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# The CTCR Report on "The Ministry"

Samuel H. Nafzger

In the autumn of 1981, after seven years of research, the Lutheran Church—Missouri Synod's Commission on Theology and Church Relations (CTCR) completed work on "The Ministry: Offices, Procedures, and Nomenclature." Copies of this document were sent to all synodical congregations, pastors, and teachers, together with a recommendation from the President of Synod that it be given widespread and careful discussion.

The purpose of this article, published at the request of the CTCR, is to provide background material to assist the members of the Synod in their study of this report on "The Ministry." In keeping with this objective, we shall therefore first discuss the present context for this document by reviewing the questions and issues concerning the ministry which have been directed to and discussed by the Commission in recent years. Then we shall outline the basic positions on the doctrine of the ministry which have been advocated by confessional Lutherans during the past hundred and fifty years. Finally, we shall highlight the basic conclusions of the CTCR report itself in the light of the contemporary and historical discussions on the doctrine of the ministry.

## I. The Contemporary Setting

### A. *Formal Requests for a Study on the Ministry*

"The Ministry: Offices, Procedures, and Nomenclature" is the CTCR's official response to three formal requests that it undertake a study of various aspects of the doctrine of the ministry.

#### 1. THE ST. LOUIS SEMINARY BOARD OF CONTROL

In August 1974 the CTCR received a request from the Board of Control of Concordia Seminary in St. Louis, which was endorsed by the President of Synod, that it "provide a theological study of proper 'call' nomenclature and procedures, particularly as these apply to the varied ministries of the church." In an accompanying letter, the Board presented the reasons for this request:

The need for this study arose within the Board of Control as we endeavored to employ proper terminology for issuing calls and appointments to prospective faculty members and staff members, some of whom are clergymen and others of whom are not. We noted that in our own practice in recent years there has been some variety in the nomenclature employed. The question was also raised whether the procedures for issuing various types of calls or appointments should be clarified, particularly whether the issuing of a

Divine Call should differ in any respect from the issuing of a staff appointment. Another question that received considerable discussion was whether a person can be dismissed from a call through the same procedures that would normally be employed for dismissing someone because of a breach of contract.

The Board concluded that this subject "has dimensions that reach far beyond our own Board and could best be answered in a broader synodical study."<sup>1</sup>

## 2. THE NORTHWEST DISTRICT BOARD OF DIRECTORS

The Board of Directors of the Northwest District, also in August 1974, officially requested that the CTCR study various aspects of the doctrine of the ministry. The Board adopted a resolution petitioning the Commission on Theology "to produce for the Synod an in-depth study of the Power of the Keys, especially as it pertains to the right and autonomy of the local congregation in the exercise of 'The Keys,' the call, ordination, and the relationship of the constitution and bylaws to the Scriptural doctrine of 'The Keys.'"<sup>2</sup>

## 3. THE MICHIGAN DISTRICT

The Michigan District of the Lutheran Church—Missouri Synod adopted a resolution at its 1976 convention which petitioned "the CTCR to make a thorough study of the Doctrine of the Call."<sup>3</sup> This request grew out of a discussion of questions such as the following: Do district executives have divine calls? Are calls without tenure divine? Is a man still a pastor if he does not have a divine call with tenure?

### B. *Reactions to the CTCR Report of 1973 on "The Ministry in Its Relation to the Christian Church"*

As the CTCR prepared "The Ministry," it took into account the reactions which it had received to its March 1973 report, "The Ministry in Its Relation to the Christian Church."

In this document, the Commission had responded to a number of assignments which had been given to it over the years by the Synod in convention. For example, 1965 Resolution 5-14, "To Ordain Called Male Teachers," had been referred by the convention to the CTCR "for a report to next convention."<sup>4</sup> In response to this assignment, the CTCR came to the following conclusion in its 1973 report regarding the ordination of called male teachers:

Since called male teachers in The Lutheran Church—Missouri Synod are called to perform certain functions of the

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Ministry, and are considered clergy, and since, moreover, ordination is an adiaphoron, that is, a custom of the church not divinely commanded, there are no biblical or theological reasons why teachers could not be ordained to perform that function of the Ministry to which they are called. In view of the above declaration, and in view of the widely expressed desire for the ordination of the Synod's called male teachers, and to express to these teachers the importance of their high office as a part of the public Ministry of the church, the CTCR recommends . . . that the Synod approve the ordination of synodically certified and called male teachers and directors of Christian education.<sup>5</sup>

In reaching this conclusion concerning the possibility of ordaining called male teachers into the teaching ministry, the members of the Commission were also "forcibly impressed" by the realization that what is said about called male teachers "applies equally to the thousands of consecrated woman teachers in synodical schools." As a result, the Commission's report also made the following recommendation concerning women teachers:

In view of the fact that ordination is not a formula by which a person becomes a pastor, but the church's declaration that the person ordained has been called to perform certain functions of the Ministry, there appears to be no biblical or theological reason why women teachers could not be ordained to the office of teaching the Word. It must be understood that this is a vastly different question from the question of the ordination of women to the pastoral office.<sup>6</sup>

While these recommendations were never acted upon by the Synod in convention, many reactions to them were received by the Commission. Some in the Synod were overjoyed that the CTCR had recommended the ordination of men and women teachers, others were dismayed, but almost everyone seemed to be somewhat confused. Although the Commission had made it clear that its recommendation was that teachers should be ordained into the *teaching ministry* and not into the office of pastor, and in spite of widespread agreement in the Synod that ordination is an adiaphoron, this term is still very clearly associated in the piety of the Synod with the pastoral office.<sup>7</sup>

### C. *The IRS Status of Teachers as "Ministers of the Gospel"*

#### 1. CALLED MALE TEACHERS IN THE LCMS

Although the Commission has not been asked to, nor does its report on "The Ministry," address the question as to whether

women teachers should be classified by the Internal Revenue Service as "ministers of the Gospel," the CTCR is aware of the fact that this question has been under discussion in various parts of the Synod in recent years.<sup>8</sup>

The Internal Revenue Service has traditionally classified called male teachers of The Lutheran Church—Missouri Synod as "ministers of the Gospel." This status, which has not changed despite certain general statements in IRS publications whose application to such male teachers is often misunderstood by local Internal Revenue employees, has been established by rulings issued by the National Office of the Internal Revenue Service.<sup>9</sup> In 1950, for example, the IRS ruled, on the basis of a brief submitted to it by legal counsel on behalf of a called male teacher and The Lutheran Church—Missouri Synod, that he was "a minister of the Gospel within the purview of section 22 (b) (6) of the Internal Revenue Code." Therefore, the IRS held, "the rental value of living quarters" furnished him was not includible in his gross income for Federal income tax purposes.<sup>10</sup>

The Office of the Commissioner of Internal Revenue lists the following reasons for recognizing called male teachers of The Lutheran Church—Missouri Synod as "ministers of the Gospel":

The Lutheran Church consists of local Lutheran congregations which are sovereign, self-governing bodies. The Lutheran pastor and the Lutheran teacher only are charged with the public ministry within a particular congregation. Such congregations have united themselves in a voluntary synodical organization. No layman as such may hold membership in the Synod; membership in the Synod is held by congregations, pastors and teachers. Therefore, by official regulation of the Church the teacher is classified with the pastor in the matter of membership in the Synod.

It is stated that the term "teacher" arises from the fact that these men are employed to teach in the elementary, secondary, and higher schools established, maintained and conducted by the Lutheran Church, and that the term "teacher" is in a sense a misnomer as it implies that these men are in the same category as teachers of public or private schools. It is pointed out that, according to the doctrine of the Lutheran Church, only those who have been specially "called" by the congregation may publicly exercise the rights of preaching, teaching and performing other functions of the public ministry. Elders, deacons, Sunday school teachers and others participate in church work but the special "call"

into the public ministry of the Lutheran Church is reserved for only two classes of men, the pastors and teachers.

The Lutheran Church maintains a system of ten preparatory schools, two seminaries for the training of its pastors and two teachers' colleges for the training of its teachers. The students who attend the preparatory schools may enter either the seminaries and become Lutheran pastors or the teachers' colleges and become Lutheran teachers. The curriculum of the teachers' colleges centers around courses in religion which is at the core of and permeates the entire course of study. There are thirteen courses on religious subjects, eight of which are required and five of which are elective. It is contended that the Lutheran teachers' training is such that it qualifies him as a minister of the Gospel. The Lutheran parish schools integrate religious education with the entire school life, curricular and extra-curricular, and the work of the teacher is regarded as part of the ministry of the church. Financial assistance is offered to students in the teachers' colleges.

At the time a young man is trying to determine whether or not to become a Lutheran teacher emphasis is placed on the service he is to render to God in the profession, and it is made clear that his chief compensation will not be the financial remuneration but the satisfaction of serving the Lord. It is pointed out to him that as a Lutheran teacher he has a heavy responsibility as a servant of the Church. The office of the Lutheran teacher is said to be a lifework and the average term of office about thirty-five years.

A "call" is issued by a particular congregation or other authorized body requiring the services of a pastor or teacher. The "call" is not merely an appointment to a secular position; it involves an election by the congregation. A "call" is never issued to laymen or to women, and may be issued only to such servants of the church as have been specially trained and officially approved by the Synod as pastors or teachers. If the Lutheran teacher accepts the "call" he is then installed by the congregation which issued it. Both teachers and pastors are installed, the only difference being that the initial installation of a pastor is called an ordination. The teacher's first installation is essentially the equivalent of an ordination in that it is a formal, solemn confirmation of the teacher's "call" as a lifelong servant of the Church — a consecration or setting aside of such person for lifelong service. By reason of his

“call” the teacher shares with the pastor the performance of the public ministry in the Lutheran Church. In the exercise of the functions of the public ministry, the Lutheran pastor and teacher are on an equalify [sic] as ministers of the Gospel. A very important and significant factor is that a Lutheran teacher may be authorized by the congregation to perform and often does perform any or all of the following ministerial duties: confirmation instruction, preaching and conducting church services, baptizing infants or adults, administration of Holy Communion, visiting the sick, spiritual guidance of Church organizations, spiritual counsel, mission work, funeral services, and Church discipline. It is a matter of custom and not of doctrinal prohibition that Lutheran teachers do not conduct marriage ceremonies.

Like that of a pastor, the “call” of the teacher is for life. If a teacher or a pastor deserts his vocation for invalid reasons or disqualifies himself in any manner, he is declared “ineligible for another call” and officially removed from the synodical roster of ministers of the Church by the Synod.

Lutheran teachers along with the pastors participate in the pension plan operated by the Church.

On the basis of this understanding of the status of called male teachers in the Synod, the IRS came to this conclusion:

In view of the foregoing it appears that teaching in a Lutheran parochial school is a function of the public ministry in the Lutheran Church and that a Lutheran teacher has the status of a minister of the Gospel within the Lutheran Church. It further appears that a Lutheran teacher is subject to the same rules and regulations as a pastor with respect to call, installation, discipline, and retirement; performs the same functions as a pastor insofar as the congregation which he serves sees fit to authorize him, and enjoys, as does the pastor, membership in the Synod. It is held, therefore, that Mr. Eggen is a minister of the Gospel within the purview of section 22 (b) (6) of the Internal Revenue Code. Accordingly, the rental value of living quarters furnished Mr. Eggen is not includible in the gross income of Mr. Eggen, for Federal income tax purposes.

The IRS’s ruling concludes by stating that this ruling is “applicable only to the teachers of The Lutheran Church— Missouri Synod, the conclusions being based on the particular facts presented with respect to teachers of that organization.”<sup>11</sup>

It is important to note that this ruling of the IRS refers to “two

classes of men, the pastors and teachers." One would never surmise, on the basis of this IRS ruling, that there are women parochial school teachers in The Lutheran Church—Missouri Synod.

## 2. WOMAN PAROCHIAL SCHOOL TEACHERS IN THE LCMS

Traditionally, a formal distinction was clearly drawn between "teachers" (meaning male) and "women teachers" in the Synod. For example, "teachers" were extended "calls" and "installed" into office, whereas eligible female teachers were "appointed" and were "inducted" into office.<sup>12</sup> But the 1965 convention of the Synod changed this distinction. It adopted a statement which held that the appointment of certified women teachers "should properly be regarded as a call," that it is proper to speak of their "installation" into office, and that "the scope of activity of a certified graduate woman teacher would seem limited only by the abilities which she has and the assignment which the congregation gives her in keeping with Scriptural principles."<sup>13</sup> Moreover, in 1973 the Synod declared, without a single delegate asking for the floor to speak, that "all teachers, male or female, who have met all requirements for inclusion in the official roster of the Synod be considered eligible for membership under the terms of Article V and VI of the Constitution."<sup>14</sup>

In the face of these developments, is it any wonder that it was not very long before women teachers in the Synod began to feel that they should be eligible for the same IRS privileges as men teachers? And at the same time, it should come as no surprise if some expressed confusion that the Synod has repeatedly and consistently reaffirmed its traditional position that "the Word of God does not permit women to hold the pastoral office or serve in any capacity involving distinctive functions of this office" (1969 Res. 2-17; 1971 Res. 2-04; 1977 Res. 3-15). In other words, the question must necessarily arise: How is it possible to say that "the Lutheran pastor and teacher are on an equality as ministers of the Gospel"<sup>15</sup> and that no distinction should be drawn between men and women teachers, while at the same time maintaining that the Synod has no women pastors?

Therefore, in view of this contemporary discussion regarding the IRS classification of "ministers of the Gospel," the Commission, although it had not prepared its report on "The Ministry" with this discussion in mind, felt it advisable to have its report reviewed by Synod's legal counsel prior to its adoption in May 1981. The Commission was informed that this document, while clearly recognizing the Synod's position opposing the ordination of women into the pastoral office, would not place in jeopardy the



IRS status of called men teachers as “ministers of the Gospel.” Moreover, it was pointed out to the CTCR that whereas the IRS had previously based “minister of the Gospel” classification on authorization “to exercise *all* of the ecclesiastical duties,” it has now amended this requirement to read “*substantially all* of religious functions” of the public pastoral ministry.<sup>16</sup>

Significantly, 1981 Resolution 5-09, “To Classify ‘Ministers’ for Purposes of Federal Law,” which was referred to Synod’s Board of Directors “for study and report at next convention,” had been prepared by the directors in consultation with Synod’s legal counsel after they had reviewed the CTCR report on “The Ministry.”<sup>17</sup> Left undecided, however, is the question of the Synod’s position regarding the seeking of a determination by the IRS to grant “minister of the Gospel” status also to its called women teachers. This is a question which the Synod still must face.

#### D. Other Questions

While the Commission was working on the report on “The Ministry,” it received a number of requests for opinions concerning various aspects of the doctrine of the ministry.<sup>18</sup>

1. Is it proper for an auxiliary agency of the Synod to issue a call?<sup>19</sup>
2. May a synodical convention or synodical president remove a District president of the Synod without violating the doctrine of the divine call?<sup>20</sup>
3. May a congregation abolish the office of head pastor?<sup>21</sup>
4. Does a pastor of a congregation leave “The Ministry” when he takes a call to teach at a synodical college or seminary?<sup>22</sup>
5. Is it proper for teachers, directors of Christian education, and lay ministers, on a regular basis, to preach and to administer publicly the sacraments of baptism and the Lord’s Supper?<sup>23</sup>
6. Are men who have been ordained into the pastoral office in other denominations and those LCMS pastors who are returning to the pastoral ministry after having left it for a time to be “re-ordained”?<sup>24</sup>
7. What is the propriety of status calls?<sup>25</sup>
8. May parochial school teachers be franchised to vote at district and synodical conventions?<sup>26</sup>

## II. Historical Background

Holsten Fagerberg begins the chapter on the ministry in *A New Look at the Lutheran Confessions* by stating:

In order that the Word, the sacraments, and absolution might come to men, the church has the office of the ministry.

Few questions, however, have prompted greater arguments than has the concept of the ministry in the Lutheran Confessions. This discussion, which was carried on in the middle of the 19th century, has not yet been concluded but has, on the contrary, once again become a matter of great interest. And although the theologians involved worked to a large extent with the confessional writings and thus had a common basis for their studies, they produced widely varying results.<sup>27</sup>

Disagreements on the doctrine of the ministry among confessional Lutherans became prominent during the 1840's when a debate broke out in Prussia on this issue. In the face of the Revolution of 1848, the relationship of the church to the state and the constitution of the church became a burning question. On the one hand, there were those who argued that *das Amt* (the office of the ministry) was divinely instituted and that it belonged to the essence of the church. Others held that "the office" had gradually developed in the congregations as the need arose, with the episcopacy arising after the year 70 by apostolic institution. This discussion set the stage for a long running debate about what the Lutheran confessions mean by the phrase *ministerium ecclesiasticum* ("the ministry of the church"). Fagerberg poses the question this way: "Is it a function which basically can be exercised by all believing Christians? Or is it a special service which is entrusted to servants who are called and ordained thereto? Or is it a function in the church, exercised by persons who are called for this purpose?"<sup>28</sup>

Since the middle of the nineteenth century Lutheran theologians have taken three fundamentally different positions on this question, which can be categorized as follows: (1) the "episcopal school," which emphasizes the *office* aspect of the doctrine of the ministry; (2) the "functionalist school," which appears to identify the office of the ministry almost exclusively with function; and (3) the "mediating school," which attempts to steer a middle course between the first two positions.

#### A. The "Episcopal School"

Some theologians take the position that "the office" of the holy ministry is a special estate. They contend that "the office" is the contemporary form of the New Testament apostolate (Stahl) and that the person who holds this office is the personal representative of Christ (Vilmar). Perhaps the best known early advocate of this understanding of the ministry was Wilhelm Loehe (1808-72).<sup>29</sup> He held that the office of the ministry is not merely derived from the universal priesthood but that it is rather a special office and gift of

God. In addition, it was his position that there is a "succession of elders" and that the Scriptures do not indicate any participation of the people in the office. Conrad Bergendoff summarizes the position of the "episcopal school" in these words:

Stahl, Vilmar, and Loehe represented the autonomy of the ministry, speaking of the divine right of the order which did not come from the universal priesthood but was constituted by Christ, maintained itself in a ministerial succession, and existed parallel with the congregation which it served.<sup>30</sup>

Holding somewhat similar views was also Pastor Grabau in Buffalo, who regarded the church as the visible aggregate of pastors, whose function was "to instruct their parishioners and direct all church affairs, and laymen, whose duty it was to hear and obey."<sup>31</sup>

Theologians belonging to the "episcopal" school have looked to a number of passages from the Lutheran Confessions to support their position:

Our teachers assert that according to the Gospel the power of the keys or the power of bishops is a power and command of God to preach the Gospel, to forgive and retain sins, and to administer and distribute the sacraments [AC XXVIII, 5]. 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 [AC XXVIII, 21].

The Gospel requires of those who preside over the churches that they preach the Gospel, remit sins, administer the sacraments, and, in addition, exercise jurisdiction, that is, excommunicate those who are guilty of notorious crimes and absolve those who repent. By the confession of all, even of our adversaries, it is evident that this power belongs by divine right to all who preside over the churches, whether they are called pastors, presbyters, or bishops.

For wherever the church exists, the right to administer the Gospel also exists. Wherefore it is necessary for the church to retain the right of calling, electing, and ordaining ministers [Treatise 60-61, 67].

The church has the command to appoint ministers; to this we must subscribe wholeheartedly, for we know that God approves this ministry and is present in it [Ap XIII, 12].

Theologians taking this position, moreover, tend to hold that ordination is effective by divine right and that it is therefore essential.<sup>32</sup>

### B. *The Functionalist School*

Opposed to the position of the “episcopal school’s” emphasis on “the office” as a divinely instituted, special estate, is what might be called the “functionalist school.” According to this view, the *office* of the holy ministry exists in the church not by divine command but by human arrangement. What exists by divine command is not a special office but a function, an activity — namely, the function of preaching the Gospel and of administering the sacraments. This function belongs to the whole church. For the sake of good order, however, and as a result of development which has taken place in the years following the apostles, the church, in particular the Christian congregation, calls a person to carry out these functions in its midst in behalf of all. The net result is that this functional view of the ministry combines the office of the holy ministry with the universal priesthood of all believers. Theologians belonging to this school tend to regard ordination as nothing more than a pious custom of the church. The leading exponent of this understanding of the ministry in the nineteenth century debate on this issue was J.W.F. Hoefling (1802-53), a professor at Erlangen.

In 1853 Hoefling presented a refutation of Loehe’s views in a book which argued that “the office” was not specially instituted but had its origin in the priesthood of all believers.<sup>33</sup> It was Hoefling’s contention that the Loehe view turned the Gospel into a ceremonial law. Others who tended to take variations of Hoefling’s position in the nineteenth century debate were his colleagues in Erlangen, J.C.K. von Hofman and G. Thomasius. In more recent years this position has been advanced by Gustaf Wingren, P.E. Persson, E. Kasemann, and Eduard Schweizer.

The “functionalist school” cites as evidence for its view those passages in the confessional writings which emphasize the means through which Christ creates and preserves the church:

To obtain such faith God instituted the office of the ministry, *that is, provided the Gospel and sacraments*. Through these, as through means, he gives the Holy Spirit, who works faith, when and where it pleases, in those who hear the Gospel [AC V, 1-2 (emphasis added)].

The translation of the Latin rendition of this article reads:

In order that we may obtain this faith, the ministry of teaching the Gospel and administering the sacraments was instituted. For through the Word and the sacraments, as through instruments, the Holy Spirit is given, and the Holy Spirit produces faith, where and when it please God, in those who hear the Gospel.

The *Tractatus* contains the following passage:

... the keys do not belong to the person of one particular individual but to the whole church ... He [Christ] bestows the keys especially and immediately on the church, and for the same reason the church especially possesses the right of vocation [Treatise 24].

Functionalists find support for their position in Tappert's footnote to Augustana V: "This title ["The Office of the Ministry"] would be misleading if it were not observed (as the text of the article makes clear) that the Reformers thought of 'the office of the ministry' in other than clerical terms."<sup>34</sup> Wingren, accordingly, holds that Augustana V does not refer to a special office but to "activities" which are necessary to the life of the church, thereby identifying the office of the ministry with the preached Word.<sup>35</sup> Functionalists, in accordance with this standpoint, hold that when the Confessions refer to the *Predigtamt* (preaching office), they have in mind the active and life-giving Gospel, regardless of who it is who presents it. According to this view of the ministry, office *is* function. Although theologians holding this view sometimes continue to speak of "office," they use this term to refer to functions.

### C. The Mediating School

Taking a position somewhere between the two extreme positions of the "episcopal school" and the "functionalist school" are a variety of theologians who occupy a wide middle ground. E.W. Janetzki of the Lutheran Church in Australia describes the position of this school in this way:

In general, theologians who hold this middle ground position, against Hoefling and others, reject the teaching that the office of the ministry is a human arrangement derived from the universal priesthood of believers; it is a divinely-instituted office. On the other hand, the middle ground theologians reject the view that the office constitutes a special class or estate in the Church, and that the authority to function in the office is conferred by ministers through ordination. They maintain that the office does not exist over or above the Church but in the Church.<sup>36</sup>

Foremost among the nineteenth century theologians in Germany who attempted to find a mediating position on the doctrine of the ministry were Harless, Kliefoth, and Theodosius Harnack. More important for us in the Lutheran Church—Missouri Synod is C.F.W. Walther, who, with his 1851 theses on church and ministry (*Kirche und Amt*), sought a compromise between the positions of Loehe and Hoefling in a dispute which arose between the Missouri and Buffalo Synods.<sup>37</sup>

In opposition to Carl Vehse, who wanted to reduce the office of the ministry to a mere public service enjoined to a person, Walther decisively held to the distinction of "the office of the ministry" from the priesthood of all believers. Walther's first three theses, therefore, emphasize, against the functionalist position, that the "pastoral office" is divinely instituted:

1. The holy ministry, or the pastoral office, is an office distinct from the priestly office, which belongs to all believers.
2. The ministry, or the pastoral office, is not a human ordinance, but an office established by God Himself.
3. The ministry of preaching is not an arbitrary office, but its character is such that the Church has been commanded to establish it and is ordinarily bound to it till the end of days.

But Walther was fighting a battle on two fronts. He also intended for his theses "to repel the attacks of Pastor Grabau," as he puts it on the title page of his book *The Voice of our Church on the Question concerning the Church and the Ministry (Kirche und Amt)*.<sup>38</sup> Accordingly theses 4, 9, and 10 reject certain aspects of the doctrine of the ministry held by the "episcopal school":

4. The ministry of preaching is not a peculiar order, set up over and against the common estate of Christians, and holier than the latter, like the priesthood of the Levites, but it is an office of service.
9. Reverence and unconditional obedience is due to the ministry of preaching when the preacher is ministering the Word of God. However, the preacher may not dominate over the Church; he has, accordingly, no right to make new laws, to arrange indifferent matters and ceremonies arbitrarily, and to impose and execute excommunication *alone*, without a previous verdict of the entire congregation.
10. According to divine right the function of passing judgment on doctrine belongs to the ministry of preaching. However, also the laymen have this right, and for this reason they also have a seat and vote with the preachers in church courts and councils.

In Thesis 7 Walther holds that the office of the ministry (*Predigtamt*), which he identifies throughout with the pastoral office (*Pfarramt*), is conferred by God through the congregation:

7. The holy ministry is the authority conferred by God through the congregation, as holder of the priesthood and of all church power, to administer in public office the common rights of the spiritual priesthood in behalf of all.

This office is conferred by God through the call of the

congregation, "as prescribed by God," and not by ordination, which has not been divinely instituted but "is an apostolic church ordinance and merely a public, solemn confirmation of the call" (Thesis 6).

Before moving to the CTCR report on "The Ministry," it is necessary to say a word in this brief historical review about Walther's eighth thesis. It reads:

8. The ministry is the highest office in the Church, from which, as its stem, all other offices of the church issue.

In elaboration of this thesis, Walther writes:

For with the apostolate the Lord has established in the Church only one office, which embraces all offices of the Church and by which the congregation is to be provided for in every respect. The highest office is the ministry of preaching, with which all other offices are simultaneously conferred. Therefore every other public office in the Church is merely a part of the office of the ministry, or an auxiliary office, which is attached to the ministry of preaching, whether it be the eldership of such as do not labor in the Word and doctrine, 1 Tim. 1:15, or that of rulers, Rom. 13:8, or the diaconate (ministry of service in the narrower sense) or the administration of whatever office in the Church may be assigned to particular persons.<sup>39</sup>

Some in the recent history of the LCMS have taken issue with Walther's position as stated in this thesis.

August C. Stellhorn, for example, in a number of essays written around 1950, presents his view that the preaching and teaching of God's Word and the administration of the Sacraments was "the one divinely instituted office or ministry" and that it was given "to all true disciples of Christ, to all true believers, regardless of age or sex — not to an organization, not to a class of Christians, such as only the men, only the adults, only the clergy."<sup>40</sup> He writes:

There is no such thing as 'only *one* divinely-instituted Church position,' as we have commonly claimed for the present-day pastorate. On the contrary, if the positions in the early Christian Church may be said to be divinely instituted, then Scripture teaches that God instituted a number of offices or church positions none of which can be proved to exist in its original form today.<sup>41</sup>

A.C. Mueller, in his book *The Ministry of the Lutheran Teacher* (1964), agrees with Stellhorn. Mueller shows his tendency towards the functionalist school when he writes in the introduction of his book:

Two views of the ministry have been propounded among us,

and they are mutually exclusive; it is an either — or. According to one view, the pastorate is the one divinely instituted office; all other positions in the ministry stem from the pastorate and are auxiliary offices to the pastorate. According to the other view, which I believe is the Biblical one, God has instituted the office of the ministry, that is, He has commissioned His church to proclaim the Gospel and administer the sacraments, but He has not prescribed the forms in which the church is to fulfill the commission. All forms of the ministry, including the pastorate, stem from the one divinely instituted and all embracing office of the ministry.<sup>42</sup>

He does not hesitate to say that Walther's position "is not in agreement with Scripture." He continues: "If in this instance Walther, great theologian he was, erred, then we ought to correct his error and get back to the Scriptures and to Luther and the great theologians who are in the tradition of Luther."<sup>43</sup>

Having reviewed the questions on the ministry which had been addressed to it and mindful of the basic stances which Lutherans have taken on this question, the Commission proceeded to prepare "The Ministry: Offices, Procedures and Nomenclature," to which we now turn.

### **III. "The Ministry: Offices, Procedures and Nomenclature"**

#### ***A. Background and Procedure of Preparation***

It should be pointed out at the outset that "The Ministry" does not purport to be an exhaustive study of all aspects of the doctrine of the ministry. Noting that the word "ministry" is frequently used in a general or wider sense to refer to "the service of all Christians," and that this service "is intimately connected with the public ministry," the Commission expressly states that the purpose of this report is to "focus on the ministry in the narrower and public sense" (p. 11). This document, therefore, does not take up such matters as the priesthood of all believers and the important implications this doctrine has for the service of all Christians, nor does it discuss working relationships between pastors and teachers, directors of Christian education, parish and lay workers, deaconesses, and others in team ministries.

The Commission began its study on "The Ministry" by conducting a thorough exegetical study of what the Scriptures have to say about the ministry. It then studied what the Lutheran Confessions have to say about this doctrine. It also reviewed the writings of the orthodox theologians on this topic, as well as those of the fathers in the Missouri Synod and contemporary theologians in this country and other countries, especially in Northern



Europe. After four years of researching and studying this assignment, the Commission discussed a lengthy and rather technical draft of this report with the faculties of the Synod's two seminaries, with representatives of the Synod's teachers colleges, with synodical staff people from the Board of Higher Education, the Board of Parish Education, the personnel and statistical department, and finally with Synod's legal counsel. On at least three different occasions this report was discussed with the Council of Presidents. Following these consultations, the original draft was completely re-written, then discussed and revised by the plenary CTCR, and finally published and distributed to the Synod for study and guidance in October 1981.

#### B. *The Scriptures on "The Office of the Ministry"*

The Commission summarizes its findings of what the Scriptures have to say about "the office of the ministry in the church" in the following paragraphs (pp. 13-15):<sup>44</sup>

The functions of the divinely established office of the public ministry can best be seen by looking at the nomenclature that Scripture uses to refer to it. In 1 Tim. 3:1 Paul uses the word *episkopee*, that is, the "oversight," to refer to the office of bishop. As a father manages his household, so the bishop stands at the head of his congregation as one who is charged with the duty of caring for the church of God. As the apostle Paul's co-worker, Timothy himself is to exercise the duties of this office as he worked among the congregations founded through the preaching of the apostle. As an overseer of the congregation, Timothy is to command and teach pure doctrine. He is to attend to public reading of Scripture, to preaching, to teaching. He is to oversee the spiritual life of the old men, the young men, the old women, the widows, the children, the slaves, the masters, and "the rich in this world." The people are to be encouraged and guided to pray for all men. Women are to be guided in modesty of dress and adornment. The members committed to the overseer's care are to be instructed about and warned against those who forbid marriage and enjoin abstinence from foods that God created to be received with thanksgiving. From all of this it is clear that the oversight is not exercised according to a man's own ideas and standards but according to the revealed will of God through the inspired apostles' God-breathed words. There is a bishop's office (*episkopee*), and oversight is one of its definitive functions.

Another Scriptural term for the office of the public ministry is elder (*presbyteros*). There are different kinds of elders, and 1 Tim. 5:17 indicates that some were specifically engaged in

preaching and teaching. The presbyters teach and preach the Word of God, by which the Holy Spirit creates and sustains faith in the hearts of the members of the flock and empowers and guides them for Christian living and service.

Hebrews 13:7 indicates that there were in the church “leaders,” those who “spoke to you the word of God,” and in verse 17 the people in the churches that are addressed are admonished: “Obey your leaders (*heegoumenoi*) and submit to them; for they are keeping watch over your souls, as men who will have to give account.”

In Ephesians 4:11-12 St. Paul refers to the various offices that God gave to the church for the building up of the saints for the work of service. Two important observations should be made within the context of this report. In giving the “shepherds and teachers” to the church, God was also appointing them, just as He appointed kings for Israel (1 Kings 1:48; 1 Sam. 12:13; cf. also Eph. 1:22.) Moreover, by attaching the definite article “the” to “shepherds and teachers” the apostle indicates that teaching belongs to the essence of the duty of shepherding. Although there are varying interpretations of this passage from Ephesians 4, it is evident that teacher (*didaskalos*) does not refer to the modern office of the parish school teacher. The emphasis here is on how the saints are prepared for service by apostles, prophets, evangelists, and pastors/teachers. The pastor does this by teaching the Gospel and administering the sacraments. [Hence the Lutheran Confessions call this office “the ministry of teaching the Gospel and administering the sacraments” (AC.V).]<sup>45</sup>

Of great significance for the nature of the New Testament ministry are expressions like “the ministry of the word” (Acts 6:4), “ministers of a new covenant” (2 Cor. 3:6), “the ministry of the Spirit” (2 Cor. 3:8 NIV), “the ministry of reconciliation” (2 Cor. 5:18), and Paul’s reference to himself as “a minister” of the Gospel (Col. 1:23).

In Titus 1:5 Paul writes: “This is why I left you in Crete, that you might amend what was defective [*ta leiponta*, used intransitively to indicate what is absent, lacking, missing], and appoint elders in every town as I directed you.” Immediately the prerequisites for such elders, who are referred to as bishops, are presented (v. 7).<sup>46</sup>

In Acts 14:23 the example of the apostles is recorded. They appointed (ordained) elders for them in every church. In Acts 20:17 and Acts 20:28 the term elder and bishop are used interchangeably, as in Titus 1:5 and 7. In Acts 20:28 Paul

admonishes the elders: "Take heed to yourselves and to all the flock, in which the Holy Spirit has made you overseers, to care for the church of God which he obtained with the blood of his own Son."

On the basis of the Scriptural evidence, the Commission concludes that "the office of the public ministry, the ministry of teaching the Gospel and administering the sacraments in the church, is divinely mandated" (p. 15).<sup>47</sup> So strong is the case for the "office of bishop" in the Pastoral Epistles that it has become one of the best-known arguments used by critical exegetes against their Pauline authorship.<sup>48</sup>

### *C. The Lutheran Confessions on "The Office of the Ministry"*

The most important passages from the Lutheran confessions have already been referred to above.<sup>49</sup> All that is necessary at this point, therefore, is to present the following aspects of the ministry which the Commission finds in the confessional writings (pp. 8-9):

God has given Word and sacraments that people may come to faith.

God has arranged that the Word and sacraments should be taught and administered.

Since such a ministry has been established by God, individuals are called to be ministers by the church.

Those who are called to be ministers hold and exercise the office of the ministry.

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.

The power of the ministers is the power to preach the Gospel, administer the sacraments, and forgive and retain sins.

The power of the ministry is not a temporal power but a power in spiritual matters of Word and sacrament.

Ministers cannot arrogate such authority to themselves, but it must be conferred by the call of the church.

### *D. Office and Function*

The key characteristic of the CTCR report on "the office of the ministry" is that it seeks to take seriously *all* that the Scriptures and the Lutheran Confessions have to say about both the *office* and the *function* of the public ministry. On the one hand, the Commission concludes that the Scriptures teach that the office of ministry is divinely instituted. Something divinely willed is missing if the office of the public ministry does not exist. A

congregation does not have the right to abolish the office of pastor in its midst. This office, however, is referred to in the Scriptures by several different names. Lutherans, therefore, have never insisted on the necessity of using any one certain term for this office. The CTCR has chosen to call it “the office of the public ministry” — “office” because this is the term most generally used since the Reformation to refer to the one divinely established office and “public” in order to recognize that this ministry is performed at the request of and with accountability to the church. Other terms may, of course, also be used, such as pastor, shepherd, elder, bishop. Moreover, there has certainly been some development in church offices over the years. From time to time, new offices have been created and abolished by the church, according to need. But it is just as clear that it is God’s will that one office — the office of the public ministry — exist in the church at all times.

On the other hand, the office of the public ministry is described in the Scriptures and the Lutheran Confessions chiefly — but not exclusively — in dynamic and functional terms. As Fagerberg points out:

The term *ministerium* goes back to New Testament word *diakonia*, and it points both to the office itself and to the activities for which this special office was designed. These meanings are closely related to each other, but the Confessions clearly emphasize the latter. Activity as such need not presuppose an office in the conventional sense, but an office must always carry out a distinct activity — and that is what the Confessions accent in particular.<sup>50</sup>

Typical is the Treatise’s reference to Ephesians 4:8-12:

He [Paul] enumerates pastors and teachers among the gifts belonging exclusively to the Church, and he adds that they are given for the work of ministry and for building up the body of Christ [Treatise 67].

Article V of the Augsburg Confession refers to Galatians 3:14, “that we might receive the promise of the Spirit through faith,” in support of its opening statement: “In order that we may obtain this faith, the ministry of teaching the Gospel and administering the sacraments was instituted.”<sup>51</sup>

“The Ministry” holds that office and function must both be maintained. When *office* is emphasized to the exclusion of function, too much importance becomes attached to the person who holds the office. But there is no basis in the Scriptures for holding that an indelible mark is given to the one who has been

placed by a divine call into the office of the public ministry. When the *function* of the ministry is emphasized to the exclusion of the office, however, the ministry becomes an abstraction.

At the same time, office and function must also be carefully related to one another. This the Commission does by pointing out that both office and function have their foundation in Christ's ministry (pp. 26-27):

The office of the public ministry of the church is rooted and grounded in the ministry of Christ. He was the Suffering Servant, the God-man, who not only taught about God's love but completely satisfied the demands of God's holy Law by vicariously living a perfect life and dying a sacrificial death for our transgressions of God's Law. His priestly, prophetic, and royal actions are the essential content and power of the ministry of the church. God not only provided salvation and declared the whole world just for the sake of Christ, but He also provided the means of grace and the ministry of the Word and Sacrament "to offer and apply to us this treasure of salvation" (LC II, 38).

In the beginning our Lord appointed, trained, and sent out the apostles. In his love for the world, God arranged for the continuation of the apostolic ministry and message. The message of the apostles, learned by them directly from the Lord and taught to them by the Holy Spirit, was to remain the church's treasure.

The pastoral ministry is apostolic in terms of what it teaches but not in terms of an unbroken succession of ordaining bishops . . . .

According to the CTCR report, both office and function are important. These aspects of the ministry must be kept in proper tension, if we are to be faithful to what the Scriptures say about the ministry. Failure to do this results in error and confusion. But the recognition that the doctrine of the ministry embraces both office and function is helpful in answering some of the sensitive and complex problems which trouble us today.

#### *E. Auxiliary Offices in the Church*

It is from this perspective of office and function that the CTCR report considers auxiliary offices.<sup>52</sup> In agreement with Walther, the Commission writes (pp. 16-17):

The office of the public ministry includes within it all of the functions of the leadership of the church. Early in the history of the church we have an example of the church selecting some of its members to carry out in the stead of and under the

direction of the apostles some of the functions of their ministry. In Acts 6 we read that, at the request of the apostles, the church selected and commissioned certain men to perform functions that the apostles had been carrying out. They were appointed to the duty of providing for the physical support of the widows in the church. They were called by the church in prayer and were set apart for their office by the laying on of hands. Scripture suggests (although it does not say it directly) that this new office was of great help to the work of the church. It is reported that immediately after they were commissioned "the word of God increased; and the members of the disciples multiplied greatly in Jerusalem" (v. 7). The calibre of these men is forever memorialized in Acts 6 and 7 by the account of the witness and martyrdom of Stephen.

From this the CTCR concludes (pp. 17-18):

The church has the right to create offices from time to time that have the purpose of extending the effectiveness of the office of the public ministry. Here a word of C.F.W. Walther is instructive. He wrote: "The highest office is the ministry of preaching, with which all other offices are simultaneously conferred. Therefore every other public office in the church is merely a part of the office of the ministry, or an auxiliary office, which is attached to the ministry of preaching . . ." Walther sees such offices as "sacred offices in the church," and each exercises a function of the pastoral office of the church and is an aid to the pastoral ministry.

The church has the right to distinguish such auxiliary offices of the church from each other. Some require an extensive knowledge of Scripture, ability to teach or counsel, or other capabilities that are closely related to the teaching and shepherding functions of the office of the public ministry. The church has always exercised the right to designate some of its offices as so involved in the spiritual functions of the office of the public ministry that it has provided specific training, is more formal in summoning members of the church to such offices, and has rightly included such offices within its concept of "ministry." Such offices call for functions that not only are necessary for the functioning of the public ministry but that only the church performs as an institution. Thus, the teaching of the faith in a Christian school is a function unique to the church. Properly speaking, a professional, trained teacher who is called by the church

may be said to be performing a function of the office of the public ministry . . . .

The Commission continues (p. 19):

Putting it simply, there is only *one* pastoral *office*, but the office which we formally refer to as “the office of the public ministry” has multiple *functions*, some of which are best handled by another, e.g., the parochial school teacher who is performing *that* function of the pastoral office. The pastoral office with all of its functions is mandated for the church. Other offices are established by the church to assist in carrying out pastoral functions.

Thus, we may speak of various “ministries” in and of the church, but we must be careful to distinguish them properly. An office is not defined solely by what one who holds it does (function) but by duties, responsibilities, and accountability assigned to it. The pastoral office is unique in that *all* the functions of the church’s ministry belong to it.

According to this report of the CTCR, therefore, only one office, the office of the public ministry (commonly referred to today as the pastoral office) is divinely instituted. This office, however, embraces a wide range of functions connected with the preaching of the Gospel, administering the sacraments, and exercising supervision in the church. The church has the freedom to establish additional offices to enhance the “administration of the office of the public ministry” (p. 28). In this way the auxiliary offices established by the church to strengthen the ministry of preaching the Gospel, in that they are also grounded in the ministry of Christ Himself, possess their own validity. The Commission writes (pp. 27-28):

The office of the public ministry is so broad that it can effectively employ the gifts of helpers in its performance. The Congregation is blessed when it places at the side of its pastor faithful and capable teachers, for instance, who enhance his administration of the public ministry. The validity of their office derives not from the person of the pastor but from the Christ-grounded nature of the office of public ministry . . . . The thought needs to be stressed not only that the teaching office in the church is *auxiliary* to the pastoral ministry but rather auxiliary to the *pastoral ministry*. It is grounded not merely in the priesthood of believers but, through the office of the public ministry, in the ministry of Christ and the apostles. The fact that not all appreciate this does not change its tremendous theological significance for all who labor in

the church. To ground the auxiliary offices of the church in a vague and unembodied 'ministry in general' is no gain for anyone. To see them flow from the specific office that is amply attested and exemplified in the New Testament and strongly championed in the Lutheran Confessions is a higher view of the auxiliary offices than that which would seek an independent grounding separate from the office of the public ministry of Word and Sacrament . . . . The holder of an auxiliary office . . . holds an office that is not only the priesthood of believers (which all Christians hold) nor the office of the public ministry. It is a ministry that has its own validity.

Although not in the *office* of the public ministry, holders of auxiliary offices perform one or more of the *functions* of the office of the public ministry. They exercise divinely mandated functions in behalf of and with accountability to the church. They are therefore in the public ministry of the church.

By the same token, a holder of the office of the public ministry may be asked to specialize in certain functions of the office without leaving it — e.g., a seminary professor, synodical or district president. The determining factors are the office for which the church has found an individual to be qualified and the functions of the public ministry which he has been called to perform.

#### F. *The Call*

The Commission's report on "The Ministry" offers the following definition for the term call ( p. 29):

A person is "called" when he or she is summoned by the church to the office of Word and sacrament or to an office auxiliary to it on a full-time permanent basis and by education, by certification, and by solemn and public act (e.g., ordination or commissioning) is brought into a unique relationship with the church from which he or she has unique authority and through which he or she is authorized to perform functions of that office of the church into which he or she has been ordained or commissioned, at a specific post for the length of time which is ordinarily continuing and indefinite, but which in certain cases and under certain special circumstances may be a specified period of time, which is evidenced by the individual's name being placed on and retained on one of the official rosters of the Synod.

This definition was deliberately prepared in order to take into



account both the theological aspects of "the call" and also its legal, contractual implications.

Noting that the term "church" here means "the congregation or other unit of the church, as well as the Synod itself," the CTCR states that "the call from and by God through the church is essential for entry into the pastoral ministry or its auxiliary offices . . . . It is God's call mediated through the church (as a single congregation or a group of congregations) as it is guided in prayer and by the Holy Spirit that makes a man 'overseer' in the church. All who serve in the pastoral ministry or its auxiliary offices must be called by the church" (p. 29).

The term "divine call" is nowhere found in Scripture. It is therefore an ecclesiastical term which the church may decide to use in a variety of ways. The CTCR, noting that it would be possible for the church to employ it to refer to the assignment which a Christian congregation gives to Sunday School teachers or other such offices in the congregation, nevertheless holds that to do this would blur "the uniqueness of the office of the public ministry and its facilitating offices" (p. 29). The Commission therefore recommends that it be "restricted to the call into the office of the public ministry in the congregation or to another assignment in that ministry." This recommendation means that "it should also be used for auxiliary offices that are directly supportive of the teaching and preaching function of the pastoral ministry" (p. 34). The Commission expressly states that "both men and women who have been certified by the church may be and ordinarily should be solemnly called" (p. 30).

The voice of The Lutheran Church—Missouri Synod has not been entirely unanimous in its understanding of the permanency of a call. There appears to be some development in the history of the Synod, for example, regarding the necessity for unlimited terms. Pastor Brohm stated in 1845:

We can in no wise approve of a call with a time limit. Such calls are altogether unworthy of a Lutheran congregation, because they are in direct conflict with the doctrine of the divinity of the call, because they militate against the law of love, and because they tend to destroy the obedience which members of the flock owe to their pastors.<sup>53</sup>

Wyneken compared pastors whose calls have a time limit to cowhands (*Kuhhirten*). C.F.W. Walther also strongly opposes calls with time limits. He writes in an 1846 article in *Der Lutheraner*:

Unfortunately it has become customary in our country to

hire ministers for one year, even as we hire our servants and cattle herders . . . . Even in emergencies these calls with a time limit cannot be justified. It is not proper for a pastor or a candidate of theology to accept such a call, because it is contrary to Scripture, contrary to ecclesiastical administration [“Kirchliche Praxis”], and contrary to the dignity of the ministerial office [“streitet wider die Wuerde des Predigtamts”]. Holy Scripture and the Church know only a call for life [“Die Heilige Schrift und die Kirche weiss nur von einem Beruf auf Lebenszeit”].<sup>54</sup>

But in 1898 Francis Pieper, in response to the question as to whether a congregation could issue a call for temporary assistance as a result of its pastor’s “illness,” “physical weakness,” or “because of being overburdened with work, for instance, by taking over the District Presidency,” states: “The call for temporary help stays within the bounds of divine order and has nothing in common with the objectionable temporary call. The essence of the temporary call does not consist in this, that a call is limited as to time, but in this that human beings arbitrarily limit a call as to time, that is, that they want to determine how long a pastor is to be active at a certain place.”<sup>55</sup> And in 1934 P.E. Kretzmann took the position that “with regard to assistant pastors, day school teachers, professors at church institutions, and men in similar offices conditions may make a temporary call altogether unobjectionable.”<sup>56</sup>

The CTCR report takes the position on the permanency of a call that, although “there is no scriptural evidence to indicate that all calls are necessarily permanent or tenured,” nevertheless “the nature of the ministry as a continuation of the apostolate and as a call from God implies that calls are generally not limited in time” (p. 33).

### *G. Ordination*

This is what the CTCR has to say about ordination (p. 22):

Ordination has its historical roots in the New Testament and in the church through the ages. It is a solemn ecclesiastical rite by which a duly qualified member of the body of Christ who has accepted a valid call from the church is presented to the church as a gift of the Holy Spirit and publicly declared to be a holder of the office of the public ministry. It is a public ratification of the call and an invocation of the blessings of God upon the new minister. While the rite of ordination including the laying on of hands is not a necessity, it is to be

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revered as an ancient apostolic custom. In keeping with this custom, the laying on of hands of other pastors, and the presence of teachers and members of the church from places other than the site of the ordainee's immediate call is meaningful. When a man is ordained in one congregation, for example, he is recognized as a member of the public ministry of the whole confessional fellowship. Ordination as an act does not impart an additional authority that the call does not give, nor is it a sacrament. As a matter of uniform nomenclature and in accordance with common understanding, the term "ordination" should be reserved for a man's entry into the office of the public ministry. The initial acceptance by the church of the gift of also those who are to serve in the vital auxiliary offices should be carried out with solemnity befitting the office. Tradition, common expectations, and the uniqueness of the pastoral office speak against using the term "ordination" for other than the office of the public ministry.

Several things follow from this understanding of ordination. In the first place, the Commission points to the rite of ordination as expressing "the transparochial nature of the office of the public ministry and its auxiliary offices." The Commission states (p. 30):

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 . . . . This transparochial nature of the office of the public ministry and its auxiliary offices is important because a person called to one congregation is recognized by the whole church and, by virtue of ordination or commissioning, is eligible to be called by other segments of the church."

The Commission continues (p. 31):

Confusion and chaos result when congregations or agencies act unilaterally in deciding who may fill the office of the public ministry or the auxiliary offices . . . . For a congregation willfully to ignore or ride roughshod over the concerns of the rest of the church in establishing its ministry is a sin against the brotherhood and may even be a schismatic act in that it ignores the transparochial aspect of the "regularly called" (AC XIV).

For precisely this reason the Commission holds that, although advisable, it cannot be demanded that ordination take place in the location of the calling church.

In the second place, the Commission is no longer recommending that teachers be ordained into the teaching ministry, although there are no theological objections. Rather, it suggests that the Synod, for the sake of good order and clarity, restrict the use of the term ordination for those “first called into the office of the public ministry,” and that it use the term “commissioning” for placing a person into “an office clearly auxiliary to the central functions of the pastoral ministry” (p. 34).

Finally, the Commission does not give a clear “yes” or “no” answer to this question: “Should men who have been ordained in a different church body be ‘reordained’ when they qualify for and accept a call into a different confessional fellowship.” In response to this question, the CTCR says (p. 39):

This depends to a large extent upon how one defines “ordination.” If to reordain means that the previous ministry of the man in a Christian congregation is not recognized as valid, then it would be an unacceptable practice. We should and do recognize the ordination of others to work as ministers in their own church body. However, heterodox ministers may not function in our churches, not because they are not ministers, but because they are heterodox and because they have no call.

On the other hand, a decision to “ordain” a previously ordained minister would be in order if by this action the church is publicly stating that the man is now being accepted into the ministry of our church body and that he publicly accepts and agrees to preach and teach according to the Scriptural and confessional standards of the Lutheran Church.

In other words, the Commission’s report holds that it would be giving too much emphasis to the rite of ordination to *insist* either that such an individual *must* be “re-ordained or that he *could* not be “re-ordained.”

### Conclusion

The CTCR report reaches two important and far-reaching conclusions concerning the doctrine of the ministry upon which all of its recommendations concerning nomenclature and procedure are founded. On the basis of its study of the Scriptural evidence the Commission concludes in the first place that there is

only one divinely instituted office in the church (p. 15):

From these references there emerges a picture of an office that was instituted by God, in and with the apostolate, for which very specific qualifications are listed, and the essence of which is properly defined in the Augsburg Confession as “teaching the Gospel and administering the sacraments” (AC V) on behalf of and with accountability to the church (“publicly”) (AC XIV).

On the basis of the Scriptural evidence and the corroborating statements of the Lutheran Confessions, the office of the public ministry, the ministry of teaching the Gospel and administering the sacraments in the church, is divinely mandated. It may exist in various forms, that is, the “flocks” to which a man ministers may have various forms, and the office may be designated by a number of names, but it remains an office mandated by God for the good of the church. It is not enough to say that God commands that the Gospel be preached and that the sacraments be administered. God has ordained a specific office. The duty of those who hold the office by God’s call through the prayerful summons (“call”) of the church is to preach the Gospel and administer the sacraments in the church and to supervise the flock committed to their care.

In coming to this conclusion, the Commission, rejecting both the “episcopal” and “functional” undertaking of the ministry, indicates its agreement with Walther and the traditional understanding of the doctrine of the ministry of the Lutheran Church—Missouri Synod.<sup>57</sup>

In the second place, the Commission concludes that the New Testament does not present a precise list of the functions which those who hold the office of public ministry must perform in order to continue in this office (p. 15):

No specific “checklist” of functions of the office of the public ministry is presented in the Scriptures. For instance, nowhere are we told specifically that an elder “celebrated communion” or that only the elders spoke the words of institution at the celebration of the sacrament. The supervision of the shepherd-elder-bishop is a supervision of the teaching of the Word and administration of the sacraments. In this way they are leaders to be obeyed in their speaking of the Word of God. They are supervisors of the spiritual life, the faith, and the Christian service of the church and its members. This is a heavy responsibility that no man can take

upon himself but rather to which he must be legitimately called by the church (*rite vocatus*) (Acts 1:23-26; 13:2-3; 14:23; 2 Cor. 8:19; AC XIV).

This necessarily implies that it is not divinely mandated that the office of the public ministry can only be exercised in a typical parish situation. In other words, there may be non-parish pastors. The church itself has the responsibility for carefully defining “the offices and their functions to which it summons its spiritual leaders” (p. 21). The Commission suggests that the church ask such questions as the following as it makes decisions regarding whether or not a given individual is in the office of the public ministry (p. 20):

Has the church found an individual to be qualified for the office of the public ministry? Has the church called him to exercise an overseeing and shepherding ministry in the church? Has the church formally called him to hold the office of the public ministry and entrusted him with the responsibility of that office, even though it may ask him to specialize in certain functions of this office? And is he, upon installation into the office, pledged to be and remain accountable for the faithful conduct of his office to God, to the church, and to the believers committed to his care? Questions such as these indicate a need for clarity and precision in the issuing of “calls.”

These two conclusions imply that it is necessary to distinguish clearly office and function when considering the doctrine of the ministry. There is only one divinely instituted office, but this office embraces a number of divinely mandated functions. The church has the freedom to establish additional offices to carry out some of these functions as the situation demands. All of those who carry out divinely mandated functions in behalf of the church on a fulltime basis are in the public ministry of the church, but not everyone who carries out a divinely mandated function does so in the one divinely established office. Moreover, not everyone who has been found qualified for and placed in this one divinely established office must necessarily at all times carry out all of the functions which belong to this office.

One final word needs to be said here. While the CTCR was not asked to nor has it in fact addressed the question of how those who have been placed in the office of the public ministry should relate to those who carry out divinely mandated functions in other offices called into being by the church (auxiliary offices), the

Commission has nevertheless considered it important to say the following (p. 27):

As Christ was the Father's obedient Suffering Servant, so His ministers are servants, even slaves, as St. Paul calls himself. No one is to seek office in the church for personal glory. A man may aspire to the office, but it is God who calls him through the church. The church calls those who hold the office of the public ministry, and it calls those who stand beside the public ministers to labor in the Gospel mission of the church.

The recognition of the fact that all those who are in the public ministry of the church are servants of Christ will lead pastors to maintain the dignity of the position of those serving in auxiliary offices, and it will lead those who hold auxiliary offices to regard the pastor of the flock as also their pastor. Such a spirit will motivate the pastor and his associated workers to be ready at all times to accord respect and submission in the areas assigned to each, so that together they may be able to perform their ministries in a peaceable and God-pleasing manner.

#### FOOTNOTES

1. Letter from Dr. Ralph Bohlmann, at that time President of Concordia Seminary, dated August 5, 1974, on file in CTCR offices.
2. Letter from Dr. Emil Jaech, at that time President of the Northwest District, dated August 22, 1974, on file in CTCR offices.
3. Letter from Pastor John L. Heins, Secretary of the Michigan District, dated February 28, 1977, on file in CTCR offices.
4. *Proceedings of the Forty-Sixth Regular Convention of the Lutheran Church—Missouri Synod*, 1965, p. 127.
5. "The Ministry in Its Relation to the Christian Church: A Report of the Commission on Theology and Church Relations," 1973, p. 10.
6. *Ibid.*
7. This may be due in part, at least, to the fact that "The Order of the Holy Communion" in *The Lutheran Hymnal*, p. 16, calls for the Minister to pronounce the absolution in these words: "Upon this your confession, I, by virtue of my office, as a called and *ordained* servant of the Word . . ." (emphasis added).
8. See *Tax and General Information Bulletin*, published by the Board of Directors of the Lutheran Church—Missouri Synod, 1977. A copy of this bulletin was sent to all LCMS congregations in 1977. Additional copies are available from the Office of the Treasurer, The Lutheran Church—Missouri Synod, 1333 South Kirkwood Road, St. Louis, Missouri 63122.
9. In former years the IRS recognized as "ministers of the Gospel" only those individuals who were "invested with the status and authority of an ordained minister fully qualified to exercise all of the ecclesiastical duties of that church denomination." In more recent years the IRS has expanded this definition of a "minister of the Gospel" to "allow commissioned or licensed ministers to be treated in the same manner as ordained ministers of the Gospel when the commissioned or licensed ministers *perform substantially*

all the religious functions within the scope of the tenets and practices of their religious denominations." Cf. Revenue Ruling 65-124, 1965-1 C.B. 60, and Revenue Ruling 66-90, 1966-1 C.B. 27 (emphasis mine). In accordance with this change, the IRS has now granted "minister of the Gospel" status to Jewish cantors. Cf. Revenue Ruling 78-301, C.B. 1978-2, 103, which reads: "A Jewish cantor who is not ordained but has a bona fide commission and is employed by a congregation on a full time basis to perform substantially all the religious, sacerdotal, training and educational functions of the Jewish denomination's religious tenets and practices is a minister of the Gospel within the meaning of Section 107 . . ." Cf. also *David Silverman*, 57 T.C. 75, 1972.

10. *Tax and General Information Bulletin*, p. 32.
11. *Ibid.*, pp. 29-32.
12. Cf. *The Lutheran Agenda* (St. Louis: Concordia Publishing House), 1948, pp. 132f., 136f. "The Order for the Installation of a Teacher" states: "Whereas, then, by divine guidance, thou has recognized in this call the voice of God . . ." "A Form for the Induction of Women Teachers" reads: "\_\_\_\_\_ Evangelical Church has duly appointed thee to be a teacher in our parochial school."
13. "Statement on the Status of Certified Graduated Women Teachers of the Lutheran Church—Missouri Synod," *Convention Workbook*, 1965, p. 47. Cf. *Proceedings of the Forty-Sixth Regular Convention of the Lutheran Church—Missouri Synod*, p. 99.
14. *Convention Proceedings*, 1973, p. 190.
15. *Tax and General Information Bulletin*, p. 31.
16. It is on the bases of this revision that the IRS has recently granted "minister of the Gospel" status to Jewish cantors as well as rabbis. See footnote 8 above.
17. *Convention Proceedings*, 1981, p. 176. Res. 5-08 resolved: "That only those duly ordained pastors and duly commissioned male teachers who are listed on the Synod's official membership rosters shall be regarded by the Synod as 'ministers of the Gospel,' 'ministers of religion,' 'ministers of the church,' or similar titles for purposes of United States income taxes, social security (FICA and self-employment taxes), unemployment taxes, and selective service."
18. Because of limitations of staff and time, it has been the general practice of the Commission to present formal responses to requests for opinions only to those coming from official boards, commissions, agencies, and conventions of the Synod and its districts.
19. *Convention Workbook*, 1975, p. 41.
20. *Convention Workbook*, 1977, p. 49.
21. *Convention Workbook*, 1977, p. 48.
22. Cf. "The Ministry," p. 33.
23. *Ibid.*, p. 35.
24. *Ibid.*, p. 39.
25. *Ibid.*, pp. 38-9.
26. *Ibid.*, pp. 34-5.
27. Holsten Fagerberg, *A New Look at the Lutheran Confessions (1529-1537)* (Saint Louis: Concordia Publishing House, 1972), p. 226.
28. *Ibid.*, p. 227.
29. Loehe's views are set forth in his 1849 book entitled *Aphorismen uber die neutestamentlichen Amter und ihr Verhaeltnis zur Gemeinde*. Cf. Holsten



- Fagerberg, *Bekenntnis, Kirche, und Amt in der deutschen konfessionellen Theologie des 19. Jahrhunderts* (Uppsala: Almqvist- Wiksells Boktryckeri, 1952), pp. 103f.
30. Conrad Bergendoff, *The Doctrine of the Church in American Lutheranism* (Philadelphia: Muhlenberg Press, 1956), p. 29.
  31. W.H.T. Dau, *Walther and the Church* (St. Louis: Concordia Publishing House, 1938), p. 48.
  32. Cf. Treatise 65.
  33. Hoeffling presents his understanding of the doctrine of the ministry in his 1853 work *Grundsätzen evangelisch-lutherischer Kirchenverfassung*.
  34. Theodore G. Tappert, trans. and ed., *The Book of Concord* (Philadelphia: Fortress Press, 1959), p. 31.
  35. Fagerberg, *A New Look*, p. 228.
  36. E. W. Janetski, "The Doctrine of the Office of the Holy Ministry in the Lutheran Church of Australia Today," *Lutheran Theological Journal* 13 (November 1979), p. 69.
  37. Walther's "Theses on the Ministry," which were approved by the Synod in 1851, have been appended to the CTCR report on "The Ministry," pp. 44-5.
  38. *Walther and the Church*, p. 47.
  39. *Ibid.*, p. 79.
  40. August C. Stelhorn, "The Lutheran Teacher's Position in the Ministry of the Congregation," unpublished essay, n.d., p. 2.
  41. *Ibid.*, p. 3.
  42. Arnold C. Mueller, *The Ministry of the Lutheran Teacher* (St. Louis: Concordia Publishing House, 1964), pp. 11-12.
  43. *Ibid.*, p. 83.
  44. What follows is the Commission's *summary* statement of what the New Testament says about "the office of the ministry." It should be noted, however, that C.F.W. Walther finds evidence for the divine institution of the pastoral office also in the Old Testament. He includes as "proof from the word of God" that "the pastoral office is not a human ordinance, but an office established by God Himself" appears "from the Old Testament prophecies to the effect that God Himself would give to the Church of the New Covenant shepherds and teachers." *Walther and the Church*, pp. 71-2.
  45. Karl Heinrich Rengstorff writes in the *Theological Dictionary of the New Testament* in his article on *didaskalos*, vol. 2, p. 158: "And if in Eph. 4:11 the common article makes it plain that the *didaskaloi* are identical with the *poimenes*, this lies in the nature of case; for the *poimen* is the one who is responsible for the life of the community, and therefore *didaskein* in the widest sense is part of his office." Others disagree with this interpretation. See, e.g., Martin Dibelius, *Handbuch zum Neuen Testament*, 12 (Tuebingen: J.C.B. Mohr, 1953), p. 81.
  46. Cf. William F. Arndt, "The Doctrine of the Call into the Holy Ministry," *CTM* 25 (May 1954), pp. 337-352.
  47. Cf. Gerhard Friedrich's article in the *Theological Dictionary of the New Testament* under *keerusso*, vol. 2, p. 712. He writes with reference to Rom. 10:5: "This statement is decisive for our understanding of the preaching office. The fact that *apostellein* is linked with *kerussein* elsewhere in the NT is no accident [Mk. 3:14; Lk 4:18, 43f.; 9:2]. It belongs to the very nature of things. Without commissioning and sending there are no preachers, and without preachers there is no proclamation. True proclamation does not take place through Scripture alone, but through its exposition, Lk 4:21. God

does not send books to men; He sends messengers. By choosing individuals for this service, He institutes the office of proclamation."

48. Martin Dibelius, *The Pastoral Epistles* (Philadelphia: Fortress Press, 1972), pp. 4f. Cf. also John A.T. Robinson, *Redating the New Testament* (Philadelphia: Westminster Press, 1976), p. 68; J.N.D. Kelly, *A Commentary on the Pastoral Epistles* (New York: Harper and Row, 1963), p. 14.
49. See pages above.
50. Fagerberg, *A New Look*, p. 228.
51. Cf. *Ibid.*, p. 235. Fagerberg writes: "The idea that the office of the ministry is identical with the Gospel in action has no support in the Lutheran Confessions."
52. The Commission suggests that "perhaps a better term than 'auxiliary' might be found." See p. 28. Although it was not happy with this designation the CTCR used it nevertheless because this was the term (*Hilfsamt* in German) which Walther used to refer to those offices which the church establishes from time to time in accordance with its needs. See *Walther and the Church*, p. 69. Other terms which have been suggested for these offices are "associated," "adjunct," "specialized," and "related." There may be other designations which merit the serious consideration of the church.
53. *Der Lutheraner* 1 (1845), pp. 61-63, 65-66. Quoted in Carl S. Mundinger, *Government in the Missouri Synod* (St. Louis: Concordia Publishing House, 1947), 196, fn. 61.
54. Quoted in Mundinger, p. 97.
55. Quoted in *The Abiding Word*, 1 (St. Louis: Concordia Publishing House), p. 381.
56. P. E. Kretzmann, "The Doctrine of the Call with Special Reference to the Auxiliary Offices in the Church," essay presented to the Northern Nebraska District Convention, 1934, p. 16.
57. Cf. William F. Arndt, pp. 339-40. Dr. Arndt writes: "There is one office, not a charismatic one, which the Holy Scriptures indicate the church must have. It is the office of elder. The proof of this sweeping assertion is contained in Titus 1:5: 'For this reason I left you on Crete that you should continue to supply in proper order that which is still lacking and place elders in the various cities, as I instructed you in detail.' Note carefully what Paul says here. He not only tells Titus to see to it that the congregations on Crete are provided with elders, but also that when this office is missing, something is lacking or wanting. From time we have to draw the conclusion that this office must be found in a Christian church if it is to be equipped as it should be. The office of elder is the same as that of bishop, as Titus 1, 5, 7. and Acts 20, 17, 28. show. Other passages, for instance, 1 Peter 5, 1ff., show us that these elders had the function of pastors, of shepherds. When the New Testament speaks of pastors and teachers, we may assume that the same persons are meant who in other places are called elders by the holy writers. We must say, then, that of the many offices we find in the church today the one that can be proved to rest on a direct divine mandate is that of elder, or pastor, or bishop."