Thus the Greek *diakonia*, as a service to the word, was translated in the Lutheran Confessions with the Latin *ministerium* (*verbi*) and the German *Predigtamt* (as in Article V of the Augsburg Confession). In all these cases the full "ministry of teaching the gospel and

⁴Holsten Fagerberg, *A New Look at the Lutheran Confessions, 1529-1537*, translated by Gene J. Lund (St. Louis: Concordia Publishing House, 1972), 228.

administering the sacraments" (*Augustana V Latina*) is understood and not the vague or general "ministry" to which reference is made above (in point II.A.1). This narrow and specific association of "service" with the preaching office was also perpetuated by later theologians such as C. F. W. Walther (as noted below).

B. The History of the Church

In the early church and the middle ages, as the monarchical episcopate consolidated itself in the ecclesiastical structure, the diaconate became increasingly an office of sub-clergy with limited spiritual and liturgical functions. Already in the first century, the deacon is described as "the bishop's ear, mouth, and soul." Being at the bishop's disposal, he was called to perform numerous subaltern duties which varied to some degree, depending on the locality and tradition. From an examination of the *Didascalia Apostolorum* (Didache), Hippolytus, Justin, Tertullian, and Cyprian, it appears that the office of deacon included the following tasks:

- (1.) reading the gospel and preaching the word of God in accordance with the express wish of the bishop;
- (2.) announcing prayers and praying himself;
- (3.) administering baptism;
- (4.) bringing the consecrated elements to the sick confined in their homes;
- (5.) distributing the consecrated wine in the eucharist;
- (6.) serving the whole people of God and taking care of the sick and the poor.

In all his duties the deacon never functioned independently of the instruction and oversight of the bishop. Only upon authorization by the bishop was the deacon allowed to preach, baptize, or distribute (but not consecrate) the sacramental elements. For the induction of the deacon into office, the church performed a special rite of consecration. Since the fifth century a tradition arose (in Rome particularly) of dividing the

diaconate into subdeacons, deacons, and archdeacons. Each deacon became the overseer of a region with the archdeacon over a number of regions. Today the office of the deacon in the Roman Catholic Church serves as a stepping-stone to the higher levels of the hierarchy. In exercising the office of the deacon the incumbent can test himself, show the merit of his work, and prepare himself for receiving the dignity of the priesthood. Although the deacon enters the clerical state through ordination, his consecration does not confer on him the *habitus* of officiating at the mass.⁵

The Reformation broke with the tradition of preserving the office of deacon in its sub-clerical form. Although the term "deacon" continued to be used during the Reformation, it was used to denominate men who had formerly held a consecrated office under the papacy but were now placed in congregations and given the pastoral office. In larger congregations the titles of archdeacon and subdeacon were also employed (Treatise 62, "On the Power and Primacy of the Pope"), but they were gradually replaced with titles such as "first," "second," and even "third" pastor. In Wittenberg on May 14, 1525, Martin Luther himself publicly inducted George Roerer into the office of deacon with prayer and the laying on of hands. The rite performed, however, was none other than ordination, which is to say the public confirmation of Roerer's call into the preaching office with all its functions. Other German terms used during the Reformation and afterwards such as *Hauptpastor*, *Kompastor*, *Praedikant*, *Kaplan*, and *geistliche Kirchenraete* were also designations of the one office of the church, namely the ministry of word and sacrament.

Luther desired the reintroduction of the apostolic diaconate described in Acts 6. In a sermon on St. Stephen's Day he advised the congregation that the diaconate was originally designed

⁵James J. Megivern, *Worship and Liturgy: Official Catholic Teachings* (Wilmington, North Carolina: McGrath, 1978), 412-418.

not as a service of reading the gospel or epistle, as it is customary today, but to distribute the church's goods to the poor. . . , for it was with this intention, as we read in Acts 6, that deacons were instituted. . . . After the preaching office there is no higher office in the church than this administration of managing the goods of the church correctly and honestly, so that poor Christians, who are unable to obtain and win their own support, may be helped and not suffer.⁶

The Anglican Church has preserved the diaconate from the pre-Reformation era and continues to find its scriptural support in a combination of Acts 6 and 1 Timothy 3. Within the ecclesial hierarchy the office of deacon remains the lowest in rank and serves as an auxiliary office to that of the priest. The deacon assists the priest in the liturgy and in the distribution of the elements in holy communion. He may conduct worship services without the sacrament of the altar, undertake catechetical instruction, and, with the permission of the bishop, also baptize and preach.

In various Lutheran churches where the diaconate is found today its incumbents are charged with the proclamation of the word of God, instruction, counseling, youth work, and taking care of charitable endeavors. Although these functions also coincide with those of the pastor, the deacon acts only as an assistant under the supervision of the pastor. To signify the distinction between pastor and deacon the rites of "consecration" (*Einsegnung* in German) and "installation" (*Installierung* in German) are applied to those called for service as deacons in the church. This tradition prevails in the Lutheran Church of Brazil (ELCB), the Lutheran Church in Southern Africa (LCSA), the Selbständige Evangelisch-Lutherische

⁶Martin Luther, "Am Tage Stephani," *Dr. Martin Luthers Haus-Postille, nach Veit Dietrich* (St. Louis: Concordia Publishing House, 1904), *Dr. Martin Luthers Sämmtliche Schriften*, edited by Johann Georg Walch, revised edition ("St. Louis Edition"), XIII A, columns 1061-1062 (translated anew).

Kirche (SELK) in Germany, and the Lutheran Church—Canada (LCC).⁷

C. General Observations

The “Overture to Establish an Ordained Diaconate” makes the following claim concerning the historicity of its proposal: “The Christian and Lutheran Church has throughout history recognized the validity of establishing pastoral assistants who are properly authorized to provide limited word and sacrament ministry under the supervision of a parish pastor” (page 2). This claim is tenuous, however, because the proposed ordained diaconate, as a “limited” ministry of “word and sacrament,” is unprecedented in the history of the church. Those biblical texts that seemingly speak of an office of deacon, such as 1 Timothy 3 and Philippians 1:1, have, in the first place, been referred to the one office of the church in the Lutheran tradition. Where, however, a distinctive office of deacon has existed, in the early church and throughout history to this day, it emerges as sub-clerical assistance along the lines of Acts 6 and of 1 Timothy 3, understood of as a non-eucharistic office. The diaconate has thus been restricted in its capacities to such a degree that the combination of word and sacrament (which the “overture” proposes) has never been granted, even when it has at times embraced the activity of supervised preaching along with its ordinary subaltern duties. The reluctance of the church to provide a limited ministry of both word and sacrament is not merely coincidental but actually rests on important theological premises which will be now considered briefly.

⁷This response to the “Overture to Establish an Ordained Diaconate” must be confined to the issue at hand. The “Report of the Task Force to Study Diaconal Ministry” of the Lutheran Church—Canada is a helpful source of additional information on the work of deacons.

III. Theological Overview

A. The Office of the Church and the Unity of All Its Functions

The office of the church is known as the ministry of word and sacrament, as in Article V of the Augsburg Confession. The ensuing definition lists under the service of the word the following God-given functions (*munera pascendi*) and components: "According to divine right, therefore, it is the office of the bishop to preach the Gospel, forgive sins, judge doctrine and condemn doctrine that is contrary to the Gospel, and exclude from the Christian community the ungodly whose wicked conduct is manifest" (Augustana XXVIII, 21-22), as well as to "administer the sacraments" (Augustana XXVIII, 12; and Treatise 60).

Preaching the gospel, absolving from sins, consecrating the elements and distributing them, discerning doctrine, and excommunicating the wicked are functions of the one office of the church. The Augsburg Confession, as a result, emphasizes that, if a man is to be admitted to ordination, this admission implies that the requirements of all functions of the office have to be met: "It is taught among us that nobody should publicly teach or preach or administer the sacraments in the church without a regular call" (Augustana XIV). Through all these functions the word of God is ministered to the world. They are, in fact, all parts of the one word of God. Therefore, instead of breaking them apart, one should rather conceive them as being inseparable from one another. This truth can be seen from the following examples of theological reasoning in the Lutheran Confessions:

- (1.) The unity of word and sacrament is pivotal. The sacraments are the visible word of God (*verbum visibile*). There is nothing like half the gospel resulting from a division of the word from the sacraments. This unity of word and sacrament also points to the office of the church. Since it administers the whole word, it must include all functions. Ordination thus becomes the act of

placing a man into the whole office charged with the whole word of God.

(2.) The ability to discern doctrine is associated not only with teaching but just as much also with preaching. In the broader senses of the words "preaching" can mean "teaching" and vice versa. This is implied in Article V of the Augsburg Confession where the "office of preaching" in the German (*Predigtamt*) corresponds to the "ministry of teaching" (*ministerium docendi evangelii*) in the Latin.

(3.) The power of the keys of retaining and absolving sins is not confined to confession and absolution but actually embraces all functions and, therefore, becomes synonymous with the one office of the church as this statement clarifies: "This power of the keys or of bishops is used and exercised only by teaching and preaching the Word of God and by administering the sacraments" (Augustana XXVIII, 8). The keys, then, as retaining and absolving sin, necessarily relate to preaching as well (so that the old Saxon agenda had confession and absolution spoken from the pulpit); and they likewise relate, certainly, to holy communion, where they are applied in the act of admitting or not admitting to communion, as well as in the offering of the body and blood of Christ to the communicants.

It is important to understand this unity and the interrelatedness of the functions of the office of the church. When creating a sub-clerical office one should not proceed eclectically without prior theological evaluation: "The pastoral duties of the office of the shepherd, which the Lutheran Confessions customarily refer to as word and sacrament, are in principle indivisible. When one ordains to the office (*ministerium ecclesiasticum*), then also the indivisible unity of the '*munera*

ministerii ' must be maintained; they may not be torn apart."⁸ This organic unity of the office was defended in *Lehre und Wehre*, the official organ of the Missouri Synod, in a series of theses published in 1874: "To whom the office of the Word is given, to him are thereby granted all offices which are exercised in the church through the Word" (Thesis 2), and "When the congregation confers an essential part of the ministry, then it *virtualiter* [in effect] confers the whole of the same" (Thesis 6).⁹ Also the report of the Commission on Theology and Church Relations on the ministry (September 1981) affirms the same truth with the following statement: "The pastoral office is unique in that all the functions of the church's ministry belong to it."¹⁰

B. The Connection of the Administration of the Sacrament with the Power of the Keys and Pastoral Decision-Making

In view of what has been said above, even the incumbent of such a "limited" ministry of word and sacrament as the proposed diaconate could scarcely, because he would be administering the sacraments, withdraw himself from making major pastoral decisions as they pertain to the power of the keys and other duties. Citations may easily be produced to support this assertion:

- (1.) Someone who administers holy communion may only administer the body of Christ to those who have been previously examined and absolved (Augustana XXV, 1).
- (2.) Someone who administers holy communion may not admit those who do not know what they seek in holy communion (Large Catechism V, 2) nor those who live shameless and wicked lives (Apology XI, 4).

⁸Joachim Heubach, *Die Ordination zum Amt der Kirche* (Berlin: Lutherisches Verlagshaus, 1956), page 153 (translated anew).

⁹*Lehre und Wehre*, 20 (numbers 9, 11, and 12), pages 257-268; 331-339; and 363-369 (translated anew).

¹⁰CTCR, *The Ministry*, 19.

(3.) Someone who administers holy communion may not commune those who refuse to receive or accept the instructions of the Small Catechism (Preface 11).

By administering the sacrament of the altar the ordained deacon would be forced to make major pastoral decisions by virtue of the fact that the power of the keys is his thereby. Administering the sacrament must include the ability to discern between those who give evidence of being ready for forgiveness and those who do not. On the basis of this judgment members are either admitted to the sacrament of the altar or else refused. No supervisor can relieve the administrator of the sacrament of these duties. The statement, therefore, in the "Overture to Establish an Ordained Diaconate" that "the deacon is not authorized to make pastoral decisions" (page 3) is totally misleading. For it is precisely in administering the sacrament of the altar that he will have to make important decisions of a pastoral nature.

In the light of these facts it also remains unclear why the ordained deacon should offer neither (private) confession and absolution nor formal counseling (page 3). Also confusing is the description of the ordained deacon as a "practitioner" and "not a theologian" (page 4). This distinction could create the misconception that no theological study is required for this office, whereas such laxity is surely not the intention of the proposal to establish an ordained diaconate (page 5).

C. Holy Communion for the Whole Church

The idea of an ordained deacon who "communes only the members" of his congregation (page 3) is a related concern. The phrase "only the members" in the "Overture to Establish an Ordained Diaconate" seems to say that members of other churches of the Missouri Synod would be unable to commune as guests at the sacrament of the altar when administered by an ordained deacon. Such a restriction would, however, threaten the important premise that the sacrament of the altar is a public act of the church (*res publica*) in the sense that it was divinely

instituted for the entire church of Christ (*tota ecclesia*) and not for a local church only (Apology XXII, 4).

D. Ordination as a Timeless and Public Act
of the Whole Church

The "Overture to Establish an Ordained Diaconate" proposes to ordain a deacon only to a local setting and then envisages a time-frame for his ministry. Such restrictions, however, do not comport with the nature of ordination as a "transparochial" and public statement of the entire church and not of the calling congregation alone.¹¹ It is for this reason that only presidents or bishops or pastors are asked to ordain. Ordination to a certain locality would imply that, if the deacon were to be installed in another congregation, he would have to be ordained again. The Lutheran understanding of ordination, however, cannot be reconciled with such a practice. Installation or induction are not the same as ordination. No pastor is ordained again when taking another call. A deacon, then, who had been ordained could be restricted to the same area for a limited period of time, but by virtue of his ordination he would still be "eligible to be called by other segments of the church" once he had served the agreed time in the initial congregation.¹²

These points raise the question whether the term "ordination" should be applied to such an office as the "Overture to Establish an Ordained Diaconate" proposes. For, if he be ordained, how can the deacon be barred from providing absolution or "formal pastoral counseling" and restricted to only "such Christian advice and comfort as might be given by any layperson" (page 3)? Since the Lutheran doctrine explains ordination in its narrow sense as a confirmation of the call into the office of the church with all its functions, a term other than "ordination" should be found. Here again the report of the Commission on Theology and Church Relations on the ministry (September 1981) provides important counsel: "Tradition, common expectations, and the uniqueness of the pastoral office speak against using the

¹¹CTCR, *The Ministry*, 30.

¹²CTCR, *The Ministry*, 30.

term 'ordination' for other than the office of the public ministry."¹³ Since the call with ordination is the act of the church by which the pastoral office and all its functions are conferred, the licensing system still in common practice must be rejected as the same abomination against which C. F. W. Walther already took a clear stand: "What an unbiblical, unscrupulous, and soul-destroying act . . . the so-called system of licensing is with which one gives only a so-called license to those whom one is reluctant to ordain to the office because of their inexperience and lack of competence to hold it."¹⁴

E. An Eclectic Understanding of Needs

In view of the manifold needs of Christian believers a total office with all the *munera pascendi* must be affirmed. The "Overture to Establish an Ordained Diaconate" proposes "basic pastoral care" or "primary pastoral care" to address the basic needs of believers (page 3). The yardstick, however, used to evaluate such basic needs remains questionable. On what basis does the sacrament of the altar qualify as a Christian need, while weekly or daily confession and absolution does not? The overture seems to single out the sacrament of the altar and promote it as a missionary sacrament to validate the need of the ordained diaconate which it describes. A limited access, however, to the office of the church, such as the "overture" proposes, restricts the total and full claim of the word and sacraments. God instituted the office of the ministry for the precise purpose that He might provide all His gifts to address and correct every need. A man, if ordained, can only be given the whole office of the gospel. Certain terms and phrases, therefore, which the "Overture to Establish an Ordained Diaconate" pairs with "ordination" – such as inability "to make pastoral decisions" (page 3) and "a practitioner" but "not a theologian" (page 4) – are, in reality, theologically incompatible with ordination.

¹³CTCR, *The Ministry*, 22.

¹⁴C. F. W. Walther, *Americanisch-Lutherische Pastoraltheologie* (St. Louis: Concordia Publishing House, 1906), 64 (translated anew).

F. Strategy Versus Theology

It remains to be asked, finally, whether outreach to immigrant groups or congregations in need could not be addressed in meaningful ways other than the one proposed by the "Overture to Establish an Ordained Diaconate." The term "diaconate" could be utilized, to be sure, to describe an office of helping a pastor, combined with catechetical duties and welfare (even though differing from the sense in which "deacon" was employed in the Reformation for such a man as George Roerer). More importantly, however, an alternative means to alleviate the desperate situation of immigrants would be to call an ordained pastor for a particular group from the Lutheran Church (if one exists) in the country of origin of the immigrants. The "overture" offers little explanation as to why additional missionaries or pastors could not to be called by the Synod to already existing congregations through which surrounding pockets of people might be reached (in line with the concept of Wilhelm Löhe). The church needs to address the ambivalent relationship between theology and mission-strategy. The mission-strategy of the Synod must be realigned and modified to agree with the overriding theological principles of the Synod (as exemplified by the report already cited of the Commission on Theology and Church Relations on the ministry).

IV. Conclusion

On the basis, therefore, of all the points which have now been enunciated, the faculty of Concordia Theological Seminary requests that the proposal to create an "ordained diaconate" be reconsidered. The claim for the historical validity of such an office is, in reality, inconsistent with the historical evidence provided. Unfortunately, too, the "Overture to Establish an Ordained Diaconate" is riddled with perplexities of a theological nature. The attempt to break apart the office of word and sacrament and its functions seems to be done at random without the provision of any explanation for doing so. The underlying impetus of the response here has been the Evangelical Lutheran spirit embodied in a full ordination to the whole office with all its functions to convey the whole word of

God to the whole church. The terms "call" and "ordination" are complementary and have always described actions by which the full pastoral duties have been conferred on a man with a view to shepherding a congregation. As Luther declares, "To ordain should mean and be, to call [*berufen*] and commission [*befehlen*] to the pastoral office."¹⁵

¹⁵*Die Bekenntnisschriften der Evangelisch-Lutherischen Kirche*, 10. Auflage (Göttingen: Vandenhoeck und Ruprecht, 1986), page 458, footnote 2 (translated anew).