

Influences on the Office of the Ministry in the History of American Lutheranism: Some Thoughts

It was the year, 1566. The Lutherans in Antwerp, about 10,000, anxiously awaited permission to worship in the city. Joyously, that permission came in the Fall with the signing of the *Accords* by Prince William of Orange granting legal permission to the Calvinists and Lutherans to build three places of worship apiece within the city's walls. The Antwerp *Accords* marked the first time that Protestantism became legal in the Netherlands. By January of the next year, three Lutheran congregations had been established, church structures erected and services held. A synodical polity was established around a common hymnody and liturgical order, and a book of Daily Home Devotions was adopted. Pastors were required to be loyal to the unaltered Augsburg Confession. A document known as *the Confession of Ministers* set forth the doctrinal commitments, the polity, and the liturgical order of these Lutherans. Instructive for the History of Lutheranism in America, the *Accords* in Antwerp provided the first instance of Lutheranism being planted in a pluralistic society, and with a congregational/synodical church polity.¹

The event's significance for Antwerp's Lutherans, however, was short-lived. In the same year (1567), the King of Spain invaded the city, condemned the Lutheran's *Confession*, and issuing an edict from what was called, *the Council of Blood*, razed all the new Lutheran churches to the ground.² The "Antwerp Lutheran Synod" came to an abrupt end as most of the Lutherans fled the city. Nevertheless, historian, W. J. Kooiman has demonstrated that the Antwerp *Confession* became a model of confession and church order for Lutherans in America via its influence on 20,000 Lutherans who organized subsequently in Amsterdam. From there it was exported to New Amsterdam and Lutheran groups in other North American colonies.³

These historical observations serve to underscore one of the major challenges that immigrant Lutherans faced up through the 19th century: How to establish an appropriate church polity and make provision for the Ministry of Word and Sacrament

¹ Oliver K. Olson, "The Ministry according to the Old and the New Church Orders," *Office of the Holy Ministry*, papers presented at the Congress on the Lutheran Confessions, edited by John Fehrmann and Daniel Preus (Crestwood, MO: The Luther Academy, 1996), pp. 84-91.

² O. Olson, pp. 89-90.

³ O. Olson, pp. 83-84.

in a pluralistic religious environment separated from the established structures and polity of the old-world state churches? Much of the foment in 18th and 19th century American Lutheranism concerning the doctrine of the Church and her Ministry arose from efforts to do just that. But what of this foment? In the sweep of American Lutheran history, should it be seen as a subject of little debate and much consensus, or a major debate with a significant lack of consensus? I suppose it all depends on one's vantage point. Todd Nichol's take from the vantage point of the ELCA's Luther/Northwestern Seminary is that *American Lutheranism has only rarely debated the doctrine of the ministry*. Rather, maintains Nichol, American Lutheran theologians *established a considerable consensus on the essential elements of a doctrine of the ministry and oversight*.⁴ From Nichol's perspective in 1990, looking from within the evolution of most of the church bodies that eventually came to make up the ELCA, his conclusions are most understandable. With the exception of early Iowa's condemnation of elements in Walther's *Kirche und Amt*, it is difficult to find much controversy or debate going on concerning matters of church polity or the doctrine of the Ministry throughout the history of most of its predecessor church bodies, especially those synods in the eastern part of the country. This, of course, has changed just recently in the ELCA with the debate over growing pressure to ordain practicing homosexuals.

From the standpoint of the history of the Lutheran Church-Missouri Synod and other long-standing members of the old Synodical Conference, however, things look different. From Missouri's vantage point, one might venture that in addition to the controversies over predestination and the recent "Battle for the Bible," issues concerning the Office of the Ministry and church polity have received some of the greatest debate. Moreover that debate began even before the formation of the Synod and has continued for much of the 150+ years of its existence. If we were to categorize issues under debate, perhaps they can be broken down best into the following three questions:

1. *What is the nature of the Office of the Ministry?* Does the Office derive from Christ, the priesthood of all believers, or both? Should it be viewed properly as under the congregation, over the congregation, or within the congregation? Or, is the Church's Ministry simply a divine mandate to have the Gospel preached and the sacraments administered by any given human arrangement of offices and

⁴ Todd Nichol, "Ministry and Oversight in American Lutheranism," *Called & Ordained - Lutheran Perspectives on the Office of the Ministry*, edited by Todd Nichol and Marc Kolden (Minneapolis: Fortress Press, 1990), p. 93.

ecclesiastical structures?

- I. *What are the necessary requirements to hold the Office of the Ministry and/or exercise its duties? Can women occupy the Office? Can ordained men who serve in purely administrative, chaplancy, or educational positions be said to hold the Office? Can men be licensed to preach the Gospel and administer the sacraments without first being placed into the Office?*

- II. *Are there any divinely mandated elements of church polity concerning how men are deemed qualified for the Office of the Ministry, placed into the Office, and provided oversight in the discharge of their duties? If so, what are they?*

Our intent in this paper, however, is to examine some major issues that were debated during the early years of Missouri's history, but which, I think have tremendous importance for us today as we would consider our interest in promoting and preserving a Lutheran understanding of the Office and its relationship to the Church. I am speaking about the particular issues that created great controversy among the Saxon Lutherans under Walther's leadership, Johann A. A. Grabau, and Wilhelm Loehe; issues that they failed to resolve. What is particularly important to realize is that a great many of these issues debated in the 1840-50s are also matters that are discussed and debated in our own circles today. If we are going to think more clearly about them, and hopefully avoid their failure to achieve consensus about them, we must learn from their individual and collective insights and their misunderstandings.

Our investigation will of necessity, be woefully brief and cursory. Nevertheless, it may serve as a useful historical backdrop for appreciating our current business at hand: the mission of the *Augustana Ministerium* and its *Doctrinal Statement on the Ministry*. In addition, I hope that it may be of some use in identifying important aspects of a Lutheran understanding of the Church's preaching Office that we want to acknowledge and preserve at all costs, and yet also identify some tragic blind spots of these great Lutheran leaders that we would do well to avoid.

I want to begin this analysis of the tragic controversy over the Church and Office with an observation made by Professor Kurt Marquart some years back. He observed that the distinctiveness of a Lutheran understanding of the ministry stands over against a *traditionalism* on the one hand, and a *biblicism* on the other. Eastern Orthodoxy, Roman Catholicism, and Anglo-Catholicism *all affirm a three-graded*

hierarchy of deacons, presbyters, and bishops as a divine institution. The standard Reformed view after the biblicistic approach of Calvin insists on a divinely-given Church polity in the New Testament with various mandated offices including, pastor, teacher, governors, and caretakers of the poor, that is deacons.⁵ Strictly speaking, only the Lutherans have a doctrine of the preaching office [*Predigtamt*] as *The office, underscoring the position of the Gospel as the life-giving center of the congregation.*⁶

The outbreak of the controversy between Walther and the Saxon Lutherans with Pr. Johann Andreas August Grabau was occasioned by a document written in December, 1840, by Grabau known as his *Hirtenbrief* (pastoral letter). This letter was his response to a question by a Silesian Lutheran leader in Wisconsin about the possibility that a laymen might be ordained as an elder (but not a full-fledged pastor) to temporarily exercise the functions of the Office including celebrating the sacrament during a vacancy at two parishes.⁷ Grabau sent a copy of his letter to Walther and the Saxon Lutherans seeking their fellowship and approval. Grabau's reply to the question was a strong *nein!* He went on to defend his position on the basis of AC XIV. In this context, Grabau set forth a fairly detailed account and defense of his understanding of the preaching Office and its relationship to the congregation with supporting arguments from the Scriptures and Lutheran Confessions. In his elaboration he indicated that both call *and* ordination were necessary for any proper ministry of the Word and sacraments to take place. The call of a congregation was insufficient to confer the pastoral office on an individual. Ordination was not an *adiaphoron*, but together with an episcopal form of polity, it was a necessity to bestow the office. The apostolic mandates from the Apostle Paul in the Pastoral Epistles to Timothy and Titus were understood by Grabau to be general mandates for the whole Church. Listen to Grabau's explanation in the *Hirtenbrief*:

[It is] a priestly action of the Church [Kirche], by which she,

⁵ Kurt Marquart, "The Ministry, Confessionally Speaking," *Office of the Holy Ministry*, papers presented at the Lutheran Congress on the Lutheran Confessions edited by John R. Fehrmann and Daniel Preus (Crestwood, MO, The Luther Academy, 1996), p. 7.

⁶ *Die Religion in Geschichte und Gegenwart*, 3rd ed., 1:339 (Tuebingen: J. C. B. Mohr, Paul Sebeck, 1957), as cited in K. Marquart, "The Ministry, Confessionally Speaking," p. 8.

⁷ For an excellent presentation of all the background to Grabau's *Hirtenbrief*, see James Lewis Schaaf, "Wilhelm Loehe's Relations to the American Church: A Study in the History of Lutheran Mission" (Dissertation, Heidelberg, 1961).

*according to the apostolic mandate, commissions, confirms, and blesses chosen persons through the ministers of the Church who are at hand, whereby she [the Church] believes that God Himself through this commissions, confirms, and blesses. . . . Ordination is not an adiaphoron, in that it is an essential part of rite vocatum esse. It is indeed an adiaphoron whether the chosen one is ordained by a bishop or common pastor, whether hands or one hand or none are laid on the chosen one, etc. . . .*⁸

Moreover, for Grabau, not only was the Word of Christ necessary to constitute the validity of the celebrated Lord's Supper, but also necessary was the presiding of a duly ordained pastor. And as if this were not enough to alarm the Saxon Lutherans, Grabau insisted on the basis of Hebrews 13:17, *Obey your teachers and follow them, that the congregation and its members owed fidelity and obedience to their teachers in all things which are not contrary to God's Word.*⁹

After studying the *Hirtenbrief* with alarmed discussion among themselves, several of the Saxon pastors including C. F. W. Walther met in St. Louis two years later during June, 1843, to draft a response. The task of actually composing the response fell to Pr. G. H. Loeber. Loeber stressed that Grabau had ascribed more to the Office than was appropriate such that the priesthood of all believers was neglected. He charged that ordination is not an essential element in a proper call of a pastor, nor is it divinely mandated. *Congregations have every right to issue a proper call without the necessity or help or advice from other pastors.* Moreover, instead of maintaining that a congregation is to be obedient to a pastor in all matters not contrary to the Word of God, the congregation owes obedience only when and insofar as the pastor proclaims God's Word rightly. Loeber also wrote that the sacraments have their power and validity only from the Word of God and not in any sense from the preaching Office.¹⁰

Grabau's views touched a sensitive nerve with the Saxon pastors. To them,

⁸ This quotation is from Grabau's *Hirtenbrief, Aktensammlung*, 40 as cited in Thomas M. Winger, "The Relationship of Wilhelm Loehe to C. F. W. Walther and the Missouri Synod in the Debate Concerning Church and Office," *Lutheran Theological Review*, Vol. VII:1-2. 1994-95, 125.

⁹ *Hirtenbrief, Aktensammlung*, 14 as cited in T. Winger, "Loehe, Walther, Church and Office," 125.

¹⁰ This paragraph presents a summary of Loeber's letter by John Wohlrahe Jr., *Ministry in Missouri Until 1962: An Historical Analysis of the Doctrine of the Ministry in the Lutheran Church-Missouri Synod* (1992), p.7.

his views were a return to the perspectives and experiences they had just gone through with the now deposed Martin Steffan. As C. F. W. Walther later wrote:

As we read the Hirtenbrief, we became not a little afraid. For we found in it the same incorrect tenants whose destructive consequences we had but recently experienced, and from which only the overwhelming grace and patience of God has saved us.¹¹

Thus began the debate between C. F. W. Walther and the Saxon Lutheran pastors with Grabau. Letters and pronouncements flew back and forth while each party also became involved in the founding of new American Lutheran synods. When the Buffalo Synod was formed in 1845, it issued strong condemnations of the Saxon views and later those of the newly formed Missouri Synod at each of their subsequent meetings. Likewise, the Saxon pastors responded in kind as did also the Missouri Synod when it was formed in 1847. With criticisms of Missouri's constitution and its views on the Church and the Office coming from Grabau, the Buffalo Synod, and Wilhelm Loehe; Missouri resolved at its 1850 convention to commission C. F. W. Walther to write an extended explanation and defense of its position. At the 1851 synodical convention, Walther presented a rough draft of his defense which included Ten Theses on the Ministry. Perhaps the following ones might be considered most important in sketching out Walther's position:

- I. *The holy preaching office or ministerial office is a distinct office from the priestly office which all believers have.*
- II. *The preaching office or ministerial office is no human ordinance, but an office instituted by God Himself.*
- V. *The preaching office has the authority to preach the Gospel and administer the holy sacraments and the authority of spiritual judgment [a spiritual tribunal].*
- VI. *The preaching office is transferred [uebertragen] by God through the congregation, as possessor of all churchly authority, or the Keys, and through its call as prescribed by God. The ordination of those called, with the laying on of hands, is not a divine institution, but an apostolic, churchly ordinance and only a public solemn confirmation [ratification] of the call.*
- VII. *The holy preaching office is the authority transferred [uebertragen] by*

¹¹ Roy Suelflow, "The Relations of the Missouri Synod with the Buffalo Synod up to 1866," Concordia Historical Institute Quarterly (April, 1954: 10, as cited in J. Wohlrabe, *Ministry in Missouri*, p. 6.

God through the congregation, as possessor of the priesthood and of all churchly authority, to exercise the rights of the spiritual priesthood in public office for the community [congregation].

- X. *To the preaching office indeed belongs by divine right also the office [function] to judge doctrine, yet laymen also have this right as well; therefore these same also have seat and vote in ecclesiastical courts and councils with the preachers.¹²*

These theses, together with a corresponding set covering the doctrine of the Church with support for each thesis from the Scriptures, the writings of the Luther, and the Lutheran Confessions were adopted by the 1851 convention to be Missouri's official statement and defense of its position over against the attacks that it had received from Grabau, the Buffalo Synod, and others including Wilhelm Loehe. The work was fine-tuned by Walther after the convention and published the following year in Germany with the title, *The Voice of Our Church on the Question of the Church and Office*.

At the 1851 convention, Walther issued the following attack concerning the position of Grabau and the Buffalo Synod in his written synodical address:

In contrast to the disdain of all that is old and to the rejection of all alien authority and of true and tried churchly institutions they are now again trying to bind also consciences to certain human laws and churchly ordinances. In contrast to the degrading of the office of the ministry they oppose the important and just rights of the spiritual priesthood of all Christians as the idle dreams of proud fanatics and deprive the so-called lay people even of their rights to the election of their pastors and the vote at synodical conventions and in church courts. In upholding this contrast they furthermore derive the office of the ministry from the power of ordination by pastors, which they declare to be a divine ordinance; they turn the office and ministry of those who ought only to be stewards of the mysteries of God into a special class, favored above the priesthood of the laity, they grant the preachers of the Gospel authority and rule de jure divino (by divine right) also in matters which are neither commanded nor forbidden in the Word of God; thus they turn the Cristocracy of the congregation of saints and of the elect, and of the free woman who is the mother of us

¹² Carl Ferdinand Wilhelm Walther, *Die Stimme Unserer Kirche in der Frage von Kirche und Amt* (Erlangen: Verlag von Andreas Deichert, 1852), pp. 174-221, as cited in J. Wohlrahe, *Ministry in Missouri*, p.9.

*all, of the Jerusalem that is above, into the aristocracy of a church-state, and finally they make the efficacy of Word and sacrament dependent on the office which dispenses these means of grace.*¹³

Regardless of how one might seek to classify the official status of *Kirche und Amt* in the Missouri Synod based on the actions taken at the 1851 synodical convention, there can be little debate about John Wohlrabe's contention that the doctrinal understanding of this work became the accepted position of the Missouri Synod. . . . *it became part of the doctrinal criteria both for those pastors and congregations who wished to join the Missouri Synod and for those synods who wished to establish fellowship with the Missouri Synod.*¹⁴

Wilhelm Loehe's important support of the mission of Saxon Lutherans in the supply of pastors and money is well known as also his criticisms of Missouri's adopted constitution in 1847. Shortly after the constituting convention in Chicago, he wrote to Walther his regret in recognizing that the constitution did not entirely agree with the pattern of the first apostolic congregations. His fears were that the Missouri constitution had a strong admixture of democratic, independent, and congregational principles which can create just as great harm as state authorities have on the home church. He went on to state:

*A precise knowledge of the many instructions of the holy apostles about the organization of the church and the care of souls would have been able to teach the dear brothers something else about the laity. Structure [Verfassung] is a dogmatic, but not a practical adiaphoron.*¹⁵

Loehe believed that he had a third way of understanding the Church and its Office - one that could serve as a mediating position between Walther and Grabau by which their differences might be reconciled. He believed that both Walther and Grabau had important roles to play in the advancement of confessional Lutheran congregations on American soil and that their differences need not be divisive of church fellowship. For an overview of

¹³ As cited in Todd A. Peperkorn, "The Use of C. F. W. Walther's 'Kirche und Amt' in the Lutheran Church - Missouri Synod to 1947, unpublished Master's Thesis, Concordia Theological Seminary, Ft. Wayne, IN, p. 36.

¹⁴ J. Wohlrabe, *Ministry in Missouri*, p. 9.

¹⁵ Loehe's letter to Walther, 8 September 1847, as cited in T. Winger, "Loehe, Walther, Church and Office," 114-15.

Loehe's views and efforts to achieve such a reconciliation, there is a most excellent article written some ten years ago by Pr. Thomas M. Winger in the *Lutheran Theological Review* entitled, "The Relationship of Wilhelm Loehe to C. F. W. Walther and the Missouri Synod in the Debate Concerning Church and Office." Leaning heavily on material gleaned from that article, we want to present a brief summary of Loehe's instructive observations about the respective positions of Walther and Grabau, but then also his own views on the substance of the dispute. The main points of contention boiled down to three questions:

1. Are there any divinely mandated requirements for how men are placed into the preaching Office and if so what are they?
2. What is the relationship between the Office and the congregation (the priesthood of believers),
3. Does the Office contribute anything to the efficacy of the Word and sacraments?

Winger's article draws upon Loehe's correspondence with these men as well as his own important writings on the Church and Office. In 1850, Loehe published a document on the state of the Lutheran Church in Bavaria which concerned his struggles against the *Landeskirche*. He appended to it a *Zugabe* - a supplement, which attempted to deal with the American situation. After providing a sort of historical overview of the controversy to date, Loehe lamented that Loeber had referred to Grabau as a *gefallener Knecht*, a fallen servant; but also that Grabau had attributed errors to the Saxons which were not true. Both sides needed to forgive, confess their sins, and seek healing in the cross of Christ.¹⁶ Loehe then set forth an outline of five points which would form the organization of his analysis of the controverted points in his *Zugabe*:

1. *a few, in which, in my opinion both parties either were one from the beginning or only misunderstood each other, or in the course of the controversy became themselves more clear and then drew near to one another,*
2. *a few, in which both parties appear to me to err,*
3. *a few, in which the Saxon brothers [may err],*
4. *a few, in which Pastor Grabau may err, and finally,*
5. *some, which probably could be reserved as open questions for further-*

¹⁶ *Zugabe*, 460 as found in its entirety in Wilhelm Loehe, *Gessammelte Werke*, ed. Klaus Ganzert, Vol. 5/1:460 as cited in T. Winger, "Loehe, Walther, Church and Office," 118.

*going illumination.*¹⁷

(1.) *Points in Which Both Parties Really Agree*

Loehe cited two. First, he believed that there was fundamental agreement with difference emphases in the matter of a desire to observe one unified Church Order. Grabau insisted that it be the old Lutheran Church Orders but he admitted that he did not discriminate very well between divinely mandated elements from those that were human. In this regard, Loehe could well have cited the objective in Article III of Missouri's first constitution: *to conserve and promote the unity of the true faith*, to be achieved, in part, by the use of doctrinally pure agenda, hymnbooks, and catechisms in the church and school (Article V).

Secondly, Loehe believed that they were in fundamental agreement concerning the priesthood of all believers. Grabau understood the priesthood to *offer spiritual sacrifices which are acceptable to God through Jesus Christ, and that saved by Jesus' blood, they have free and joyful entrance to the gracious throne of God*. Central also is declaring the deeds of him who called us out of darkness--that is, worship and praise. The Saxons acknowledge the spiritual sacrifices of worship and praise, but pass over them too quickly as they emphasize the priesthood in relationship over against the Office.¹⁸ Loehe draws them together by quoting from Grabau concerning the rights of the priesthood concerning the Office:

*the right to choose and ordain preachers, which comprehends, in fact, the right and duty to judge the teaching and life of candidates stems from the spiritual priesthood, that both actions are of a spiritually sacrificial nature, in which they present to God a person, through whom He may accomplish the works and affairs of His Holy Office.*¹⁹

This touches on the issue of the right of the priesthood to judge the doctrine of their pastor. Grabau stressed the right and duty of pastors to be vigilant preaching and teaching only what is true doctrine, but admitted the laity also have responsibility here. And the Saxons stressed the right and duty of the priesthood to

¹⁷ Ibid.

¹⁸ W. Loehe, Zugabe 462, as cited in T. Winger, "Loehe, Walther, Church and Office," 119.

¹⁹ Loehe cites Grabau's rebuttal to Missouri's critique of his *Hirtenbrief Aktensammlung*, 38 as quoted in T. Winger, "Loehe, Walther, Church and Office, 119.

distinguish false and truth teaching, but admitted that the Office also has this responsibility. They had agreement here about a shared responsibility, but with different emphases. Loehe believed that both parties would agree with the following statement: *All Christians have the right and duty to judge teaching [but]especially [do] the teachers.*²⁰

(2.) *Points in Which Both Parties Appear to Err*

Here Loehe revealed distinct elements of his own position concerning the congregation and the Office in the *Zugabe*. Both parties err, charged Loehe, in their agreement that the local congregation had the right to choose and call their pastor.²¹ Grabau assigns the right to call to all estates in the congregation, including pastors, but acknowledges that usually none are present. Walther and Missouri simply speak of the right of the congregation.²² For Loehe, both election and call must come from the ministerium. Since no congregation has more than a few pastors, nearby clergy must participate so that the whole Church is involved. Loehe seeks to embrace an apostolic model. The mandate issued by Paul in the Pastorals to Timothy and Titus are seen by Loehe as a divine mandate for the whole Church. He writes:

*. . . it appears clear to me that both Pastor Grabau and the Saxon brothers establish for the congregations too much in the matter of election [Wahl] and call [Beruf] of their elders and teachers. Both confer election on the local congregation, whereas the apostles and their disciples [themselves] do the placing into office, and grant to the congregations only so much of a part in the election of the person as they must have to give witness to the spirituals [i.e. pastors] taken from their midst . . .*²³

Loehe cited approvingly Grabau rebuttal to the Saxon attack on his *Hirtenbrief* in the following and believes that he and Grabau are very close. *The ordered call [ordentlich Beruf] of the "rite vocatum esse" in the 14th art. of the August. Conf. is*

²⁰ W. Loehe, *Zugabe*, 464 as cited in T. Winger, "Loehe, Walther, Church and Ministry," 120.

²¹ Ibid.

²² Ibid. 467.

²³ Ibid. 466.

*the general concept, which comprehends "electio, vocatio, and ordinatio," within which the call of the local congregation is only one component part of "rite vocatum esse."*²⁴ It was this statement that convinced the Saxons that Loehe had basically sided with Grabau in their dispute.

(3.) *Points in Which the Saxon Brothers May Err*

The major disagreement that Loehe had with Walther and Missouri was over their contention that the Holy office is an outflow of the general priesthood of Christians. For Loehe, *the Office of Christ is a special institution of Christ in the midst of the Church and for her, that this Office has perpetuated itself also through the special, prominent action of those who possess it.*²⁵ In other words, the Office does not derive from the congregation. It derives from Christ. And the authority to confer the office does not reside in the priesthood under normal circumstances; rather the office is to be passed on by the clergy. Loehe granted that the Saxon brothers hold true to the writings of the early Luther when they ascribe to preacher-less congregations the right of election and call of their preachers. Marquart makes much out of this admission by Loehe quoting from a 1853 letter by Loehe to George Grossman as follows:

*The excerpts . . . are more than sufficient to prove Walther's agreement or rather the agreement of his book [Church and Office] with Luther . . . Even though there is at least one passage [in the Symbolical Books] which is written in Walther's (Luther's personal) sense, yet the plain sense especially of some passages of the Augsburg Confession yields no necessity to explain them in harmony with one or two passages. The Symbolical doctrine appears unfinished to me.*²⁶

Marquart, who has indicated that he champions *Walther's realism* over *Loehe's romantic clericalism*, points out that while Luther cannot bind the conscience, the Formula of Concord asserts that Luther is to be considered *the most eminent teacher of the churches of the Augsburg Confession* and that *the true meaning and intention of the Augsburg Confession cannot be derived more correctly or better*

²⁴ J. Grabau, *Hirtenbrief*, 39 as cited in T. Winger, "Loehe, Walther, Church and Office," 121.

²⁵ W. Loehe, *Zugabe*, 470 as cited in T. Winger, "Loehe, Walther, Church and Office," 123.

²⁶ K. Marquart, "The Ministry, Confessionally Speaking" p. 12.

from any other source than from Dr. Luther's doctrinal and polemical writings.²⁷ While it is true that Loehe favored reading the Lutheran Confessions through the lens of the Scriptures, not visa versa as Walther did, he did want to point out in the *Zugabe* two important points about Luther. First, in his letter to the Bohemians [an early writing], Luther stated: *How much more then, does the whole community have the authority and mandate to commit this Office with common voice and choice to one or more in their stead; and afterwards these [pastors commit it] to others, though with the agreement of the congregation.*²⁸ Under emergency situations, that is when there is no bishop of pastors to call and place faithful men into the office; Loehe agreed with Luther that the congregation has the right to do so. Yet secondly, Loehe observed, when the emergency situation is over, the normative practice of pastors choosing and ordaining pastors resumes. Luther's preferred practice, according to Loehe, is to be discovered in the post-Reformation Church Orders (*Kirchenordnungen*), *which gives to the ministerium everywhere that measure of influence and activity which cannot be removed from it without injury to the congregations themselves.*²⁹ Loehe was convinced that Luther does not support Walther and Missouri in practice.

Loehe's criticism of Walther and Missouri comprises, by far the longest and most detailed section in the *Zugabe*. In this context, he delineated his understanding of the distinction between the priesthood and the Office.

*Toward the outside, over against heathen and Jews, all the baptized have the duty to teach and indeed to baptize, but the presbyterate is an Office within the congregation and its special tasks are certainly administering the Lord's Supper and the care of souls. Therefore, it is indeed not without significance if ordination to this office within the congregation gives power and authority to the tasks upon which it [the Amt] depends for the leading of the congregation. . . . The teaching and the Baptism which happen in the midst of the congregation, this mainly infant Baptism, nevertheless belong indeed to the Office.*³⁰

²⁷ Formula of Concord (FC), Solid Declarartion (SD), VII, 41, Tappert, p. 576.

²⁸ W. Loehe, *Zugabe*, 468, as cited in T. Winger, "Loehe, Walther, Church and Office," 122.

²⁹ W/ Loehe, *Zugabe*, 469, Ibid.

³⁰ W. Loehe, *Zugabe*, 471, as cited in T. Winger, "Loehe, Walther, Church and Office," 123-24.

Loehe granted to the congregation the role to *witness, wish, prayer, request, and, if the ministerium finds it beneficial for the congregation, election [Wahl] -- but the ministerium cannot give up the calling [berufen]*.³¹ Luther stressed in his day the role of the congregation in the midst of corrupt bishops, how much more he wanted to stress the right of the bishops in the midst of present corrupt congregations.³²

(4.) *Points in Which Pastor Grabau May Err*

The major disagreement that Loehe had with Grabau concerned the obedience that congregations owe their pastor. Loehe agreed with Walther and Missouri's criticism of Grabau insisting that the obedience of the congregation is to the pastor *in all which is according to God's Word rather than all which is not contrary to it*.³³ Grabau injures all Christian freedom. Other than this issue, Loehe saw the only remaining disagreement between Grabau and Missouri to be that of ordination. Missouri saw it as a salutary practice to be retained, but not necessary. Grabau saw ordination as a part of *rite vocatum esse* together with soundness, election, confession, and installation.

(5.) *Points Which Should Remain as Open Questions*

On the issue of ordination, which is the laying on of hands by pastors, Loehe saw the issue coming down to Paul's mandate to Timothy and Titus in the Pastoral Epistles. Is this a general mandate for the whole Church? Walther said *NO* and Grabau said *YES*. Loehe believed that there is neither unanimity on this point from the Church fathers, including the Lutheran fathers, or from the Lutheran Confessions. He strongly leaned toward Grabau's position, but believed that it should be seen, for the time being, as an "open question," needing more time and deliberation to resolve the matter completely. Curiously Loehe, saw the apostolic mandate by Paul to be sufficient to reflect a general mandate for the whole Church when it comes to the requirement that the ministerium must do the electing and calling of pastors, but he stops short on the matter of ordination being a necessary part of *rite vocatum esse*.

³¹ W. Loehe, *Zugabe*, 472, *Ibid*.

³² W. Loehe, *Zugabe*, 473, *Ibid*.

³³ W. Loehe, *Zugabe*, 476, as cited in T. Winger, "Loehe, Walther, Church and Office," 125.

The last remaining issue to be addressed is the matter of the efficacy of the Holy Supper. For Walther and Missouri, the Word alone makes the Sacrament efficacious. The called pastor contributes nothing. For Grabau, however, the celebration by a duly called and ordained pastor is also necessary for a valid celebration of the Lord's Supper. Loehe admitted that Missouri's position has the support of many Lutheran teachers, but wondered if Luther's words concerning the absence of a valid sacrament among the followers of Zwingli might say something about this matter. If there is so much importance given to right teaching and understanding about the nature of the sacrament how much more regard might be given to the matter of its administration by one who is duly called.³⁴ Again, Loehe leaned heavily toward Grabau's understanding, but in the end wanted to regard this issue also as an open question.³⁵

In the final analysis, Loehe believed that the only substantive difference between the two was Grabau's hierarchical interpretation of Hebrews 13:17. If he would yield on this point, the remaining differences should not be seen as divisive of fellowship. The final resolution of these matters Loehe thought would come only from an intensive study of the organization, practice, and of the Office in practice, at Reformation times.³⁶

Concluding Observations

Loehe, as is well known, was not able resolve these matters between Walther and Missouri and their commitment to *Kirche und Amt* on the one side, and Grabau and Buffalo and Grabau's commitment to the *Hirtenbrief* on the other. Moreover, Loehe's distress over Missouri's congregational polity and the ill treatment he received concerning the *Schullehrerseminar* (teachers' college) in Saginaw, resulted

³⁴ W. Loehe, *Zugabe*, 487, as cited in T. Winger, *Loehe, Walther, Church and Office*, 128.

³⁵ *Ibid.*

³⁶ W. Loehe, *Zugabe*, 490, as cited in T. Winger, *Loehe, Walther, Church and Office*, 129.

in termination of his association with the Missouri.³⁷

It would be good at this point in our discussion to summarize the key differences among these three -- Walther, Grabau, and Loehe. First, however, let's note their considerable agreement. All parties believed that the Office is divinely established and its duties are to preach the Gospel rightly, administer the sacraments as Christ has commanded, and exercise the Keys. Each insisted that no one should exercise the functions of the Office unless they are *rite vocatus* - called according to the rite (AC XIV). All affirmed the practice of following an established order for placing qualified candidates into the Office which included examination, election, and ordination. All advocated a polity whereby pastors are supervised by pastors in the performance of their duties.

Walther and Missouri insisted in *Kirche und Amt* over against Grabau and Loehe:

1. Only the congregation, and only by its call, is the office conferred on qualified men; and what is conferred is understood as authority to exercising publicly the rights of the spiritual priesthood, that is the congregation.
2. Congregations, that is the priesthood, have both the right and duty to judge teaching along with pastors and therefore have the right to deliberate and vote with pastors on matters before ecclesiastical courts and councils.
3. Ordination is not a divine institution but a salutary apostolic and ecclesiastical ordinance which is to be retained as a solemn public confirmation of the call. It is not a required part of *rite vocatum esse*.
4. The efficacy of the Gospel and Sacraments lies only in the power of the Word and does not depend in any sense on the Office.

³⁷ Since the school was in the midst of congregations in Saginaw, Michigan, which were affiliated with the Missouri Synod, synodical president Wyneken insisted that it be either moved or put under Missouri's control. Loehe was insulted by the demand and would do neither. He severed his associate with Missouri transferring his aid to the newly formed Iowa Synod. Soon under the leadership of Pastor Grossmann the school was moved to Dubuque, Iowa. Grossman and the Fritschl brothers would form the Iowa Synod in 1854 and Loehe would transfer his assistance of providing pastors and money to the Iowa Synod. The teacher's college would become Iowa's Wartburg Seminary. For an account of these events see Erich Heintzen, "Wilhelm Loehe and the Missouri Synod, 1841-1853," (PhD Dissertation, Urbana, IL: University of Illinois, 1964), pp. 34-44; and J. Schaaf, "Wilhelm Loehe's Relation to the American Church," pp. 163-71.

5. Agreement with *Kirche und Amt* on these matters is necessary for God-pleasing Church fellowship.

Grabau maintained over against Walther and Loehe:

1. Congregations have a right to select and call qualified pastors, but ordination, as an apostolic mandate for the entire Church, is also a required part of *rite vocatum esse* though the form it takes may vary.
2. Congregations owe their pastors obedience in all things not contrary to the Word of God.
3. The sacraments are efficacious not by virtue of the Word alone, but also by virtue of the Office. Congregations derive from the Office, not *visa versa*.
4. Agreement with these matters as set forth in the *Hirtenbrief* is necessary for God-pleasing fellowship.

And finally, Loehe maintained over against Walther and Grabau:

1. Only the ministerium, by apostolic mandate to the whole Church, may select, call, and place qualified men into the office, or supervise those in Office. Pastors beget pastors and pastors supervise pastors in the Church of Christ. Congregations may only desire, pray, and witness the call and qualifications of the one who is placed into the Office for their benefit.
2. The matter of the status of ordination for the whole Church is an open question that needs more study.
3. The matter of the Office and its contribution to the efficacy of the sacraments is also an open question in need of more study.
4. Only Grabau's requirement of congregational obedience to pastors on all matters that are not contrary to the Word of God threatens a God-pleasing Church fellowship between Missouri and Buffalo.

It is instructive for those who would establish a ministerium to promote a

distinctively Lutheran understanding of the Office; that lessons be learned from this controversy so as not to repeat its errs and misunderstandings. Most of the issues that divided these three men and the synods involved concerned matters of polity and church government. To be sure, such matters had to be worked through afresh on American soil, separated from the established orders in the old country. Clarity about the status of polity and church government matters is crucial. In this regard, I would recommend that we listen to the voices of our overseas confessional brethren. When it came to squabbles concerning joint prayer, church government on the mission field, and the proper naming of God in the Chinese language, members of the Synodical Conference were deadlocked. The Lutheran Overseas Committee issued theses on *Fellowship in Its Necessary Context of the Doctrine of the Church* which reminded the members of the Synodical Conference in 1961 that Church fellowship is restricted to the exercise of the "sacred things." These are the proclamation of the Gospel, the administration of the Sacraments and the exercise of the Keys.³⁸ When it comes to matters of polity and Church government, we should listen again to our overseas confessional scholars.

Werner Elert asserted:

*. . . in the church there are only the following elements of divine right: (1) the existence of the pastoral office; (2) the functions of this office - - preaching, the sacraments, the keys. This is true of the church as a whole as well as of the individual congregation.*³⁹

*But what goes beyond this -- the demarcation of parishes; questions about preparatory training, examination, **election** [emphasis mine], support, the disciplining of pastors, questions concerning representation toward the outside; the question whether for these and other external matters congregational representation and synodical arrangements are useful or necessary Here, Christian liberty is the other side of the Lutheran idea of the church.*⁴⁰

³⁸ "Statement of the Overseas Committee" presented to the Synodical Conference, *Proceedings of the Recessed Forty-sixth Convention, Lutheran Synodical Conference*, 1961, 9-13.

³⁹ Werner Elert, *The Structure of Lutheranism*, Vol. I, translated by Walter A. Hansen (St. Louis: Concordia Publishing House, 1962), p. 371.

⁴⁰ W. Elert, *The Structure of Lutheranism*, pp. 384-85.

Confessions scholar, Holsten Fagerberg, makes the same observations concerning the unique witness of the Lutherans in their Confessions concerning matters of polity and church government as concerns appointment to and supervision of the preaching Office. He writes:

One looks in vain for such instructions. . . .Call, election, and ordination normally belong together, and of these three the call was no doubt looked upon as most essential. Ordination was thought of as a confirmation of the call in the presence of the worshiping congregation, but it was not held to be expressly commanded in Scripture How indifferent the confessional writers were to the form used in placing a pastor in office can be seen from the fact that they were even willing to concede to the Catholic bishops the right to ordain for the sake of love and unity -- if they would only be true bishops and take care of the Church (Ap XIV, SA III X 1)⁴¹

The debate between Walther and Grabau involved a deadlock concerning the relationship between the Church and Office. Walther maintained that the Office derived from the priesthood, that is, the Church (congregation). Grabau countered by maintaining that the congregation and priesthood derived out of the preaching Office of Word and Sacrament which called them into being. Edmund Schlink however, rightly recognizes these arguments as involving a set of false antitheses. He observes that the Confessions look to the Lord as the One who governs His kingdom, the communion of believers, through the external Word: *they are not interested in a logically satisfying clarification of the relationship between the universal priesthood and the public ministry. . . . The office is over persons [in the church], and the church is over the servants.*⁴²

The relationship between the Church and Office is a reciprocal one. The Church comes into existence and is preserved, extended, and built up by the exercise of the Office - the Gospel and the Sacraments. The Church provides for the preaching of the Gospel and administration of the Sacraments by placing qualified believers into the Office. It was Loehe who said it well. It is not the congregation over the Office or the Office over the congregation. Rather, the Office is placed by

⁴¹ Holsten Fagerberg, *A New Look at the Lutheran Confessions (1529-1537)*, translated by Gene J. Lund (St. Louis: Concordia Publishing House, 1972), pp. 249-50.

⁴² Edmund Schlink, *Theology of the Lutheran Confessions*, translated by Paul F. Koehneke and Herbert J. A. Bouman (Philadelphia: Fortress Press, 1961), p. 247.

God **in** the congregation that Christ might be manifested and rule through His Gospel over both Office and congregation. With appropriate application to the Lutheran context on American soil as with the Antwerp congregations in 1567, Sasse notes that ecclesiastical order must be constituted anew in such a way as to *offer the office of the ministry a maximum of possibilities to accomplish its service of preaching the pure Gospel and of properly administering the sacraments in the name and by the command of the Lord of the church.*⁴³ This is exactly what Walther, Grabau, and their respective synods sought to do. And as Sasse lamented, it would have been well if these two, together with Wilhelm Loehe, could have recognized that church government and polity -- all the issues concerning how the church orders the examination, election, installation, and supervision of the preaching office -- are of human right and are to be implemented and evaluated in Christian love according to how well they serve the one ministry of the Gospel and the Sacraments. Sasse further observed:

*For the Lutheran Church, matters of church government belong to the adiaphora, to the "rites and ceremonies, instituted by men" (Augsburg Confession VII) concerning which there may and must be freedom in the church. Christ is not the legislator of a human religious fellowship, and the Gospel has in it no law which prescribes the only right way of organization and polity for the church.*⁴⁴

In the final analysis, Loehe was right on his final estimation concerning the debate between Walther and Grabau concerning the Office and the Church. If Grabau would vacate his extreme understanding of Hebrews 13:17 and restore a confessional sense of Christian freedom in the Church, the remaining differences between the two should not be recognized as divisive of Church fellowship. This is not, however, as Loehe maintained, because these matters of polity and church government should be regarded as open questions to be settled at a later date. Rather, such matters are to be regarded as issues where there may be a diversity at various times and places in the service of the one Faith, the one Office, and the one Church of Christ.

As we make common cause in confessing and promoting the holy preaching

⁴³ Hermann Sasse, *Kirchenregiment und weltliche Obrigkeit nach lutherischer Lehre*, p. 60 as cited in E. Schlink, *Theology of the Lutheran Confessions*, p. 252.

⁴⁴ Hermann Sasse, "Ministry and Congregation," *We Confess The Church*, translated by Norman Nagel (St. Louis: Concordia Publishing House, 1986), p. 70.

Office as instituted by Christ in His Word and articulated in the Lutheran Symbols; and, as we ponder challenges to this understanding in the contemporary American Lutheran scene; let us not make the mistakes of our forefathers. Let us learn from them. Let us not fragment and neutralize our witness over diversity in human arrangements of polity and church government when these do not hinder the free exercise of the Office as Christ instituted it. If we will not learn these lessons from the history of our American Lutheran synods and leaders, we may tragically be doomed to repeat them. For that, Lord deliver us! Deliver our synods. . . Deliver the Augustana Ministerium.

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