

A Response to the Concordat of Agreement

Suggested by Gerhard O. Forde

1. The ELCA is a young church which does not yet know its own mind on the issues involved in the Concordat. It is not wise to proceed to enter into a Concordat of Agreement which proposes a radical departure from the traditions which came together to form the ELCA.

2. Although the ELCA has defined the office of ministry and rejected the idea of an ordained diaconate, it has not been able in previous attempts (CNLC, Study on Ministry) to define the nature and set the functions of the office of Bishop. It is highly unwise now to allow that office to be defined **for us** by a Concordat with a tradition quite different from our own. Virtually all parties admit that there must be thorough and informed discussion of the issues involved. To date, however, Church authorities have not made such discussion possible or convenient. Both clergy and lay are concerned about the lack of even-handed information and apprehensive when they hear what the Concordat involves.

3. It is simply contrary to the Lutheran reading of scripture on these matters and the Lutheran Confessions to make the “authenticity” or “fullness” of Communion with our Lord in the supper dependent on a “Historic Episcopate” (which can only mean “episcopal succession” of some sort) perpetuated by a “laying on of hands” in the proper historical succession. Proponents of this view like Michael Root (Strasburg Ecumenical Institute) claim that Episcopalians do not really mean that such succession is “absolutely necessary.” This, supposedly, is indicated by their willingness to “suspend temporarily” their ordinal requiring it. But the fact that the ordinal has to be suspended means that neither is such succession simply dispensable or unnecessary. It is, Root thinks, rather something in the middle between absolutely necessary and unnecessary. He speaks of it as “normally normative.” But one wonders what that is supposed to mean, and whether that is actually what Episcopalians mean or what it will mean years down the road. In any case, the fact is that the place of the practice and the office of bishop is being defined **for us** by someone who has a different view of ministry from what we do. The Lutheran view of ministry flows from the gospel and not from theories about priesthood and succession. All Christians are priests. Baptism is their “ordination.” Ministers have the specific function of getting the gospel onto the public scene. Lutherans cannot concede to other views of the priesthood and ministry without compromising the gospel and/or implying that their orders past and present are “defective.” It is patronizing, to say the least, to be assured that present orders can be granted temporary validity by the suspension of an ancient Episcopalian ordinal. Lutherans have always held that no particular form of church government (“...human traditions or rites and ceremonies, instituted by men...” AC VII, 3. Tappert, 32) can be made necessary to or normative for (normally or otherwise!) the true unity of the church.

If it is held, as is sometimes the case by proponents of such necessity, that the matter can be looked upon as an *adiaphoron* then we have seriously to ask whether this

does not put us *in statu confessionis*. Something which is a matter of freedom is being imposed as a necessity. What ministers have to witness to is precisely the freedom of the gospel.

4. The framers of the Concordat have obviously tried to trim, adjust, and sanitize the language as much as possible to make it acceptable to those used to the Lutheran traditions. It is a classic case of “ecumenispeak.” One hones the art of theological *double entendre* to a fine point--developing statements that can be understood in one way by one denomination and another by the “ecumenical partner.” So they are willing to speak of the “authenticity” rather than the “validity” of the sacrament, “installation” of Bishops rather than “ordination,” and so forth. Michael Root’s opinion that willingness to suspend their ordinal temporarily indicates a “normally normative” stance is, I think, an indication of the same sort of thing. The rule is neither absolutely necessary nor completely dispensable but somewhere in between--perhaps “normally practiced” or something of the sort. But the “bottom line” remains the same, in spite of all verbal adjustment: no “full communion” without at least the intention to move towards the situation where the laying on of hands by bishops standing in the “Historic Episcopate” will be universally practiced among us **and** that the ELCA will have to alter its constitution to mandate that ordination of pastors must *always* be done by bishops. But will the ELCA not also then have to alter its confession? The book of Concord in The Treatise says that “Since the distinction between bishop and pastor is not by divine right, it is manifest that ordination administered by a pastor in his own church is valid by divine right” (331). There seems to be here a flat-out contradiction to the Concordat. Will not only the Constitution of the ELCA have to be re-written but also the Confessions to conform to the Concordat?

It is sometimes claimed that these moves will make little or no difference to the day to day life of the parish. But that is a self-defeating argument. If it will make no difference, why go to all the trouble and expense to do it? Should the constitution be altered for something that will make no difference? It is argued that all bishops are being asked to do is *always* to do what they normally do *most of the time* (preside at ordinations). But the bottom line is that to move from “*most of the time*” to “*always*” is to move from freedom to necessity. Can we, should we pay such a price?

The word-game is disturbing. The framers of the Concordat seem to think they can make words that have a long history mean what they want them to mean. But we don’t own these words. Words like “bishop” are loaded with tradition and tend to bring with them their own meaning and their own impulse. Experience has shown that. When we gave the title Bishop to our District Presidents it was argued (by E. Clifford Nelson, and others) that we could define the title as we wished. But we have been unable to do so. And now we find ourselves down the line entertaining visions of the “Historic Episcopate” with the argument that it “will make no difference!” Or look at the Church of South India. I once heard the complaint (Where or from whom I don’t recall), that the Church of South India is to all intents and purposes now an Anglican Church. All the other denominations were suppose to contribute the “gifts” peculiar to their own churches. But it didn’t work. The words and titles seem to have a power of their own. The Concordat uses the same language. We are to contribute our gift of “concern” for Apostolicity of doctrine. They contribute the “gift” of succession in laying on of hands. What will be the

result of that when those who have the succession are not required to subscribe to our “gift” in the Confession? We, it appears, get their “gift” whether we want it or not, but they don’t want ours?

5. There was more than simple expediency behind the Lutheran insistence that true Apostolic Succession means faithfulness to Apostolic teaching. The gospel itself is at stake. Christ alone, the one who is among us as “one who serves” is sole head of the Church. Christ alone is the head because he embodies the gospel. Where humans are put in the place of Christ (“by divine right?”) and by ordination apparently placed beyond critical question if not accorded a species of immunity from the incidence as well as consequence of human sin and error (what of errant Bishops? Pike? Spong? et al) the church is in big trouble. The law rather than the gospel reigns on the throne. The Concordat seems to be worried exclusively about how to get Bishops into the appropriate succession. But the more serious question for the church in the future may well be how to get them out of it. What kind of succession can there be where Apostolic teaching is denied? It is time for the church to ask itself whether the Reformation insistence on succession in Apostolic teaching, given the principle of “scripture alone,” “self interpreted,” does not imply ultimately a corrective if not a polemic against the presumptions of an “Historic Episcopate.”

6. Theologically there are several arguments that ought to be considered. Here, of course, one soon gets into matters of interpretation that may express one’s own suspicions and worries or “slant” rather than the more obvious issues of polity and confession. One issue that comes to mind is the relation between Christology and Ministry. Some time back, Robert Jenson wrote an essay (I don’t have time to look for it!) claiming that the root issue behind the arguments about ministry in Western Christendom was a faulty Christology. Accepting the Leo’s Tome as the proper interpretation of Chalcedon, Western Christology has leaned consistently in a Nestorian direction with its tendency to separate the two natures and denial of a real *communicatio idiomatum*, particularly the *genus maiestaticum*. This means that the incarnation was only a one-time breach in the wall between time and eternity, matter and spirit, etc. With the ascension therefore, Christ is no longer “really present” in the world of time, but essentially absent. So an ontologically qualified and properly ordained ministry is necessary to “confect” the sacrament, to “make Christ present.” Where, however, the presence of Christ is guaranteed to begin with due to the *communicatio idiomatum*, ministry has only to *administer* the present Christ according to his promise, not to do the extra duty of making Him present.

This has always seemed to me a significant argument. I don’t know if Jenson still holds it after his swing over to “evangelical catholicism,” but that is largely irrelevant. The question is whether we really want to acquiesce to a view of ministry that really brings with it and therefore tends to institutionalize a faulty Christology. I should hope not!

A second argument that concerns me is the matter of eschatology. The Church, I believe, is strictly a this-age phenomenon. After the church comes the Kingdom, not more church (like the “Church Triumphant,” etc.) There is no temple, no church, in the New Jerusalem, thank God! To be sure, the church believes, hopes for, lives in the light of,

and preaches the age to come, but it does not exist in or extend into the age to come. It lives by faith. Its structures, offices, and practices, apart from Word and Sacrament activity, therefore, are this-worldly institutions. The constant temptation of this-worldly institutions is to claim more right than is their due, i.e., to step over the eschatological line between this age and the next--to begin to speak, as was the case in the middle ages, of "divine right." So the Reformation wanted to distinguish clearly between what the office of ministry was to do by "divine right" and what by "human right." This old distinction which has apparently been dropped by ecumenical discussion was, I think we can say, a reflection of the attempt to draw eschatological lines. By divine right all ministers (including bishops) preach, administer the sacraments, teach, judge doctrine, etc., and even ordain. All else comes by "human right."

We have seriously to ask, therefore, whether the idea of episcopal succession as normative or necessary to valid or authentic "full communion" does not step over the eschatological line and reach for a kind of power not really allowed by the eschatological word. Ecclesiastical structure becomes preeminent. But ministry, according to AC V derives from the gospel not from ecclesiastical structure, normative, necessary, or otherwise. The marks of the true church, i.e., the ways in which the church signals its presence in this age (preaching the gospel, sacraments, prayer, bearing the cross, etc.), are acts of liberation, not attempts to make its structure either necessary or normative beyond practical or pragmatic exigencies, i.e., beyond the needs of this age.

Finally, it seems inevitable that we must talk about the question of mission. Everything, these days, has to justify itself in terms of mission. We may not be justified by good works, but now we are justified by mission, it seems! Sarcasm aside, we should ask about the mission of the Lutheran Church on the current scene in the light of the ecumenical initiatives before the ELCA. I want to raise the question on the theological level. The claim is often heard that ecumenical effort will somehow enhance our mission on "practical" levels. And, the claim is likewise challenged. How will "visible unity" with another slumbering, if not moribund, church like our own enhance mission? But I don't want to enter that debate. I always think theological questions are in the long run more important for shaping the life of the church.

Just what is the theological and pastoral mission of the Lutheran Church today? I would like to say that it is precisely to preach and bear witness to the Theology of the Cross. But the theological problem arising out of the ecumenical movement and its method is precisely that a Theology of the Cross is usually neither understood nor accepted as a proper interpretation of the New Testament message and the proclamation it entails. Now that, unfortunately is often the case among Lutherans as well. However the problem is intensified in ecumenical dialogue because in the attempt to achieve consensus or convergence the Theology of the Cross or a theology shaped by eschatology now becomes institutionally frozen out. This is more obvious in the dialogue with Roman Catholicism and the business of declaring the condemnations inoperative than in the *pas de deux* with the Episcopalians. But it is part of our ecumenical "package." The question for the Concordat in this light is whether the very idea of an episcopal succession, if it rests on a faulty christology and is an overstepping of the eschatological limit does not also entail at least an implicit subverting of a Theology of the Cross? As earlier put, Christ the

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