

## THE CHURCH, PASTORS, AND A CONFESSIONAL LUTHERAN MINISTERIUM Rev. John A. Frahm III

Why have we come to this point of discussing a ministerium? Confessional faithfulness and evangelistic zeal is a great motivation. We have also come to this point in part because of catastrophic failures within our synod in dealing with doctrinal aberrations, parish conflict, and the inability to maintain confessional teaching and practice standards on the level of districts and the synod. One could spend a great deal of time cataloguing the incremental (intentional or unintentional) usurping of church authority by the LCMS Council of Presidents and its correlation with the increase of open communion, feminist theology and practice, the toleration of the charismatic movement, the destruction of the Lutheran liturgy, and the progression of the lay ministry movement.

One increasingly evident eroding influence among us is the feminization of theological language, the office of the holy ministry, and the neutering of the church. The rebellion against authority and the clear confession of the church's dogma is ultimately a rebellion against the Fatherhood of God. This manifests itself in terms of attitudes toward a pastor's spiritual oversight in the congregation and the emphasis on "style", liturgical practices, nomenclature, vocational issues, and in Synodical politics to an increasing degree. In his important book, *What Will Happen to God?: Feminism and the Reconstruction of Christian Belief*, William Oddie observes: "It is this insistence on spiritual independence thus understood (with its implicit refusal of community) which as much as anything indicates the character of Christian feminism."<sup>1</sup> This certainly synergizes with American individualism. Pastors are not immune from these influences either.

There is a correlation, at least, between the catastrophic failure of our Synodical system and the encroachment of theological feminism within The Lutheran Church—Missouri Synod. The refusal of pastors, of district and synod officials, and others to speak forthrightly, to stand their ground and to speak a fatherly "no" for the sake of the gospel is now ripe for harvest in the rejection of authority, clear doctrinal articulations, in favor of subjectivism, and the predominance of casuistry or situational ethics (for the sake of mission, of course).

In this context of confusion we are discussing the establishment of a Confessional Lutheran Ministerium to serve the cause of confessional Lutheranism in North America. We cannot assume about synods what we once assumed. To paraphrase Psalm 146, have we put our trust in princes of the church, in mortal men who cannot save? In some ways, I believe we have indeed. For this we have need to repent as we come to this realization. We who rightly seek to preserve and pass down the faith that was once for all delivered to the saints (*fides quae creditur* – the content of what we believe), may be collectively guilty of placing our trust (*fides qua creditur*) in that which is not worthy of our trust and cannot withstand our reliance, the weight of which may only be held up by the Divine.

### THE OFFICE OF PASTOR IN THE CHURCH AND A MINISTERIUM

Today is not the first time at which Lutherans (or pre-Reformation Christians) have been confronted with a crisis of church structures, the nature of the pastoral office, and its service to the Gospel of Jesus Christ. As history goes from point A to point B, we often find ourselves facing similar problems as our fathers in

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<sup>1</sup> William Oddie. *What Will Happen to God?: Feminism and the Reconstruction of Christian Belief*. (San Francisco: Ignatius Press, 1988); p.82

the faith. However, this does not mean we should ignore the unique or peculiar aspects of our own situation.

When we speak of a ministerium to support the cause of confessional Lutheranism in North America, and within what is currently the institution of The Lutheran Church—Missouri Synod, we are not meaning to repeat the Pennsylvania Ministerium or the New York Ministerium, but to address the needs of our own time and place in a way which is theologically faithful and which serves the marks of the church, the spread of the gospel, and holds up the hands of the Lord’s faithful called and ordained preachers in our congregations. While we believe a ministerium would be very helpful even in better times, the catastrophic failure of our institutions and the theological erosion evident among us brings the discussion of a ministerium to a much more immediate relevance.

To find a congregation or a board of elders within a congregation which has a familiarity with the *Book of Concord* is rare indeed. Sadly, in many cases confessional Lutheran pastors encounter congregations that have a very incomplete understanding of Lutheran identity and teaching. The three books of Lutheran piety (the Bible, the Catechism, and the hymnal), are much neglected among our congregations. Even when there is a sort of Bible study, it is more along the subjective pietistic lines of, “What does this mean to me?” The old standard Lutheran chorales, liturgical orders, the wise use of the church year, and a rich sacramental life are scarce and have been replaced by a generic protestant ethos which some have termed with the neologism, “Methobaptistocostalism.”

Pastors, in situations like this, need a support structure for like-minded theological encouragement, personal support, father confessors and pastors for the pastors, theological study, missionary organization, and a financial safety net. The state of affairs in our synod provides little of this. Too much theological disparity exists within our synod to foster the kind of trust on the official level. Writing in 1997, even before recent CCM rulings and the passage of resolution 8-01a at the 2004 LCMS convention, Dr. Martin Noland observed:

The real papacy in the Missouri Synod, however, is its Council of Presidents. When you look at the offices which are appointed by the Council of Presidents, you begin to wonder which pies they don’t have their fingers in.<sup>2</sup>

Add to this the deep involvement over both pastors and congregations of district presidents in the calling process, often beyond the stipulations of the bylaws. If one considers the management of call lists, the kinds of items and the odd evaluation scales on the district president’s comments on the pastor that accompanies the PIF and SET forms (put into place by the fiat of the Council of Presidents and changed at their will, along with the official call documents), as well as the shenanigans sometimes involved in congregational “self-studies” and “intentional interim ministry,” not to forget delayed vicars being “licensed” or authorized by both the district president at the seminaries (yes, both of them) to officiate at the Lord’s Supper despite the fact that the vicar has neither call or ordination. The district president does have much sway indeed. But when a dispute arises, the cry is “congregational autonomy.” And in most situations it is surmised and assumed that the pastor must have committed some “self-inflicted wound” if there is a conflict.

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<sup>2</sup> Martin Noland. “District Presidents and Their Council: Biblical and Confessional Limitations,” in *Church Polity and Politics: Papers presented at the Congress on the Lutheran Confessions*. Edited by John R. Fehrmann & Daniel Preus. (Crestwood, MO: The Luther Academy, 1997) p.170

The Lutheran Church—Missouri Synod, since its inception, despite Walther’s efforts, has not been known for clarity and stability on the question of Church and Office. From the controversies with Martin Stephan, J.A.A. Grabau, Wilhelm Loehe, and the Altenburg Debate to “everyone a minister”, the Wichita lay ministry resolution, and “voters’ supremacy,” our synod is a house divided just when one considers the church and pastors. Add to this incremental or not-so-incremental movements toward the ordination of women as pastors and feminist theology among us, one cannot seriously say that we are a synod walking together with a straight face, or at least with one’s head above the sand.

I would have to say that in some ways even among the presenters at our symposium on a confessional Lutheran ministerium, the church and office arguments of 19<sup>th</sup> century confessional revival live on in animated discussions. So one might ask, how can we even speak of a confessional Lutheran ministerium with such unfinished business? Better thinkers than I need to be read and heard on this subject. I merely hope to get the ball rolling in this area.

### A CORE-SAMPLE OF THE CONFESSIONS ON THE PASTORAL OFFICE

*The Book of Concord* begins the discussion of the office of the holy ministry, with a bridge from Article IV to Article V of the Augsburg Confession. The office of the ministry is established so that such justifying faith in Christ (by grace) may be created, conferred, and sustained through the spoken and sacramental Gospel. The German speaks of the *Predigtamt* – the preaching office, which implies someone in the office. The Word and Sacraments are confessed as the exclusive salvific, faith-engendering instruments of the Holy Spirit. And then there is the condemnation of the Anabaptists and other schwärmer, who teach that the Holy Spirit works apart from the external Word and sacraments through our own preparations, thoughts, and works.

In Article XIV of the Augustana, to guard against the rumors the Romanists have been hearing about the evangelical Lutherans, it is stated most clearly, “Concerning church order they [our churches] teach that no one should teach publicly in the church or administer the sacraments unless properly called.”

...[I]t is the response of the Lutheran theologians to the charge that John Eck made in his *404 Propositions* that the Lutherans denied the existence of the sacrament of orders, called it a figment of human invention, and asserted that any layman at all can consecrate churches, confirm children, and so on (Wilhelm Gussmann, *D. Johann Ecks Vierhundertvier Artikel zum Reichstag von Augsburg 1530* [Kassel:Edmund Pillardy, 1930], nos.267 to 268, pp.134 and 177-78). The Lutheran response is that laymen are not admitted to the really crucial tasks of publicly and responsibly proclaiming the Gospel and of administering the sacraments.<sup>3</sup>

The Latin is “*rite vocatus*” and the German says “*ordentlicher beruf.*” Arthur Carl Piepkorn, whom one of my seminary professors called a “fundamentalist of the Lutheran Confessions,” points out with regard these phrases of the Augsburg Confession:

...the word *rite* in *rite vocatus* implies in the normal terminology of the 16<sup>th</sup> century a formal ordination as something over and above a mere calling. Both *vocatio* (“calling”) and *ordinatio* (“ordination”) are extensively used in this period to describe the whole process of election and ordination. [...] [T]he *Confutatio pontifica* accepted Article 14 in principle. It would not have done so if it had understood the article as suggesting that ordination was not necessary. The particular point

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<sup>3</sup> Arthur Carl Piepkorn. “The Sacred Ministry and Holy Ordination in the Symbolical Books of the Lutheran Church.” in Michael P. Plekon and William S. Wiecher. *The Church: Selected Writings of Arthur Carl Piepkorn*. (Delhi, NY: American Lutheran Publicity Bureau Books, 1993); p.62

on which the *Confutatio* insisted was that a bishop perform the ordination. This is clear from the Apology on Article 14. [...] The Apology makes it clear that it has no quarrel with ordination or even with episcopacy, but that Episcopal ordination is not available to the proponents of the Augsburg Confession. The implication is that they may have no alternative but to avail themselves of ordination by clergymen in presbyter's orders.<sup>4</sup>

Piepkorn gives further argumentation to his basic point on ordination being included in *rite vocatus*. There is much else in Piepkorn's essay that I believe would contribute much to bridging the gap in the *kirche und amt* debates carried into overtime from the 19<sup>th</sup> century. In his important book, *Luther, Ministry, and Ordination Rites in the Early Reformation Church*, Ralph F. Smith notes: "The target of Luther's polemical critique was a sacrificial priesthood (*Opferpriestertum*), not an ordination that properly set a person in the office of preaching in relation to a specific community."<sup>5</sup> Baptism makes priestly Christians but divine call and ordination to the office (through the Church) makes a man a pastor and minister in the Church. This is far different from the sort of "baptistified" version of Martin Luther that many of the members of our congregations have learned – Luther the revolutionary. This is, rather, Luther the evangelical catholic. And that is the mindset of the Lutheran Confessions.

And so, for the sake of a case study, we apply this to the doctrine and practice of the Lord's Supper. The further one departs from the institution of Christ, the more doubt creeps into the picture and consequently the certainty and foundation of faith begins to fall away. The solidity of hope in Christ turns into nothing more than a wishful leap into the *Deus absconditus* (the "dark" unrevealed aspect of God, apart from His Word). Nothing can be more certain than that which is done according to the mandate and institution of Christ. In Luther's conflicts with Zwingli, as well as those with Rome, the explication of the consecration on the basis of the mandate and institution of Christ figured centrally. With Zwingli it was in Luther's "Confession Concerning Christ's Supper" (1528), concerning the "action words" and the "command-words" given so that the body and blood of Christ are present in each Lord's Supper to the end of the world. Against Rome it was against those instances in which the institution was denied or violated (*e.g.*, the private mass, communion in one kind, the sacrifice of the Mass, the *Corpus Christi* procession, etc.).

Luther makes the point in 1533, in "The Private Mass and the Consecration of Priests" that the reason why he holds to the position on the consecration he does is that all may be certain for faith. The private mass Luther is dealing with are masses performed by Roman priests for money often to release souls from purgatory. Such masses were done apart from the congregation and none of the people communed. In discussing the private mass, Luther says:

But I have not been commanded to perform the private mass and it is uncertain. In short, as St. Augustine says: *Tene certum, dimitte incertum* - "Rely on what is certain and abandon what is uncertain." Yes, I even add, because it is uncertain whether the body and blood of Christ are present in the private mass and because it is certainly a purely human trifle, therefore you should never in your life believe that Christ's body and blood are present; for faith should be sure of its affairs and have a sure basis concerning which one must not and should not be in doubt.<sup>6</sup>

No one has the right to change what Christ has instituted, especially not His last will and testament. What

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<sup>4</sup> Piepkorn, (Plekon/Wiecher); pp.62,63

<sup>5</sup> Ralph F. Smith. *Luther, Ministry, and Ordination Rites in the Early Reformation Church* (Renaissance and Baroque: Studies and Texts 15). (New York: Peter Lang Publishing, 1996, 2000); p.54

<sup>6</sup> "The Private Mass and the Consecration of Priests" (AE:38; p.163)

is done in that way is done by Christ Himself through the means He has chosen. There is no faith for the sake of faith or in faith present in Luther here.

So it is not our work or speaking but the command and ordinance of Christ which make the bread the body and the wine the blood, beginning with the first Lord's Supper and continuing to the end of the world, and it is administered daily through our ministry or office.<sup>7</sup>

Earlier, in 1528, Luther has spoken much the same.

Here, too, if I were to say over all the bread there is, "This is the body of Christ," nothing would happen, but when we follow his institution and command in the Supper and say, "This is my body," then it is his body, not because of our speaking or our declarative word, but because of his command in which he has told us so to speak and to do and has attached his own command and deed to our speaking.<sup>8</sup>

So long as what is done is according to the mandate and institution it is without doubt. "Offices and sacraments always remain in the church; persons are daily subject to change. As long as we call and induct into the offices persons who can administer them, then the offices will surely continue to be exercised."<sup>9</sup> Again, with regard to the office and the Supper, Luther continues in the same passage:

When the pastor celebrates mass diligently, note this difference: Insofar as he observes the institution of Christ and also administers the sacrament to others, be assured that Christ's body and blood are certainly there on account of Christ's ordinance and not on account of the pastor's work or holiness. Insofar, however, as he does not observe the ordinance and intention of Christ but changes and perverts them, it is not necessary for you to believe that it is Christ's body and blood.

Lest we think that the mandate and institution may be followed without a man in office, Luther remarks with respect to an exceptional situation in Turkey:

And what must the Christians do who are held captive in Turkey? They cannot receive the sacrament and have to be content with their faith and desire which they have for the sacrament and the ordinance of Christ, just as those who die before baptism are nevertheless saved by their faith and desire for baptism. What did the children of Israel do in Babylon when they were unable to have public worship at Jerusalem except in faith and in sincere desire and longing? Therefore, even if the church would have been robbed completely of the sacrament by the pope, still, because the ordinance of Christ remained in their hearts with faith and desire, it would nevertheless have been preserved thereby, as indeed now in our time there are many who outwardly do without the sacrament for they are not willing to honor and strengthen the pope's abomination under one kind. For Christ's ordinance and faith are two works of God which are capable of doing anything.<sup>10</sup>

Luther's teaching here is consistent with *Augsburg Confession* XIV, that no one should publicly teach in the Church or administer the sacraments unless he be *rite vocatus* (or *ordentliches beruf*). This is a position which belongs to the mature Luther. So in the Formula of Concord's denial that, "No man's word or work, be it the merit or speaking of the minister," brings about the real presence is not to deny that the body and blood are, "distributed through our ministry and office" (cf. *FC-SD*, VII.74-77). Chemnitz states clearly that, "it is with those who are legitimately chosen and called by God through the

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<sup>7</sup> "The Private Mass and the Consecration of Priests" (AE:38; p.199)

<sup>8</sup> "Confession Concerning Christ's Supper" (AE:37; p.184)

<sup>9</sup> "The Private Mass and the Consecration of Priests" (AE:38; p.201)

<sup>10</sup> "The Private Mass and the Consecration of Priests" (AE:38; p.207)

church, therefore with the ministers to whom the use or administration of the ministry of the Word and the sacraments has been committed.”<sup>11</sup> The office is not the source of the authority but the means by which Christ serves His people in the Lord's Supper, the Divine Service. It is “apostolic” in that pastors are called and sent by Christ. They have His authority in the mandates He has given the holy office. Thus we may point to *Apology XXIV*, under the discussion of the term “Mass,” where the liturgy is identified with “the public ministry.” There is no promise given to “lay consecration” of the Supper or whatever it might be in that case. Even if the “emergency” case is cited from the *Tractate*, it must be pointed out that this emergency only mentions Baptism and Absolution and not the Holy Supper. What is said concerning “lay consecration” may well apply to discussions concerning the acts of illusory “female pastors.”

Not just anyone could have instituted the Lord's Supper. Not just anyone has the authority to do as the Lord has done in the first Supper. Those who forgive sins and do the things of the Lord better have the authority to do so. Christ had the authority and the power. The Pharisees would have been rightly offended if it had been anyone other than Jesus who went around forgiving sins. But even when other office-bearing mouths are used it is still God who justifies and forgives. Therefore in I Corinthians, in the form of rabbinical tradition, Paul gives the words of Christ as he received them “from the Lord.” Paul has been given this authority (*amt* or *episcopo*) as apostle.

Is Walther consistent with the Confessions? Walther states in his *Kirche und Amt* that “The public ministry [*predigtamt*] has the power to preach the Gospel and administer the holy sacraments as well as the power of spiritual judgment.” He also states, “The ministry is not an arbitrary office but one whose establishment has been commanded to the church and to which the church is ordinarily bound till the end of time.” However, in an essay by Norman Nagel, critically assessing Walther’s *The Right Form of and Evangelical Lutheran Congregation Independent of the State [Die Rechte Gestalt]* and the translation of J.T. Mueller, Dr. Nagel established that in a couple of instances Dr. Walther falls short of confessing all that is given on ordination in the Lutheran Confessions.<sup>12</sup> This slight misstep apparently was amplified over time by John H.C. Fritz in his *Pastoral Theology* where he makes ordination nothing more than a pastor’s first installation into a field of ministry. But there is a difference between being called into the office for the first time and a call to another field of service. *Apology XIII*, paragraph 11 would seem to be saying a bit more than John Fritz. However, Walther did heed, despite his felicitous inconsistency, *Augustana XIV* in practice. He writes:

The great majority of our theologians, Luther in the forefront, believe that the holy Supper should never be administered privately by one who is not in the public preaching office, by a layman. That is partly because no such necessity can occur with the holy Supper, as with Baptism and Absolution, that would justify a departure from God’s ordinance ( I Cor 4:1; Romans 10:15; Heb 5:4); partly because the holy Supper “is a public confession and so should have a public minister”; partly because schisms can easily be brought about by such private Communion...<sup>13</sup>

## CALLED AND ORDAINED SERVANTS OF THE WORD IN OUR CONTEXT

Here I think Gerhard Forde has an astute observation, which will also help bring this discussion back into the present:

Since the meaning of the public office is lost, ministry is limited to the private sphere. Willy-nilly

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<sup>11</sup> *Examination of the Council of Trent: Volume II*, p.97

<sup>12</sup> Norman E. Nagel. "The Divine Call in Die Rechte Gestalt of C.F.W. Walther" *Concordia Theological Quarterly* 59 (1995) no. 3:161-190.

<sup>13</sup> C.F.W. Walther. *Pastoral Theology*. Trans. John M. Drickamer. (New Haven: Lutheran News Inc, 1995); p.134

Christianity becomes simply a private cult and the rationale for ordained ministry in Lutheranism threatens to disappear altogether. Here I expect is a major reason for the erosion of the understanding of ordained ministry among us. When the church becomes merely a private cult it is difficult to say why just any Christian cannot perform most if not all the functions ordinarily assigned to the ordained. It appears presumptuous in a democratic society to suppose that some are raised to a different level by ecclesiastical monkey business. And since it is, after all, only a “private” matter, what difference does ordination make? Furthermore when members of the clergy themselves capitulate and no longer do what can be called public preaching, teaching, or absolving but rather just make a public display of private emotions and experiences or invest most of their effort in private counseling, what does one need ordained clergy for? What matters is not the public exercise of the office but what “personal skills” or what kind of a (private) person the leader is. There is no way that ordination automatically imparts any skills or makes a person nice. So what is it for? Cannot properly sensitized or trained lay persons do just as well, or better?<sup>14</sup>

We have seen the various fruits of this through Oscar Feucht’s book *Everyone a Minister*, in Don Abdon’s literature, but also in the Wichita “lay ministry” movement, the training of lay ministers in Kansas and other places to preach and officiate at the Eucharist, and then vicars and congregational elders (not presbyters) being called upon to officiate the Lord’s Supper. Vicars are doing this in various places with the approval of district presidents and both of our seminaries (yes, both of them), without call and ordination. DELTO candidates are often being “licensed” to “do Word and Sacrament” before call and ordination. Congregational lay representatives and vicars are sometimes seen participating in the laying-on-of-hands at ordinations. This is not news to most of us. We have our own alteration of the Augsburg Confession. Indeed, we are the synod of the Altered Augsburg Confession. How many of our pastors understand the vow of confessional subscription to be a *quia* oath (because the Confessions agree with Scripture fully) and not a *quatenus* (insofar as they agree)? What are our seminaries teaching their graduates by approving vicars celebrating the sacrament before they have received and accepted a call, and have received ordination? Of note, also, is the fact that one of our seminaries has not required pre-certification theological exit interviews for a number of years, choosing to put more weight on the psychological side of things. We no longer know how to think as Lutherans. Kenneth Korby observes:

We have difficulty with language, furthermore, because the language we have inherited was different from the one we now use, and we have not spent that much time learning to know the language of the past before we discard it. Furthermore, our vocabulary regarding call, ordination, and the authority of the pastoral office in relationship to the royal priesthood of believers has become obscured and troubled. We are suffering confusion to a great extent because of the loss of our common spiritual and theological language. The language of pastoral theology and the care of souls is predominantly the language of the personality and social sciences. We are becoming poorer and poorer. Similarly, much of the language of piety has been taken over by the language of baptistified charismatics. The language of the catechism, of hymnody, of the liturgy, and of Bible translations is in such flux that fewer and fewer learn it by heart.<sup>15</sup>

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<sup>14</sup> Gerhard O. Forde. “The Ordained Ministry” in Todd Nichol & Marc Kolden (ed.) *Called and Ordained: Lutheran Perspectives on the Office of the Ministry*. (Minneapolis: Fortress Press, 1990); p.126

<sup>15</sup> Kenneth F. Korby. “The Pastoral Office and the Priesthood of Believers” in *Lord Jesus Christ, Will You Not Stay: Essays in Honor of Ronald Feuerhahn on the Occasion of His Sixty-Fifth Birthday*. Edited by J. Bart Day, Jon D. Vieker et al. (Houston, Texas: The Feuerhahn Festschrift Committee, 2002); pp.333,334

With this realization it can hardly be expected by pastors that they should have a very smooth road at all. But that is the cross of the office, is it not? But we, myself included, have not been beyond complaining. And so rightly we have a great emphasis and renewal in catechesis and the Divine Service among us. We need to go back simply to the three books of Lutheran piety: the Bible, the Catechism, and the hymnal. We need to peel away the layers that have covered these treasures. Even as we pass resolution upon resolution, ruling after ruling, and stack up official positions on top of Scripture and the Confessions, we need go back to the clear foundation. It must continue as we suffer those who say “peace, peace” when there is no peace. We are indeed sent out as sheep among wolves. We are sent out as Lutheran pastors amid largely non-Lutheran congregations. But this is where reformation begins even despite the walls built up by the bureaucracy.

Again, to quote Gerhard Forde at some length:

What needs to be recaptured, understood, and worked out in the church is that the office instituted by the giving of the gospel now lent public voice is that which transcends and stands over against the congregations and structures. That is, by calling and ordaining to this office, the congregations and structures place themselves under the hearing of the Word, the proper public exercise of this office, under the proclamation in Word and Sacrament of the law and the gospel. They recognize what transcends them is the divine Word publicly proclaimed. In explicit terms, neither the authority of alleged autonomous congregations whether delegated or transferred, nor episcopal succession or alleged bestowal of ontological sacramental favors are a guarantee of anything conclusive in this regard. The public office and the proper ordering of that office, demanding as that ordering may be, comprise the instance through which final authority is exercised in the church. The authority establishes itself through the Word preached and heard, the sacraments given and received. The point of the office is to see to it that what is preached in the church is the gospel of Jesus Christ. This is the final exercise of “authority.” The only defense against anticlericalism is not to demean or belittle the office but rather to have a clergy that distinguishes properly between law and gospel and so preaches the gospel as God’s final Word to us.<sup>16</sup>

Hence, one of the catastrophic failures of our Synodical structure is the failure to protect the quarterback, if you will, to support the faithful proclamation of law and gospel in concord with our Lutheran Confessions. No matter how many programs we may concoct for “professional church worker retention” we cannot cheerlead ourselves out of this problem with “pastor appreciation month” or new logos or committees (“*What a Waste!*”). In my opinion, we cannot depend upon the institution of the LCMS to help us with this problem, for it has helped create the problem. It has also built up walls around itself to protect itself from reform, much as Luther described the three walls that Rome constructed in his “Letter to the Nobility of the German Nation” to prevent itself from being reformed in accordance with Scripture. There is an alphabet soup of boards, committees, councils, and resolutions that gel to form a moat keeping would-be reformers out. That is the trouble with institutional conservatism. Remember the synod logo is basically a boomerang – whatever you throw with it (the system) will come back and hit you. That’s where we’ve gone with dispute resolution, 8-01a, and the power we supposedly gave President Barry to reform the synod and slowly turn the ship around.

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<sup>16</sup> Forde, (Nichol & Kolden), pp. 129,130. See also: William Weinrich. “Should a Layman Discharge the Duties of the Holy Ministry?” in McCain/Stephenson (eds.) *Mysteria Dei: Essays in Honor of Kurt Marquart* (Fort Wayne: Concordia Theological Seminary Press, 1999); p.341ff



This is why I believe we need something akin to a ministerium to support the ministry of confessional Lutheran pastors where the synod fails us. But unlike the Pennsylvania Ministerium of Henry Melchior Mühlberg, we are not conceiving a synod. The purpose of such a ministerium is really to support the renewal of law and gospel preaching, the right administration of the sacraments, sound and thorough catechesis for young and old, the reverent observance of the Divine Service, organization of missions which flow from our confession of the faith and support it, unity based upon our common orthodox confession of the faith, and the personal and theological well-being of pastors and their families. We are talking about the marks of the church and the servants of the church who are stewards of the mysteries of God (Acts 2:42; 1I Corinthians 4:1-2).

Fundamental trust among the clergy can exist only where we have confidence in the mutual confession of the faith once for all delivered to the saints. And so a ministerium must be a brotherly association of fellow workers in the Gospel, the way Paul described his fellow pastors. The Germans used the word “*Amtsbrüder*” (brother in office). In so doing I believe we would serve well the task of maintaining the church as defined in the Augsburg Confession, Article VII:

Likewise, they [our churches] teach that one holy church will remain forever. The Church is the assembly of saints in which the gospel is taught purely and the sacraments are administered rightly. And it is enough for the true unity of the church to agree concerning the teaching of the gospel and the administration of the sacraments. It is not necessary that human traditions, rites, or ceremonies instituted by human beings be alike everywhere. As Paul says [Eph. 4:5,6] “One faith, one baptism, one God and Father of all...”

Such a confessional Lutheran ministerium will uphold the dignity and unique vocations of both the royal priesthood of the baptized and the one Christ-instituted office of pastor. After all, to appreciate something most as a gift from God is to see it as the unique thing that God meant it to be and not in comparison to anything else, which would be a perception according to the law. A confessional Lutheran ministerium will acknowledge that ranks among pastors (whether senior or associate pastors or synod officers) are by human design and right.

While upholding the integrity, orthodoxy and catholicity of our Confessions, we have need also to acknowledge our brother pastors in the situations God has placed them. There is an economy to pastoral care, stewardship of the mysteries, and catechesis. There is a fatherly pastoral economy to leading the flock by the Word of God realizing that the troubling situations they are in are often complicated and longstanding. Might I dare say that in such instances we understand the economy of fatherly leadership to be one of moving toward orthodoxy and orthopraxis. St. Ignatius of Antioch wrote: “The more reserved the bishop is seen to be, the more he ought to be respected.”<sup>17</sup> Not all parishes will arrive there at the same pace on every topic of doctrine and practice, especially when one considers the various issues that confront us – fellowship, liturgy, feminism, the charismatic movement, misunderstandings of the call, just to name a few. I would venture to say, however, that this might cause some pastors to say that a ministerium is not for them. And we might agree. Consider the words of Wilhelm Löhe concerning preachers and their task:

His slogans are not “awakening” and the like but the words of the Scriptures which tell of the gradual, silent growth of the divine mustard seed. His insistence and compulsion are not the insistence and compulsion of human impatience but are patient perseverance with the Word. He is happy to wait, knowing that precious fruits do not grow overnight and he waits for all his sheep since

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<sup>17</sup> Ignatius of Antioch. Letter to the Ephesians, paragraph 6

he knows that the Lord has his own hour, his own haste, and also his own delays. The preacher of the church is therefore no friend of “new measures,” as the Methodists call them, but he sticks to the old measures of patient, faithful loyalty to the Word and pure doctrine.<sup>18</sup>

The point is that we support the shepherds in this task while admonishing them to not forget the goal as they patiently teach. That too is a temptation. In what might start out as patience may turn to complacency and comfort with the status quo out of laziness, fear, personal security, or not wanting to upset the social climate. On the other hand, confessional pastors have been known to beat one another over the head if another pastor does not move his parish toward orthodoxy and orthopraxis at the same pace. I would dare say that e-mail communication often leaves much to be desired as conversations between pastors can turn rather ugly at times.

To hold up the prophets hands, as Aaron and Hur held up Moses’ hands as Joshua defeated the Amalekites (Exodus 17), or to use a football analogy, to protect the quarterback, is an important part of a ministerium’s task, especially one that desires to be a confessional Lutheran ministerium. Pastors tire, we get beat down, we get depressed, we need encouragement, we need rest and study, we need to retreat and pray. We need both a spiritual and financial safety net for troubled times. We need a brotherly association of shepherds who do not immediately cry “your wound is self-inflicted” when a problem arises. “Friendly fire” needs to be minimized. If indeed a problem is in part self-inflicted then the law and gospel are to be spoken faithfully.

Pastors (and pastor’s families) also need pastors and our synod’s polity does not really afford this in a realistic way. Our polity offers what social scientists call “role conflict.” Would a pastor go to his district president to be his pastor? He might be apt to say, “You can confess your sins to me, but I might have to suspend you from the clergy roster if you do.” So much for distinguishing offices and the seal of confession in that case. The “ecclesiastical supervisor” hat supposedly trumps the ordained minister hat. And today the impulse again, as Kenneth Korby pointed out, is to deal in the social and personality sciences and abandon the theological to be more relevant, personal, and practical. In these instances theology has been reduced to bumper sticker slogans. If we are to have a ministerium then it must move beyond that.

## A BROTHERHOOD OF SHEPHERDS IN THESE LAST DAYS

Dr. John Stephenson writes in his *Eschatology* volume of *Confessional Lutheran Dogmatics*:

Just as world history is in large measure a history of warfare, even so church history is chiefly a record of the rise and refutation of false doctrine within holy Christendom. Since Satan is not yet cast into the lake of fire, the church militant can know not a single hour undisturbed by doctrinal dissension. The Word must be contended over as well as confessed (1 Cor. 11:19). Doctor Luther bluntly reminds us that “dissension and contention over the Scriptures...is a divine quarrel wherein God contends with the devil...Eph.6:12.”<sup>19</sup>

After noting many ancient heresies and heretics Stephenson observes keenly:

And yet all these heresiarchs of old were but timid forerunners of the apostates who today have

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<sup>18</sup> Wilhelm Loehe. *Three Books About the Church*. trans. James Schaaf (Philadelphia: Fortress Press, 1969); pp.168,169

<sup>19</sup> John R. Stephenson. *Eschatology – Confessional Lutheran Dogmatics (Volume XIII)*. (Dearborn, MI: The Luther Academy, 1993); p.74

wrested control over most of the pulpits and teaching podiums of Christendom. The insidious and subtle form of classical heresies result from the fact that heretics of former generations did at least feel obliged to don sheep's clothing. While such false teaching are still with us, the decisive feature of the present-day ecclesiastical landscape is that heterodoxy has by and large burst forth into blatant, naked, shameless apostasy, under whose auspices the wolves are bold to parade publicly in lupine apparel.[...] In comparison with the devastation currently being wrought through these demonic movements, the struggles of the fourth and 16<sup>th</sup> centuries seem but storms in a teacup.<sup>20</sup>

We should not be surprised or blind-sided at developments in the Lutheran Church—Missouri Synod. As St. Peter wrote: “Beloved do not be surprised at the fiery trial which is about to try you as though some strange thing were happening to you.” This is fundamental to our baptismal identity in Christ and the discipleship of one who came to His own and His own received Him not. Controversy is fundamental to following one who suffered under Pontius Pilate, was crucified, died and was buried. But out of death this Lord works life, but in ways that are surprising to us, even though the Lord has told us in advance. A ministerium as a brotherhood of orthodox pastors encouraging and admonishing one another is indispensable for these end times. A pastor should not be a lone ranger, especially when there are other brothers in office who hold the same confession of the faith.

As the Lord has promised, the gates of hell will not prevail against His Church. And that Church is located wherever the gospel is purely preached and the sacraments are administered according to Christ's institution. Therefore one holy church will be and remain forever. That is an article of faith. A ministerium, if it is a confessional Lutheran ministerium, simply seeks to be at the service of those marks of the church. Those are the workings of the Lord Himself and they are unshakable. For we are receiving a kingdom that cannot be shaken. We cannot say that of anything of our making. And so as the Apostle Paul said of the Lord's Supper, so it is the task of the pastor and the ministerium, “What I received from the Lord I delivered to you.”

Frederic Baue describes the glory hidden under the shambles of the church in the end times:

Things are in disarray ecclesiastically, but at the same time Christ is daily working in this raggedy Church of His. People get saved every day, even through the most mediocre preaching. Souls are sealed for eternity week by week at the most unimpressive baptismal fonts. The feeblest prayers are heard in heaven and answered by a merciful God. People somehow persist in their faith against all odds and despite all setbacks and failures. Little congregations carry on and keep their doors open, nobody quite knows how. The ministry—once a high prestige, low-stress occupation—is today a high stress, low-prestige calling in human terms; yet somehow men keep answering the call. Persecution is increasing around the globe; yet Christianity—not Islam—is the fastest growing religion in the world. False doctrine seeps in everywhere; yet the lamp of God's pure revelation is never completely extinguished.<sup>21</sup>

## ORGANIZATION OF A MINISTERIUM: CAUTIONS AND GOALS

The synod is not serving the marks of the church because it has turned into an institution which is merely interested in preserving itself as a corporate entity. Because of its very organizational nature, synod is not prone to reform. Institutions by nature are geared toward the status quo rather than reform. This has been called “institutional conservatism.” In our day the terms conservative and confessional get thrown around

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<sup>20</sup> Stephenson, p.75

<sup>21</sup> Frederic W. Baue. *The Spiritual Society: What Lurks Beyond Postmodernism?* (Wheaton: Crossway Books, 2001); p181

as if they were synonymous terms. But consider the reflections of Prof. Erling Teigen of Bethany Lutheran College:

Conservatism can also stand for a mind-set that tends to value the status quo most highly, so that one can only be moved in a different direction by bulldozer or cataclysm, never by theological study or intellectual honesty. Adherence to the Reformation spirit would seem rather to dictate that the Reformation is not static but dynamic, and always stands ready to reevaluate itself and to make mid-course corrections. That does not mean that the Confessions as the Lutheran understanding of Scripture need to be “reinterpreted” for a new age, but it means that the teaching and the teachers of our churches need to be reevaluated always to see whether or not their teaching is in accord with the Lutheran Confessions[...].

While conservatism can be construed as a desire to preserve that which is good, it doesn't necessarily work that way. The fundamental nature of conservatism is to preserve power structures and status quo. That, in fact, is the fundamental nature of bureaucracy, and not any less of church bureaucracies. The “chureauocrat” has to preserve the power structure within which he intends to function, for without the trappings of power he is lost.

Business and bureaucracy are fundamentally conservative in that sense, and the more our church leaderships pattern themselves after the business world, the more conservative they will become. To think of ourselves in terms of “conservative” strikes me, then, as dangerous, and a stance that has taken us down the wrong path. Not only is it a stance which identifies us with stances that belong to the kingdom of the left hand, but it is a stance that locks us into a mode that is unhealthy.<sup>22</sup>

Thus far Teigen. A synod in our day operates on the basis of majorities or at least coalitions of pluralities. This is the way many boards and commissions are constituted. Simply considering the Commission on Theology and Church Relations shows how its theological position shifts from triennium to triennium. And so we have regular calls for new studies on whatever the controversial issues of the day are, as if the Bible and Confessions will say something different this time around. Commissions too become victim to the will to power. Kenneth Korby gives an amusing anecdote:

To speak of the church is necessarily to speak of institution and organization. But makes a whale of a difference which images you are using when you say organization. If one speaks with the image of a religious IBM with its international headquarters, it is not far to consider of individual units as franchises to distribute whatever the central headquarters designs or sells. Such franchises are known as the grass roots. What a strange grid to lay over the holy church. Can you imagine what a picture is conjured up when nurturing the church is thought of as fertilizing the grass roots?<sup>23</sup>

A ministerium will seek to avoid this democratization and political engineering. Of course it is made up of sinners and so caution must be exercised. As Craig Stanford has pointed out polity and dispute resolution systems must be designed with not only the best in us in mind but also the worst, if we are serious about the doctrine of original sin, for not only pastors but also the laity and our synod and district officials. Neither our previous nor our current systems do that. And then money comes into play. It gets messy very quickly.

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<sup>22</sup> Erling Teigen. "Confessional Lutheranism versus Philippistic Conservatism," *Logia: A Journal of Lutheran Theology* Reformation/October - Vol. 2, No. 4, Pages 32-37

<sup>23</sup> Korby, p.337 (Feuerhahn Festschrift)

Korby then gives us the more apt icon of the church:

If, however, one thinks of organization in the image of a body, a different sense and meaning follow. The members of the body, wonderfully connected with each other, mutually receive from and give to each other. The interchange of receiving and given begins with the author, Jesus. He makes the exchange; he authorizes it to be preached—for the ordering of the church. Membership in such a body, organically conceived, is quite different than thinking of membership in a corporation or service organization.<sup>24</sup>

A ministerium need not, then, be hierarchical, though it neither need be overly afraid of organization that is hierarchical in some ways.

He who is called to be a pastor is set under orders (canonical, that is, being male, meeting the requirements for graduation and certification, called) in order to establish a wall guarding us from utter confusion. But these canonical orders put him under orders to use the holy gospel to rearrange the life of man with God in the forgiveness of sins, to reorder the life of man with God in which the payment of retribution is not the coin of the realm. Since this is so, it becomes imperative for us to know how to submit to that work. The first submission is that of the pastor to Christ the Lord in his Word. The pastor is not a soloist sent out on the basis of his own religious competence. If he will not reverence the office to which he has canonical orders driving him to order and govern the church by the evangelical ordering of the holy gospel, then it is quite sure that the church will know little of good order, maybe less of submitting to and honoring of the pastoral office. And when the congregation, that church of God, that priesthood of believers, is called to submit to the pastor, then to what do they submit?<sup>25</sup>

Bylaws, constitutions, hierarchy can be helpful in restraining the Old Adam (first use of the law) from telling God how to do things and to protect us from each other. If it doesn't do that, then it is not only pointless but harmful. It becomes the meat-hook laden whip of Satan to cut each other to shreds. But bylaws, constitutions, and hierarchy are not the guarantee of anything and are not the lifeblood of the Church. To confuse that is to confuse the law and the gospel.

If a ministerium will be a confessional Lutheran ministerium then it must avoid the Platonic thinking involved in the radical separation of visible church from invisible church. We confess “one holy, catholic, and apostolic church” not two of them. The Word is preached audibly by visible, real, preachers and the sacraments are really administered with real water, real bread and wine (hopefully), with the Lord's words heard by real ears and received by real people. The Word became flesh and made His dwelling among us and we beheld His glory, the glory of the only-begotten of the Father, full of grace and truth.” Jesus is the icon of the unseen God the Father. Even the invisible angels at times show themselves. We cannot play around with the so-called “visible church” and think everything else remains untouched. Although faith is invisible in the heart, faith lives by the external Word and sacraments and is confessed with the mouth.

The organization of the church or even simply its pastors cannot be a play-thing. It can neither be constituted merely by what gets a certain result at this point in time (pragmatism) nor by a romanticized repositioning movement. Hermann Sasse comments:

How the congregation organizes itself, for this no prescriptions are given, just as there are none for

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<sup>24</sup> Korby, p.337

<sup>25</sup> Korby, p.348

how the church's ministry is to be organized. The apostles came to recognize that it would be helpful for their ministry if they were relieved of the work of caring for the poor and attending to money matters. So the office of the deacons was created as an auxiliary office. But the church was the church already before this office was created. So the church can at any time create auxiliary offices to meet the needs of the time. Examples of this in the history of the church are the office of an episcopate, or superintendency, or any other offices, whatever they may be called. But all these offices have their right of existence only insofar as they serve the one great office of the preaching of the Gospel and the administering of the sacraments. A bishop may be entrusted with the task of seeing to the running of a great diocese. But the meaning of such an assignment can only consist in this, that he thereby gives room and support to the church's ministry. His actual office is the office of pastor, also when he is a pastor for pastors. By human arrangement he may have the work of superintendency. By divine mandate he has solely the office of preaching the forgiveness and justification of sinners for Christ's sake.<sup>26</sup>

Sasse also essentially points to the predicament we find ourselves in today:

...Lutheranism did not remain wholly true to the glorious freedom of the Reformation. If everywhere the question was being urged as to what is the authentic way of organizing the church, the way prescribed by Christ, the way required by the Bible, then our church was caught in the danger of wanting to give answer to this question. With all their faithfulness to the Lutheran Confessions, neither Walther nor Löhe (to name just these two) succeeded in escaping this danger. It is similar to what happened with our classical dogmaticians in the Age of Orthodoxy. They were drawn into answering questions which came from Calvinism or Roman Catholicism, without recognizing that these were falsely put. Take for example the question of the visible and invisible church, which still continues to plague us. The fathers in the Age of Orthodoxy, as well as the fathers in the 19<sup>th</sup> century were drawn into Reformed terminology on this question. They failed to recognize that Luther's *ecclesia abscondita* [cf. "The Church is hidden" (WA 18, 652; *American Edition* 33, 89)] is not quite the same as the *ecclesia invisibilis* ["invisible church"] of the Reformed. The Lutheran dogmaticians would therefore have done better to have kept to the expressions used in the Confessions and by Luther.<sup>27</sup>

We have the freedom to recapture and confess again the clarity of our Confessions and the language of Luther unfettered by platonic philosophy. We have freedom to constitute a ministerium for the sake of the Church and the clear proclamation of the Gospel. Even much maligned and supposedly Romanizing Wilhelm Löhe could write:

...we see no divine right in the hierarchical, episcopal, or patriarchal type of church government. We acknowledge loudly and clearly the episcopacy which is based upon the Holy Scriptures --- the episcopacy which is identical with the presbytery [parish pastors]—and we do not see how any congregation can be properly shepherded if it does not have this sort of episcopacy. But where is there a single syllable in the Holy Scriptures which can justly be used as proof for episcopal government, episcopal succession, or Roman primacy? A Romanizing interpretation of the laying on of hands—or even one that is antiquarian and phony—is in the last analysis all that one can extort but never prove because the Scriptures know nothing about this human invention. Although the episcopal etc., types of church government may be quite venerable and have established themselves

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<sup>26</sup> Hermann Sasse. "Ministry and Congregation" (1949) in *We Confess the Church*. Trans. Norman E. Nagel. (Saint Louis: Concordia Publishing House, 1986); pp 71,72

<sup>27</sup> Sasse. *We Confess the Church*; p.72,73

in history according to human right, when it comes to divine right they deserve to be called nothing but had human inventions despite all the supporters they have.<sup>28</sup>

In an essay which appeared in *Lutheran Theological Review*, Thomas M. Winger quotes the doctoral dissertation of James Schaaf regarding the Lutheran church and office controversies of the 19<sup>th</sup> century:

All three of the principals in this controversy – Grabau, Walther, and Löhe – had one error in common which none of them recognized. They were all blind to the fact that forms of church government which are suitable for one time and place may not always be the best for another situation.<sup>29</sup>

In proposing a ministerium in support of confessional Lutheran pastors and churches, we recognize that it will be temporary, transitional but the duration of which is not really up to us in the grand scheme of history. It may go for a long period of time or not. We can say the same of synods and congregations as well. A ministerium may well be transformed as new needs emerge. Neither names nor polity are the marks of the church but the purely preached Gospel and the rightly administered sacraments.

The marks of the Church are not transitory by any means. Neither is the office of the holy ministry transitory. While church government may be recast it always exhibits continuity because it is there to support the pastoral office – the *prebysiter-episcopos*. A polity that does not do that is rightly discarded. That can happen both from a congregational or episcopal type of polity. The LCMS is in such trouble now because it is getting pulled to the negative side of both those polities at the same time. What happens is that we have both autonomy of congregations and autonomy of district presidents. And it is the parish pastors that get drawn and quartered in that system, but in the long run the congregation's suffer, if only in ignorance of the true diagnosis.

As pastors seek to be faithful “stewards of the mysteries of God” the way we organize among ourselves for the sake of the church is germane to that stewardship. Cooperation and mutual support among parish pastors is properly a characteristic of a church which is identified as both evangelical and catholic in the proper senses of those terms. When doctrine and practice and confessional fidelity (orthodoxy) have broken down on a catastrophic level within the existing denominational structure, proper and faithful stewardship of the mysteries demands that for the sake of the flock entrusted to us in Christ, that we not be content with the *status quo* of that very catastrophe. This may well demand sacrifice and “starting over” in terms of what might be called infrastructure and other left hand kingdom aspects of being church in this world. Again, Luther’s “Letter to the Nobility of the German Nation” provides an apt model for us today.

Luther knew there was a difference between reform in the Church and reforming and taking over the institutions of Rome. Only the free preaching of the Word of God and the right administration of the sacraments effects reform and unity. What we are suggesting in a ministerium is not *Notbischöfe* (emergency bishops, princes of the church), but pastors who are overseers. We have been with emergency measures for far too long. I say that the pastors of the ministerium should secure the consent

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<sup>28</sup> Loehe, *Three Books About the Church*; pp.136,137

<sup>29</sup> Thomas M. Winger. “The Relationship of Wilhelm Lohe to C.F.W. Walther and the Missouri Synod in the Debate Concerning Church and Office,” *Lutheran Theological Review* VII: 1 & 2 (Fall/Winter 1994 & Spring/Summer 1995) pages 107-132. *Lutheran Theological Review* is published jointly by Concordia Lutheran Seminary, Edmonton, Alberta, and by Concordia Lutheran Theological Seminary, St. Catharines, Ontario, both seminaries of Lutheran Church-Canada.

of their congregations to align themselves with a brotherly association of confessional Lutheran pastors who know each other as such and who commit their possessions and resources for the common good and mission of the church.

In this way, with churchly consent, as modeled in Acts 1 and 6, the ministerium may send forth missionaries. Serving in the world, there will no doubt be financial and legal matters in the kingdom of the left to be managed. I would suggest that someone be given that vocation, perhaps even as a deacon to serve the needs of the ministerium. And as charity grows forth from the mission of the ministerium as well, that diaconate may be expanded as the churches of the ministerium's pastors give their amen to it.

While operating in this world and interacting within the left-hand kingdom is a necessity, minimal administration will serve a ministerium best. It doesn't require a multi-story building. That is hardly the kind of stewardship we should be exercising of thank-offerings. What we need are not ordained ministers sitting in offices producing manuals in three-ring binders, but the sharing of resources among pastors and lay-theologians and musicians and deacons and deaconesses. This may well lead to secondary and post-secondary schools of the church, various charitable activities, publishing, an array of mission ventures, and various financial supports to serve the church and its ministry.

God is generous and far more willing to give than we are bold to ask in our prayers. But we pray that the Word may not be bound but be preached freely to the joy and edifying of Christ's holy people and for the outreach of the Gospel in this dying world that is soon coming to a permanent end. My prayer is that a ministerium may be organized and serve faithfully the church and her ministry where the synod either cannot or will not do so in an orthodox manner.

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