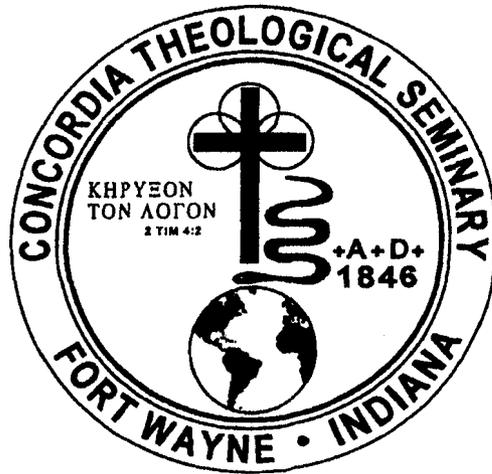


# CONCORDIA THEOLOGICAL QUARTERLY



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# **Can the ELCA Represent Lutheranism? Flirting with Rome, Geneva, Canterbury and Herrnhut**

**Louis A. Smith**

My assignment is a critique of the Evangelical Lutheran Church of America's (ELCA) ecumenical agreements, specifically the four alluded to in the title: *Joint Declaration on the Doctrine of Justification (JDDJ)* with the Roman Catholic Church; *A Formula of Agreement (FA)* with three American denominations of the Reformed tradition; *Called to Common Mission (CCM)* with the Episcopal Church in the USA; and *Following our Shepherd to Full Communion (FSFC)* with the Moravian Church in America. I take it as a given that all Christians long for the unity of Christ's church to become manifest, pray for that unity, and do whatever conscience allows to make that unity manifest, all the while knowing that such longing and prayer will surely be fulfilled at Christ's Second Coming; and knowing as well that their own efforts will be corrected where necessary and fulfilled where possible by the work of God. Criticism of any specific ecumenical proposal should never be taken as necessarily anti-ecumenical.

Allow me to begin with a disclaimer. I do not intend to bad-mouth the ELCA (not that there are not elements in the ELCA that virtually beg for it, but I shall strive to resist the temptation). First, to simply bad-mouth the ELCA would be to yield the ELCA to the pirates who have hijacked her institutions and deny her to those who have not bowed the knee to the Baals of this present age. For, in spite of everything, there are within the ELCA innumerable faithful pastors and laity who confess Christ and His gospel according to the catholic confessions of the Wittenberg Reformation.

Second, there is not much to be gained for folk in the LCMS by bad-mouthing the ELCA. At best, folks might be amused by the plight of brothers and sisters in the ELCA; at worst, it might produce an arrogance that is both dangerous and unwarranted. For as best as I can tell, being an outside observer, LCMS has her own problems and near heresies.<sup>1</sup>

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<sup>1</sup>Don't take that to be all bad! Let it feed your Lutheran pathology, and exult in the

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But most important, there is the Eighth Commandment, which, as our catechism rightly understands and teaches, requires us to put the best possible construction on our neighbors' behavior. Please note, the best possible construction, not necessarily a good construction. Sometimes less bad is the best possible.

Now, because the four agreements are *fait accompli*, the question is not whether the ELCA can represent Lutheranism, but did, in these cases, the ELCA represent Lutheranism, to what degree, and where did it miss.

## I

With that as background, let me begin the project with a reformulation. Rather than talk about Lutheranism, I propose that we speak about the Lutheran confession of the biblical faith of the church catholic. The real issue cannot be an "-ism" of any sort. Surely our Reformation forebears did not struggle and risk life and limb, family and reputation, peace and salvation, not to mention simple peace of mind, for some such abstraction. What they risked, they risked for the sake of Christ and His gospel, and those sixteenth-century confessions are the literary deposit of that risk. So I speak of what the Lutheran matter really is: "the Lutheran confession of the biblical faith of the church catholic." With that expression, I want to understand those sixteenth-century confessions in a two-fold way. On the one hand, these confessions exist to defend biblical, catholic truth against error. They are inherently polemical documents; and yes, that includes the catechisms. On the other hand, these confessions embody and express what the Lutheran confessors wanted to hold before the entire church. They are inherently ecumenical documents; and yes, that includes the Formula of Concord.

We might say that the sixteenth-century confessions are simultaneously a fence and a bridge. They can be so because they are focally concerned with the truth. They do not claim to be one opinion among several, one theological school among many. They claim to be catholic truth and they are certain enough of their position that they are willing to have their claim tested before God and the church by the word of God.

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fact that you must be doing something right or "Old Nick" wouldn't be spending so much time harassing you.

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So let our precise question be, "Did, in the four cases referenced in the title, the ELCA represent the Lutheran confession of the biblical faith of the church catholic?"

## II

In honor of the words of our Lord that the last shall be first, let us first consider the Moravian agreement, *Following our Shepherd to Full Communion (FSFC)*.<sup>2</sup> The 1999 ELCA Churchwide Assembly acted on it following discussions that took place from 1992 through 1999.

The first thing that strikes a reader of *FSFC* is that the document is more about piety than about dogma. In this regard, it almost seems that the Moravians called the tune for this dance. For when one looks at Moravian self-presentation, piety takes precedence over doctrine. For instance, in a section of the Moravian Church website titled "What We Believe," the reader is told that "In place of formal dogma [Moravians] focus on the priority of personal commitment to Jesus as Savior and the relationship among members of the community."<sup>3</sup> Now who could possibly be opposed to personal commitment to Jesus? Certainly not I. But Lutherans, on the ground of their confession, ought to know that personal commitment to Jesus is fostered, not by focusing on personal commitment, but by focusing on Jesus. It is precisely sound doctrine that brings the One whom Martin Koehler once called "the Historic Biblical Christ" into focus. It is He who is the subject (in both senses of the word) of the church's proclamation, not our piety. I would argue that the Lutheran partners in this conversation let their Moravian counterparts down. They did not offer the full biblical Christ, nor did they ask the Moravians to offer Him in return. It is as if the true purpose of sound doctrine was either forgotten or not known.

Doctrine exists for the sake of proclamation. Sometimes people look at the dogma that the church has articulated as the speculative and theoretical product of people with too much time on their hands; interesting to the interested, but at best speed bumps, if not detours, on the road to the real business of our Christian living. Not so. The

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<sup>2</sup>Evangelical Lutheran Church of America, *Following our Shepherd to Full Communion* [online] available from <<http://elca.org/ea/Relationships/moravian/fosi.html>>.

<sup>3</sup>Moravian Church in America [online] available from: <<http://www.moravian.org/>>.

dogmatic tradition of the church was forged by those who were responsible for the cure of souls and who knew that if there were to be sound Christians, it would be the result of sound proclamation, and sound doctrine was the necessary guide and rule for sound proclamation. I do not find any such sense in *FSFC*.

Let me offer one example of what results from this lack of concern. *FSFC* says, "Our common grounding in the Reformation and the development of the Reformation through Pietism leads Moravians and Lutherans to express themselves clearly about the graciousness of God in justifying sinners and imparting to them the Spirit through Christ." Leaving aside the fact that this statement itself is hardly a model of clarity, ask how that statement squares with the following, once again from the Moravian website: "Living the Christian life depends not only on our own effort, but upon God the Father." Some might say that my antennae are too sensitive, but that sounds to me like the camel's nose of a doctrine of cooperation sneaking into the tent, so that rather than being that which God Himself works in us through His word, as in preaching and sacraments He continually kills and raises us, the Christian life becomes a cooperative effort.

But such cooperation always ends up with things being turned over to the Old Adam for one more of his do-it-yourself self-improvement projects, which either avoids the graciousness of God in justifying sinners for Christ's sake alone through faith alone, or it trades the graciousness of God in for a crushing burden. Perhaps the Moravians did not mean that, I do not know. Like most of the folk I know, I am a word reader, not a mind reader. But surely the lack of clarity allows for such notions and the Old Adam is always ready to take up such allowances. The Lutheran partner might have offered a genuine service had they pressed the case for doctrinal clarity in the service of sound proclamation instead of assuming a clarity that was not there.

Consider this: The Moravian "Ground of Unity," the closest thing that I can find to a Moravian confession of faith, specifically denies any doctrinal system, appealing instead to what I would call "raw" Scripture (for instance, Scripture considered apart from the hermeneutic of the Trinitarian Creed, the justifying of the ungodly for Christ's sake, and the proper distinction of law and gospel) and just so, Scripture apart from its dogmatic content. The "Ground of Unity," however, does go on to acknowledge "The ancient Christian Creeds and the fundamental creeds

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of the Reformation," seemingly getting back on track. But when we come to an enumeration of those fundamental creeds of the Reformation, we find included both the first twenty-one articles of the Augsburg Confession and the Heidelberg Catechism, apparently with no sense that the Augustana and the Heidelberg Catechism are contradictory in their teaching concerning the Sacrament of the Altar. So much for clarity of expression.

All of this makes it somewhat difficult to discern just what the Moravian church really teaches these days. Nor does *FSFC* offer much evidence that clarification of the matter was pursued. Over and over, where doctrinal clarity ought to have been sought, theological affinity was assumed.

But there is a further impression created by the document. (To some degree, it can be said of all the documents.) It is what I have come to call an "of-course-ness with respect to the gospel." That is to say, when it comes to those holy mysteries that go together to make up the gospel — for example, things like incarnation, Christ's passion, death, and resurrection, baptism, absolution, the Supper — there is a sense of "Well, of course, we all believe that." Nobody ever seems stunned by the magnitude of these happenings. Nobody ever seems dumb struck at the announcement that all of this happened for you! Nobody appears to be flattened by the fact that all of this means life out of death for us! "Of course we all believe that. Now let us get on to the real business, our Christian living, our good works" (always, "of course," with the anti-Pelagian codicil that "of course" it is all by grace.)

But that does nothing except blunt the radicality of the gospel and play into the hand of the standard cop out on the part of Lutheran preachers. How often do we, who should know better, proclaim the gospel according to our confessional standards and then find ourselves, along with our hearers, at the point where the only possibility is to hang your heart on Jesus or be offended at Him; and having reached that point where someone might actually die and rise, we back off, inject some note of good works, right response, or choice into the scenario, thinking, I suppose, to give faith a nudge? But in reality, that merely dulls the knife and give the Old Adam a reprieve on his execution.

That is what happens in *Following our Shepherd to Full Communion*. Our following comes up short of the cross (in spite of the many Moravian hymns that sing of the blood of Jesus). Piety replaces the doctrine of the

gospel (*doctrina evangelii*). The bottom line is this: Our personal commitment to Jesus is a poor substitute for His personal commitment to us. The gospel is not an exhortation to take Jesus as our personal savior. It is the stunning proclamation that in the gospel events, He has taken us as His personal sinners. It is that proclamation that pure doctrine is meant to serve. To represent the Lutheran confession of the biblical faith of the church catholic is to make that case. Did it happen here? I think not.

### III

Working backwards, we come to the agreement with the Episcopal Church in the USA, *Called to Common Mission* (CCM).<sup>4</sup> This agreement was also passed in 1999, two years after a prior version, *The Concordat of Agreement*, narrowly missed adoption. It is the product of a much longer discussion than *FSFC*. Lutheran-Episcopal dialogue in the United States dates back to 1969 and had the benefit of LCMS participation right up to the end.

While hardly perfect, the early dialogues contained much promise. Joint statements were produced on the doctrine of justification, the real presence of the body and blood of Christ in the Holy Supper, and apostolicity and Scripture, with the LCMS participants offering a gentle and appreciative dissent only on the topic of Holy Scripture.

Perhaps most significantly, these early dialogues seemed to have made progress on the topic of episcopacy and episcopal ordination and did so by appealing to the statement of Roman Catholic participants in the Lutheran-Roman Catholic dialogues, who argued the possibility of recognizing a presbyterial succession of ministers and presbyterial ordinations. That this promise never went any farther, much less came to fulfillment, is an ecumenical sadness.

It is no secret that the ELCA has been in uproar over *CCM*; controversy pronounced enough to threaten a split in the ELCA. Nor is it a secret that the focal point of that uproar has been the so-called "historic episcopate" and its proposed introduction into the ELCA, an introduction that requires five changes in the ELCA constitution and liturgy plus two footnotes to the rite for installing a bishop. While this so-called "historic

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<sup>4</sup>Evangelical Lutheran Church of America, *Called to Common Mission* [online] [August 19, 1999] available from <<http://www.elca.org/ea/proposal/text.html>>.

episcopate" is not the only problem with CCM, it offers a useful entry into my critique.

Any honest person knows that the notion of the "historic episcopate" is fundamental to the Episcopal Church's doctrine of the ministry and, therefore, to its doctrine of the church. This was not totally clear in the earlier dialogues. The report of the second round of dialogues (1981), for example, identified "apostolicity" as faithfulness to the Apostles' teaching, normatively found in Holy Scripture, and held that the narrowing of apostolic succession in terms of an historic episcopate was something to be avoided. The third round of dialogues, the very one that produced the *Concordat* that eventuated in CCM, produced an earlier document, "Implications of the Gospel." This volume contained a seven-page section on polity, which has only one reference to the "historic episcopate," serving only to explain why Lutherans are suspicious of it; it "could be an unwarranted addition to the Gospel." While promising a further document that would deal specifically with the "historic episcopate" and the related topic of the ordering of ministries, the polity section of "Implications of the Gospel" wanted "to give an account of how the gospel defines and shapes the polity of the church; how, in fact, the polity of the church is an implication of the Gospel."

This surely should have been welcomed and pursued by Lutherans; especially when it is later specified that church polity reflects "the church's utter dependence on the one Gospel," since that is precisely how the Augsburg Confession (in articles V, VII and XIV) deals with the matter of ministry.

What finally became of this in first the *Concordat* and then CCM? In the *Concordat* we find the acceptance of the "historic episcopate," a commitment to episcopal ordination and the acceptance of a three-fold ordering of ministry as the future pattern of ministry for the churches involved. In CCM we find that the only modification of this is the hedging on the ordination of deacons, concerning which the ECUSA has essentially said, "well, okay for the moment, but we will need to talk more on this matter."

Why, then, was the good start never really pursued? I suggest that it was never capitalized on because, for all the work of the dialoguers, their position was out of plumb with Episcopal Church sentiments on this matter. The actual Episcopal Church still based its view on the Chicago-Lambeth Quadrilateral of 1886-1888, which identified the "historic

episcopate" as one of four necessary elements in an "irreducible basis" in any approach to ecumenical reunion. The 1982 Episcopal Church General Assembly reaffirmed this position. If one looks hard enough at the earlier dialogues, even there an "historic episcopate" was seen as a "pre-condition" for full communion.

How was it that this was optimistically overlooked in the dialogue? Let me suggest that the problem was methodological. The method of these dialogues is what I refer to as "consensus ecumenism." That is to say, it was a method that consciously strove to identify commonalities. All well and good, but what happens when the commonalities have been found and differences yet remain? The method hardly encourages taking them head on. Rather, they are to be managed. In this case, the dialogue thought that it had found help in the World Council of Churches statement "Baptism, Eucharist and Ministry," the so-called "Lima Document." There they found the notion that episcopal succession was to be seen as "a sign though not a guarantee of the continuity and unity of the Church." This led the dialoguers to propose that we make a distinction between what is "necessary for salvation" and what is necessary as a sign, but not a guarantee of the unity of the church.

Note the shift in language: We began speaking about the church's polity as an implication of the gospel. On the way we shifted to talking about the "historic episcopate" as central to apostolic ministry and church reunion. Now we are talking about the continuity and unity of the church, and that as something quite distinct from salvation. But, unless salvation is some individualistic bliss rather than the restoration of life together in love under God, can salvation and the unity of the church be so easily separated? When the confessors at Augsburg located their *satis est* for the true unity of the church in the gospel and its sacraments, was that not an eschatological gesture as well as socio-ecclesial?

We need to be clear about what bishops can and cannot do. Since salvation and church are intrinsically connected, what is necessary for the one is necessary for the other. The burden of being necessary falls on the only thing that can bear the load; the gospel and its sacraments. They can bear the load because they are the presence of the crucified and risen Christ among us.

There is yet another reason why, after the dialogues, *Concordat-CCM* remained problematic. I would put it this way: rather than work through differences, the dialogues thought that they could transcend them with

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a new confession. If one looks at the first of the third dialogue's publications, "Implications of the Gospel," one will find a mini-systematic theology. As the document itself admits, "It addresses many topics in language somewhat unfamiliar to both traditions" (from the preface). There is, of course, a place in the life of the church for systematic theology, but that place is as commentary on dogma and not as a substitute for it. Here it does function as substitute when what the dialogue really needed was a dogmatic rapprochement.

Further, if one asks after the source of this systematic theology, the answer will be in the theology of the academy, not the life of the church. I have no idea if, nor do I make the accusation that, this was conscious on the part of the framers. But a reality of both the ELCA and the ECUSA is that the academy has become the locus of theological thinking. The certification of theologians in both of these bodies, in this regard, well defined as "mainline Protestant," comes not from the churches themselves, but from universities that have remote, tenuous, or no connections to the church. But the religious studies departments of the universities and their seminary counterparts (for there are such) have a hermeneutic of their own. It is a progressive hermeneutic that willy-nilly sees the new as the improved. Thus, "old" problems are seen to be transcended by "new" developments in historical or theological perspective. Therefore, we can adopt the new perspective and get beyond the problems of our forebears. However, the differences are generally not worked through, as in this case, but a new articulation is put in place which satisfies the dialoguers, yet works for neither church body.

The net effect in this case is that, rather than a truly ecumenical agreement, we end up with something that looks more like an agreement to disagree. For example, in March of 1999 the ELCA Conference of Bishops issued what has become known as "The Tucson Resolution." This resolution is a codicil claiming to put forward the correct interpretation of CCM. (This before the thing was even passed by the ELCA!) It was obviously an attempt at damage control, since opposition to CCM was barking loudly at the time. Among its "proper interpretations," we find that CCM does not commit the ELCA ever to adopt the threefold ministry; that, in special circumstances, other than bishops may ordain; that bishops may continue to license laymen to preside at the Supper; that parish pastors will continue to confirm; that the ELCA will continue to receive clergy from non-episcopal bodies

without re-ordination; and (my personal favorite) that should such one be elected a bishop in the ELCA, he will be understood to be episcopally ordained.

No decent book-maker would have offered any odds on how that would fly with the ECUSA! So, when the Episcopal bishops offered their clarification of CCM, they let it be known that they would not recognize as interchangeable any future ELCA clergy who were not episcopally ordained, special circumstances or not; that those who were received not episcopally ordained would not be eligible for a common ministerial roster; that they would consider the threefold ministry as normative; and that any Supper presided over by laity would not be considered valid in their circles. Remember, this is an "agreement."

Finally, there is, with respect to this document, an issue that needs to be, but nowhere is, addressed. The two partners to this agreement are each in theological and moral chaos. At the very time that the ELCA was enacting this ecumenical venture, she was, among other things, promoting the "GLBT" (the gay/lesbian/bisexual/transgendered) agenda, not only countenancing abortion but, through her ministerial health insurance plan, expressing the willingness to pay for them, and instituting a project on "Lutheran Identity," presumably so that we could find out who we are. One might be forgiven for thinking that the need for the last item would put all the others onto a far back burner.

At the same time, the ECUSA was opposing most of its own church communion, the worldwide Anglican Communion, on the gay-lesbian agenda; some of its congregations were importing missionary bishops with consecrations from elsewhere in the Anglican Communion to oppose their own unorthodox bishops; while orthodox bishops within the ECUSA were readying themselves for schism.

Given such chaos, how could either of these church bodies be counted on to hold to any agreement, except perhaps in the most superficial way? It would be no great surprise to find, a few years down the pike, these two churches agreeing that they both held an historic episcopate, while at the same time departing from the historic catholic moral consensus on marriage and tacitly sanctioning, if not manifestly pronouncing their blessing (for whatever that might be worth) on homosexual relationships rather than announcing God's Christ-won forgiveness of sins, homosexual or otherwise.

There is also an issue not contained in this document, but rather revealed in the procedure that adopted the document. It is, of course, the same procedure that was used to adopt all the documents, but here the flaw is most obviously manifest. It has to do with the way in which the ELCA was constituted from her beginning.

It has become clear that the ELCA was constituted on the basis of a pair of archai that are contrary to the gospel. There is an operational arch of coercive power (temporal power, if you will) working on behalf of an ideological arch of inclusivity or diversity, the two terms being interchangeable with reference to the same phenomenon, namely, that all cultures, ethnic groups, and self-defined minorities (or oppressed groups as such) are to be given their own place and a share of the power in this church. The ideological inclusivity/diversity at the base of the ELCA is committed to not transcending those differences in a new "in Christ" unity; rather, it is committed to replicating the differences within the church.

The end result is that the church is reconceived as a collection of adversarial power blocs to be manipulated. The most notorious manifestation of this ideology is the quota system, which requires synod- and church-wide committees, boards, commissions, and assemblies to be constituted by so many persons of thus and such category. Wangle yourself into an ELCA synodical election some time and watch as people nominate and vote for one male clergy, one minority clergy, one layperson of color or primary language other than English, and one female layperson. If we happen to be electing voting members to the Churchwide Assembly, it all must be balanced so that the result is an Assembly that is 60 percent lay to 40 percent clergy. (If your mind is bent, like mine, it is a hoot!)

The results, however, are not very funny. One of those results is that a Churchwide Assembly, which will vote on matters of faith and morals, is made up of "voting members," 60 percent of whom have not been *rite vocatus* and therefore, according to AC XIV, are not authorized to teach publicly in the church. Also, those voting members will be further broken down into a number of special interest groups.

Is it any surprise that such a body would be subject to the manipulation of staff and officials and any others willing to connect their special pleading with power? Is it at all surprising to find doctrinal matters, as ecumenical agreements surely are, now decided by a majority vote, even

if it is a two-thirds majority, through the exercise of temporal power? True, the church, living as she does in this world before the parousia, has a temporal dimension that may well be dealt with by temporal processes. But in matters of doctrine, the church must be able to say, "It seemed good to the Holy Spirit and to us" – not a majority of us; not two-thirds of us; not 71 percent of us; not even 99.44 percent of us; but simply "us." Where that is not said, the minority, even if it is only .56 percent, will be coerced into going along.

In the time leading up to the adoption of CCM and in the two years following its adoption there was a good deal of talk about the "historic episcopate" being forced upon Lutherans. Based on FC X this was held to be against the Lutheran confession because it made an adiaphoron into a necessity. The supporters of CCM maintained that this argument was not valid because the "historic episcopate" was not forced on the ELCA; it was freely accepted by the Churchwide Assembly.

The supporters, however, miss the point; perhaps because the critics were not clear enough, whether in their own mind or in their articulation. It was not the ECUSA that forced the "historic episcopate" on the ELCA. But within the ELCA herself, a little over two-thirds of a Churchwide Assembly "forced" the "historic episcopate" on the rest of the church. This forcing is not necessarily to be attributed to the malevolence of the winners. It is, rather, to be laid at the feet of a process that creates winners and losers, as temporal authority always does (and which is okay in temporal matters). But in matters spiritual – doctrine, morals, and ecumenical agreements – where Christians say "We believe, teach, and confess . . ." believing, teaching, and confessing must come from consciences that live in that paradoxical state of having been set free by the word of God and just so are bound to the word of God. The arca that underlie the ELCA and her processes seem to have no room for such consciences, and a by-law amendment allowing for undefined special exceptions to be ordained outside of a now normative "historic episcopate" (an amendment adopted by the self-same process) is no answer. It only coerces more consciences. The cure may not be worse than the disease but it is just as malignant.

So then, in CCM, was the Lutheran confession of the biblical faith of the church catholic upheld? Consider the following: an agreement that can be interpreted differently by the parties involved; a pair of church bodies

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in doctrinal and moral chaos; consciences coerced. How does that old saying go? *Mene, Mene, Tekel, Upharsin?*

#### IV

The *Formula of Agreement*, adopted in 1997, also has its fair share of problems.<sup>5</sup> I will deal with only one: the doctrine, or perhaps more accurately the lack of a doctrine, of the real presence of the body and blood of Christ in the Sacrament of the Altar. I do, however have to say a word about *FA*'s methodology. The methodology is the same "consensus ecumenism" that we found in *CCM*, and it is based on the same radical relocation of the locus of theology. Theology has moved from the church to the academy. No longer is theology the church's reflection on the proclamation of the biblical gospel she has heard for the sake of the proclamation of the biblical gospel that she must now speak. Now theology will much more resemble a social science, reflection on human religious experience.

In such a framework, no experience is held to be complete in itself and therefore differences are bound to occur. The religious world of the academy is akin to the story of the four blind men and the elephant, when one blind man grasps the tail, the second a leg, the third the trunk, and the fourth bumps into the side; and each presumes to explain the whole elephant on the basis of his limited experience. But we, blessed with sight, know that their different descriptions need one another in order to be complete. So it is with the variety of religious expressions. Each one is partial, awaiting us modern seers to integrate it into the whole picture.

It is this sense of incompleteness that *FA* picks up on. A key concept—"pivotal" according to the document—is called "mutual affirmation and admonition." Hailed by its proponents as a "breakthrough concept," "mutual affirmation and admonition" is used as a way to reconcile the heretofore unreconcilable.

However, this "breakthrough" comes with a price tag, and this price is not right. It is the confusion between dogma and theology. The two are obviously related, but they are not identical. Dogma is church assertion of the truth of the various facets of the one divine revelation. Dogma always has a certain confessional quality to it. It listens to revelation and

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<sup>5</sup>Evangelical Lutheran Church of America, *A Formula of Agreement* [online] [August, 1999] available from <<http://elca.org/ea/Relationships/reformed/formula.html>>.

speaks the same, "confesses" (ὁμολογέω), what it has heard. Theology is reflection on that dogmatic truth and hopefully it serves the clarity of dogma, so that dogma can properly function as the critic of proclamation.

But in *FA* there is no dogma, only "diverse witnesses to the Gospel," which are held to be complementary to each other; and all are "needed for a full and adequate witness to the gospel" and as a "corrective reminder that every theological [note well] approach is a partial and incomplete witness to the Gospel." Blind man mind your elephant!

God's revelation of Himself in the gospel, however, is not passive, like the elephant. It shatters, not merely darkness, but sin-bred blindness so that those who are confronted by it may, in the light of that revelation, say "I was blind, but now I see!" Revelation is the issue at this point, not various theological opinions about things.

This confusion between dogma and theology is admitted into the *FA* conversation and legitimized by the use of the term "mode." The source of these mutually affirming and correcting theological opinions is attributed to different "modes" of doing theology. Different modes yield different emphases, which can then be held to be complementary, mutually enriching, and even necessary.

Now in fact, neither *FA* itself nor its background documents ever clearly define what the term "mode" really means in this context. I strongly suspect that it has its roots in the modern theological enterprise where it is possible to run across, "process theology," "existentialist theology," "neo-orthodox theology," "philosophical theology," "feminist theology," "liberation theology," not to mention a host of other modern ideologies that have wormed their way into the church and clothed their mischief in religious garb. To retroject this onto the disputes of the Reformation era is to produce an anachronism. For if there is one thing that the various Reformers had in common, despite all their other differences, it is this: their "mode" of doing theology was thoroughly exegetical. When, to take the present case as example, Luther and the Swiss argued about the presence of the body and blood of Christ in the Sacrament of the Altar, the argument was manifestly over the meaning of biblical texts. The "mode" on all sides was biblical exposition.

Now when *FA's* "mode" of doing theology is applied to the dogma of the Lord's Supper, what happens? First of all, we encounter a significant shift in terminology. The earliest Lutheran-Reformed dialogues had said

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that the “how” of the presence of Christ’s body and blood in the sacrament was a mystery, not a matter for speculation. Note what the mystery and the “how” have reference to: the body and blood of Christ present in the sacrament.

Compare this, however, with a statement from the major preparatory document to *FA*, “A Common Calling.”<sup>6</sup> There we read, “One could say that the dispute [the Lutheran-Reformed dispute over the real presence] was not so much about the reality of God’s presence in the Supper as about the mode of this presence and the proper way of expressing it in theological terms.”

I think not. The reformers themselves were clear that the dispute was precisely not about the divine presence, but about the presence of the human nature of Christ, His body and blood.

In “A Common Calling” we are told that at Marburg, 1529, the Lutherans and the Swiss/South German representatives agreed on fourteen central doctrinal points and mostly agreed on the Lord’s Supper. The statement is accurate enough, at least arithmetically, but it misses the critical point. The one point of difference was understood by the Lutherans to outweigh the rest. Why? Because the one point of difference revealed just how far apart the two sides were on the matter of the gospel.

We need to be as clear as possible on this point. The issue of the real presence of the body and blood of Christ in the Sacrament of the Altar concerns nothing less than the incarnation and the movement of the gospel. When, at Marburg, in response to Luther’s insistence on the words of institution, Oecolampadius called Luther to turn away from the humanity of Christ and lift his eyes to the divinity, Luther’s rejoinder was that the only God he knew was the incarnate God. He wanted to know no other, since only the incarnate God could save. The movement of the gospel is downward and God is the mover. God meets us, in the flesh and blood of Jesus; in the suffering, dying, rising flesh and blood of Jesus. He meets us there even after His resurrection and precisely where He has promised this flesh and blood meeting, in the Sacrament of the Altar.

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<sup>6</sup>Keith F. Nickle and Timothy F. Lull, editors, *A Common Calling : the Witness of Our Reformation Churches in North America Today*, the report of the Lutheran-Reformed Committee for Theological Conversations, 1988-1992 (Minneapolis: Augsburg Fortress, 1993).

Lutherans owe it to the whole church to confess that publicly and not to try to figure out an acceptable language that will allow the offense of Christ's crucified-for-us flesh and blood to be overcome by a linguistic trick.

### The Joint Declaration on the Doctrine of Justification

The devil, so they say, is in the details. However, when it comes to *JDDJ*, the devil is in the codicil.<sup>7</sup> There was, as everyone interested in such matters knows, a great hoopla surrounding the signing of this document by the representatives of the Vatican and Lutheran World Federation (LWF). It was a celebration enhanced by symbols designed to warm the cockles of Lutheran hearts: the place of the signing, Augsburg; the date, October 31. That is the story that made the newspapers and the religious magazines, but the real story lies elsewhere.

Of all the ecumenical dialogues of the past half-century, there can be little doubt that the Lutheran-Roman Catholic dialogues have been the most theologically fruitful. The collected volumes of those dialogues in the United States alone would make a fine reading list for seminarians and would lend themselves to the teaching of a thoroughly confessional theology, greatly clarified for being set against a clear theological opponent. It is to the credit of those dialogues that, in spite of every consensus reached, they never proposed that the Reformation divide had been bridged. Nor was there an ecclesial dog and pony show to rave about the achievements. *JDDJ*, therefore, marks a departure from previous joint Lutheran-Catholic statements.

The core of what is put forward as "The Common Understanding" is that "By grace alone, in faith in Christ's saving work and not because of any merit on our part, we are accepted by God and receive the Holy Spirit, who renews our hearts while equipping and calling us to good works." And further, "Faith is itself God's gift through the Holy Spirit Who works through word and sacrament in the community of believers and who, at the same time, leads believers into the renewal of life which God will bring to completion in eternal life."

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<sup>7</sup>Evangelical Lutheran Church of America, *Joint Declaration on the Doctrine of Justification* [online] [October 31, 1999] available from <http://elca.org/ea/Ecumenical/romancatholic/jddj/declaration.html>>.

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It is acknowledged that "the message of Justification directs us in a special way to the heart of the Gospel" and maintains that "the doctrine of Justification is more than one part of Christian doctrine" and stands in an essential relationship to all truths of faith, being "an indispensable criterion" for all church teaching and practice. This is, so it seems to me, a somewhat feeble attempt to deal with what has been called the "hermeneutical role" of the doctrine of justification by grace alone through faith alone, for Christ's sake alone.

There is a similarly feeble effort to deal with the Lutheran teaching of *simul iustus et peccator* ("at the same time justified and sinner"); that the Christian is "at the same time righteous and sinful." It is feeble, because it treats the matter as if it were the result of some analysis of the relatively good or bad life of believers, which still requires struggle against sin and a "continual call to conversion and penance." There is, to be sure, truth in that, but it is not the truth of the *simul*.

It is also said, rightly, that good works are the fruit of justification. Although we are given a somewhat odd twist, being told: "Since Christians struggle against sin their entire lives, this consequence (i.e. the fruit of 'good works') is also for them an obligation that they must fulfill. Thus, both Jesus and the apostolic Scriptures admonish Christians to bring forth the 'works of love.'" I find this language to be just about as great a confusion of law and gospel as possible. The confusion can be identified by calling up a simple picture: a farmer stands in front of a barren pear tree shouting "Pears! Pears!" at the top of his lungs. It is, of course, sad that the tree bears no fruit, but as Jesus once made clear in a parable, the sadness can only be resolved by the diligent work of the farmer restoring the tree to life, not asking the tree to improve itself. Likewise, when works of love are missing, the solution is not a dose of morality, but a load of God's life-giving manure, called the gospel! While we await its effects, we can let the law, full-fanged, govern temporal life and produce what neighborly good it can from the sinners it terrorizes.

Because of the consensus that I have briefly described, it is said that the anathemas of Trent do not apply to Lutheran teaching as here presented.

In considering this agreement, there are really four documents that need to be addressed: *JDDJ* itself; "The Official Common Statement" that was released jointly by the Vatican and the LWF at the time of the signing; the Roman Catholic "Annex" to the document, which offers Rome's official take on the degree of agreement; and a list of Catholic

"clarifications," which raises specific points that Rome finds problematic or objectionable.

"The Official Common Statement" does not describe this as a full agreement, but rather as "a consensus in basic truths." So the claim is apparently modest enough, but the fact that we are pointed towards "truths" rather than truth is a significant detail; significant enough to call even the modest claim into question. For the truth of the doctrine is precisely its function as the *Haupt Artikel*. This really is the Reformation issue: How is church teaching, preaching, liturgical practice, and so forth, to be done so that they are the gospel of God concerning His Son Jesus? The Reformation answer is by subjecting them to the test of justification by grace, *per fidem, propter Christum* ("through faith, for Christ's sake"). Is Christ the subject, not merely the topic? Is He preached without the clutter of "ifs," "buts," and "maybes"? Is the hearer put in the place where the only possible response is faith or offense? Is Christ turned into a prop for our own religious or moral agenda? Instead of being called to stand still and watch the work of the Lord, are we cajoled, nudged, or salved into doing something, availing ourselves of something called grace or . . . well whatever?

It is common to render the German phrase *Haupt Artikel* as "Chief Article," but I would like to suggest that we see it as the "hub article," as in the hub of the wheel. If the hub is in place, there may well be other problems with the wheel that need adjusting, but the wheel will roll, however uneven it may be. Without the hub, the wheel will not roll at all and polishing the spokes or retreading the tire is just plain useless. This is not made clear in *JDDJ*. What is more, even the hint that it might be so — calling it an indispensable criterion — is rejected by Rome. For in the Roman Catholic "Clarifications," it is said quite explicitly that the Lutheran notion that justification is an indispensable criterion for the life and practice of the church, is not satisfactory to Rome. Rather, "for the Catholic Church the message of justification . . . has to be organically integrated into the fundamental criteria of the 'regula fidei.'" In this regard, it must be said that Rome is more honest about the state of affairs than *JDDJ* itself. In the same spirit of honesty I would ask whether it is not the case that to disagree on the function of the doctrine as criterion is not, in fact, to disagree on the doctrine itself. For in a very real sense the Reformation proposal is not the doctrine as such but precisely its function as the "Chief Article."

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This lack of agreement also appears in the very first point in the "Catholic Clarifications," namely, the explicit rejection of the Lutheran *simul iustus et peccator* ("at the same time justified and sinner"). The "Clarifications" point to a section of *JDDJ* titled "The Justified as sinner" and say "The title is already a cause of perplexity." Then it continues, "The formulation 'at the same time righteous and sinner . . .' is not acceptable." The reason it is not acceptable is that it is not compatible with the renewal and sanctification of the interior man of which the Council of Trent speaks. Therefore, in what can only be seen as a refreshing and even bracing honesty, the clarification says that the Anathema of Trent at this point still holds.

Again, however, is it not the case that to deny the *simul* is to deny the doctrine of the justification of the ungodly by grace, *per fidem, propter Christum*? For the Lutheran, *simul* is not the result of an analysis of moral behavior, religious piety, or any combination thereof. The *simul* announces the situation of the one who hears of their free justification for Christ's sake. The very declaration of their justification is what reveals them to be the ungodly whom Christ justifies. Christ's righteousness is always and ever the sinner's only righteousness before God. It is not merely a loan until we can establish our own, as transformationist versions of Christianity, the Medieval scholastics to Wesley, would have it. Christ's righteousness is not just to make up for what I happen to lack. His righteousness is all that I have, and this, it would seem, Rome does not find acceptable.

For that reason, I do not find it comforting at all to hear Rome say that the teachings of the Lutheran Church "as presented in this document do not fall under the condemnations of the Council of Trent." Please note, this does not say that the Tridentine anathemas do not still stand. They clearly do, but it is said that they do not apply to what is here offered as Lutheran doctrine. I think that we ought to look at just what it is that Trent anathematizes. Listen to just three of the Tridentine anathemas.

If anyone says that a man is justified either solely by the imputation of Christ's righteousness or solely by the remission of sins, to the exclusion of the grace and charity which is poured out into their hearts by the Holy Spirit and stays with them, or also that the grace by which we are justified is only the favor of God; let him be anathema. [Please, count me in.]

If anyone says that justifying faith is nothing else than trust in divine mercy, which remits sins for Christ's sake, or that it is this trust alone by which we are justified; let him be anathema. [Please, count me in.]

If anyone says that the received righteousness is not preserved and also not increased before God through good works but that the works are only the fruit and signs of the justification obtained, not also a cause of its increase; let him be anathema.<sup>8</sup> [Again, please count me in.]

Please count me in, because what is here condemned is the Lutheran confession of the biblical faith of the church catholic. By my ordination vow, not to mention my soul's delight, I am obligated to believe, teach, and confess that faith and not to try to construct theologoumena that will allow me to wriggle out from under a condemnation that condemns Christ to a vain death and feeble resurrection.

I am willing to stand under Trent's anathema, because I do not see how I can otherwise stand with the crucified Christ. It is reported that Katie Luther's dying words were, "I will cling to Christ like a burr to a top-coat." I want to so cling. When sin and death are too strong for me, when the burr loses its adhesive capacity, as it surely will, God forgive me, then I pray that Christ will continue to cling to me, otherwise I will fall under God's anathema and that is surely to be feared more than Rome's.

Was the Lutheran confession of the biblical faith of the church catholic represented in *JDDJ*? I cannot say so. It would seem, rather, that it was, at best, hinted at—hints that Rome's official responders sniffed out and to which they said a clear "no." What puzzles me is why the LWF did not take this opportunity to confess. For surely, when the anathema was invoked, as it was in the Catholic "Clarifications," it was confession, and not hinting, that was and is called for.

### Can the ELCA Represent the Lutheran Confession of the Biblical Faith of the Church Catholic?

Admittedly, the outlook is bleak, but not because all resource is lacking. If we were to look at just the currently available resources, the answer

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<sup>8</sup>Canons 11, 12, and 24, found in Martin Chemnitz, *Examination of the Council of Trent*, Part 1, translated by Fred Kramer (Saint Louis: Concordia Publishing House, 1971), 460-461.

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would be "yes." The possibility would, of course, be enhanced with several changes. For instance, we would have to recognize that the ecumenism of "consensus" has gone about as far as it can go. We have determined the commonalties and identified the disjunctions. The wrestling match on those points needs to be undertaken. I think that there is a reluctance to enter that match because after the epoch of "consensus ecumenism," we are afraid that to disagree is to quarrel. But, as G. K. Chesterton once said, "we quarrel because we have forgotten how to argue." We could learn to argue again; to test differences against commonly agreed upon standards and call one another to scratch on that basis.

We would also have to recognize the need to relocate our own theological enterprise back into the church; and that means a conscious move away from the academy; not scholarship, mind you, but the academy. It is something of a tragedy that none of the ELCA's predecessor bodies ever had a graduate school to train theological scholars. Our theologians have had to go elsewhere for training. That has had some positive result to be sure, but it has also meant that the hermeneutical framework for our theologians has become other than the confessing community. The outcome of this was not clearly seen while the American university system was living on Christian moral and intellectual capital. As that capital has been eaten up and not renewed, the hermeneutical framework has become increasingly hostile to Christian faith in general; a hostility that is magnified when it comes to our confession. A graduate school devoted to confessionally oriented theological scholarship to renew our theological resources would go a long way towards helping the ELCA to represent our confession.

Nevertheless, with the current edition of the ELCA, the question is not resource, but will. It is not at all clear that synodical or church-wide leadership wants to do the job. It is this lack of will that makes the outlook bleak.

Bleakness aside, I would like to yield the penultimate word on the matter to Katherine Hepburn in the role of Eleanor of Aquitaine in the "The Lion in Winter." There she says, as only Kate can, "In a world where carpenters rise from the dead, anything is possible." Indeed, even a faithful ELCA. Why not? Pirates have been thrown overboard before. Moribund institutions have been touched by the surprising liveliness of the gospel and faithful voices have out-sung the cacophony. In fact, there

is even more to be said. Kate's word is only penultimate and while she had it quite right, she didn't have it completely right. For there is, after all, one thing that is not possible in a world where carpenters rise from the dead.

It is not possible that God's word will return to Him empty. That is not possible precisely because this One carpenter has risen from the dead. His triumph is assured. He will justify the ungodly. His "alien" righteousness can cover even the ELCA's shame. Why even the LCMS can bask in His righteousness rather than its own!

Who knows, we may yet, this side of the parousia, find ourselves in one another's arms within the arms of God. From there we may together offer the rest of the church and the world the one true treasure, the gospel of Jesus, shorn of all the "ifs," "buts," and "maybes" that the Old Adam uses to keep it at arms length.

Even in the present darkness it is worth the struggle to bring the ELCA to her senses. It would be worth the struggle even were we to fail. But since the victory is Christ's, well, it will be a real hoot, will it not?