

# *Called and Ordained*

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## *LUTHERAN PERSPECTIVES ON THE OFFICE OF THE MINISTRY*

Edited by  
TODD NICHOL and MARC KOLDEN

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*An  
Evangelical  
Episcopate?*

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JOSEPH A. BURGESS

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Is “evangelical episcopate” an oxymoron, a contradiction in terms? That depends on what the term includes. Apparently the term includes, according to its advocates, ways of adopting the historic episcopate without running into the problems Lutherans usually have with it. What is the historic episcopate? Generally speaking, only those bishops who have been ordained through the laying on of hands and the invocation of the Holy Spirit by bishops in historic continuity with the bishops ordained this way down through the ages can be said to belong to the historic episcopate.<sup>1</sup> The historic episcopate is to be distinguished from apostolic succession, which refers to general continuity with the apostles, either with their teaching or with structures in the church that one traces back to the apostles.

WHAT IS REALLY AT STAKE? THE FREEDOM OF THE GOSPEL

Lutherans can of course adopt any form of church structure, up to and including the papacy, as long as the primacy of the gospel and Christian freedom are allowed. Salvation is the only non-negotiable. What is salvation? Justification by grace alone through faith alone in Christ alone. All else, such as forms of worship and structures of the church, although important and varying in appropriateness, remains within the arena of Christian freedom unless someone makes it a requirement for salvation; then it has become a new law and is to be rejected.

This is called the *adiaphoristic* principle. That there will be worship and forms of worship is essential. The actual forms may vary, and no particular form may be required for salvation. It remains within the arena of Christian freedom to dispute which forms are more appropriate. The same is true for church structures. The gospel must be proclaimed, and for this structures are essential, including oversight (*episcopé*). Again, the actual structures may vary, and no

particular structure may be required for salvation. It remains within the arena of Christian freedom to dispute which structures are more appropriate. If anyone claims that a particular form or structure is required for salvation (the gospel), this is a new law and is to be rejected.

In other words, no particular form or structure is part of revelation and thus exists by divine law (*iure divino*). Certain developments within church history, to be sure, are ancient and venerable, but are not for that reason mandated by divine law unless the notion of divine law is expanded to include a great many things, such as the papacy. And when the meaning of divine law is expanded, the problem is deciding what principle is to be used to sort out the various developments. Lutherans clearly do not allow either antiquity or the majority to be decisive, for neither the length nor the breadth of the tradition, for example, supports the ordination of women. Only the gospel is decisive; all the rest is a matter of Christian freedom, allowing for disagreement among those of good will. *Baptism, Eucharist and Ministry*, produced by the Faith and Order Commission of the World Council of Churches, summarizes a kind of ecumenical consensus in stating:

The New Testament does not describe a single pattern of ministry which might serve as a blueprint or continuing norm for all future ministry in the Church. In the New Testament there appears rather a variety of forms which existed at different places and times. As the Holy Spirit continued to lead the Church in life, worship, and mission, certain elements from this early variety were further developed and became settled into a more universal pattern of ministry. (M 19)

How to discern which elements after the New Testament were from the Holy Spirit is the problem, because what is “more universal” runs into the difficulty of the papacy, which is in fact a more universal development, on the one hand, and the ordination of women, which is a less universal development, on the other.

#### WHAT DO LUTHERANS SAY?

Martin Luther favored congregational structures, yet he was willing to accept either presbyteral or episcopal structures.<sup>2</sup> One might respond: We do not follow Luther, but the *Book of Concord*, especially the Augsburg Confession. Of course this is true, although we must remember that Luther wrote key parts of the *Book of Concord* and the Formula of Concord uses Luther as a major authority, as its index shows. But what of the Augsburg Confession, authored by Philip Melancthon? Does “bishops or pastors” (CA 28.30, BC 85; CA 28.53, BC 90; also 28.55, BC 90 in the German text) mean that—reading “pastor” as shepherd, an episcopal function, and not as a technical term for the local minister—bishops and pastors are equated? Did the Augsburg Confession not simply assume that a reunited church would continue to have bishops?

The Reformers had no objection to oversight (*episcopé*), but they did object to the way in which episcopacy was conceived and filled at that time. When one looks back at the Torgau Articles (from early in 1530) and then forward to later statements, such as the Smalcald Articles (SA 10.1–3, BC 314) and the Treatise on the Power and Primacy of the Pope (Tr 60–62, BC 330–34; the Treatise was officially adopted as a Confession and was intended to be a supplement to the CA), there is no question that in these documents bishop, pastor, and presbyter were equated (Tr 63–65, BC 131).

Article 28 of the Augsburg Confession on bishops was one half of a compromise proposal, which ran: If you give us Articles 22–24 (on both elements in the Mass, married clergy, and the Lutheran form of the mass), we will agree to the kind of bishops described in Article 28: bishops who do what they do “simply by the Word” (CA 28.22, BC 84), that is, who do what every pastor or presbyter does. This was not to be simply an episcopate in the old style, but an actually reformed office of oversight. What was this “episcopate”? Lindbeck, in the Lutheran responses to Catholic questions during the fourth round of dialogue in the United States, spells out the Lutheran stance:

Episcopacy is therefore the normal polity of the church. Yet it is a subordinate, instrumental, and fallible sign of apostolicity which may be misused by being made superordinate and constitutive. A part of the church which through unfavorable historical circumstances loses the episcopate does not necessarily for that reason lose apostolicity. (This may differ from the Roman Catholic position as presented in [George] Tavard’s memorandum, which denies that “the *res* of apostolicity may be absent even when the *signum* of episcopal succession is present.”) Lutherans, of course, believe that this happened in the sixteenth century. And many of them, like Joest, think that this exceptional situation is not yet ended. . . . In short, these Lutherans regard the historic episcopacy as still so widely “absolutized” that it remains unacceptable even though it is in itself normal and desirable.

This objection would be largely removed by Roman Catholic admission of the possibility of full recognition of presbyterial orders. It would not, to be sure, be entirely removed. Lutherans would still insist that the *signum* of succession can exist where the *res* of apostolicity is absent (or, at any rate, so seriously distorted and obscured that the presence of the *signum* is misleading rather than helpful).<sup>3</sup>

“[A] subordinate, instrumental, and fallible sign of apostolicity . . . the *signum* of succession can exist where the *res* of apostolicity is absent”—these words from Lindbeck hardly describe a sacramental view either of the episcopate or, for that matter, of the presbyterate. Further, the historic episcopate has normally been “misused by being made superordinate and constitutive” instead of “a subordinate, instrumental, and fallible sign of apostolicity.” The historical norm has been to make the historic episcopate “superordinate and constitutive,” and the occasional exceptions prove the rule.

The Lutheran compromise was largely rejected and, as a consequence, the Lutherans were not, strictly speaking, bound to what had been proposed in

Article 28. Yet Lutherans have made the Augsburg Confession their main statement of faith, including Article 28 and its radical reshaping of episcopacy, with no sense that the church lacked anything essential without the historic episcopate.<sup>4</sup>

Lutheran practice in the first and second generations of the Reformation confirmed this theological standpoint. There was no sense of having an “emergency situation,” of trying to patch something together until they could have “real bishops” once again. The “emergency situation” existed for that part of the church where through most of church history episcopacy was, as Lindbeck describes it, “misused by being made superordinate and constitutive” instead of “a subordinate, instrumental, and fallible sign of apostolicity.” The Lutherans simply went about the task of establishing an evangelical episcopate, often without using the historic title but always with the intent of discovering which kind of oversight, under the primacy of the gospel and within the arena of Christian freedom, is more appropriate. The fact is Lutherans have always been very clear in their minds about church structure. Difficulties have only arisen because some, probably influenced by external factors, have wanted to make specific ecclesiastical structures part of the gospel.

In some cases the historic title continued. In 1537 John Bugenhagen, who did not have episcopal consecration himself, created new bishops in Denmark. Around 1540 evangelical bishops were introduced in some of the German territories; Nicolas von Amsdorf is a notable case. In Sweden, whether or not the historic succession endured, the office of bishop was certainly reformed. Sven Kjöllström is convinced that succession in the historic episcopate was definitely broken in the sixteenth century.<sup>5</sup> Whatever the merits of Kjöllström’s case, the pragmatic attitude of Swedish Lutherans is decisive. Early in this century the Church of England decided that the Swedish church had maintained the historic episcopate and invited Swedish bishops to assist in consecrating English bishops. In order to avoid misunderstandings, the Swedish Bishops’ Assembly explained to the English in 1922 what the Swedish church understands by church structures:

No particular organization of the Church and of its ministry is instituted *iure divino*. Our Church cannot recognize any essential difference, *de iure divino*, of aim and authority between the two or three Orders into which the ministry of grace may have been divided, *iure humano*, for the benefit and welfare of the Church.

And in 1936 the Archbishop of Finland used this Swedish statement as his own in writing to the Archbishop of Canterbury about the historic episcopate.<sup>6</sup>

#### BUT WHY NOT ADOPT THE HISTORIC EPISCOPATE AND SIMPLY UNDERSTAND IT IN A LUTHERAN WAY?

This move seems astute, although a bit like trying to eat one’s cake and have it too. And is this not what the Swedes and Finns do? Are we not free as

Lutherans to adopt any type of church structure? Recent Lutheran studies on episcopacy often echo this theme.

The freedom of the gospel is at stake. We must be very clear in our minds about the game being played. Freedom in the Christian context is altogether different from “freedom as self-fulfillment” in the popular culture of our day. Christian freedom is the freedom we have as children of God to live by forgiveness and not by works of the law. Therefore we are free to work with other Christians to discover what is reasonable and appropriate in a particular situation. But if any requirement for unity is added to the proclamation of the free gift of salvation through Word and sacraments (CA 7, BC 32), a new law has been added to the gospel, and Christian freedom has been lost.

Are we then free to adopt the historic episcopate with our own theological understanding? That depends. Our Roman Catholic partners in dialogue would not accept such a reservation by Lutherans. Just as we can be very sure that Roman Catholics would reject any Lutheran move toward greater unity if Lutherans said they would take on the papacy but with a Lutheran understanding (for example, as *iure humano*), so also with the historic episcopate. The official Roman Catholic response to BEM insists that the threefold ministry is a “sacramental” structure and that the historic episcopate is not only a sign but a “guarantee.”<sup>7</sup> The Orthodox would do the same. In their official response to BEM they insist that any perspective or dimension implying that the ministries described in M are not sacramental “is unacceptable.”<sup>8</sup>

That leaves some Anglicans and the Consultation on Church Union (COCU)—not the Anglo-Catholics. For example, E. L. Mascall, an Anglo-Catholic, opposes requiring the historic episcopate without at the same time agreeing on the theology involved. He describes how not requiring a common theological understanding led to the breakdown of negotiations between Lutherans and the Church of South India.<sup>9</sup> But non-Anglo-Catholic Anglicans, holding a variety of theologies, have a more functional approach to the historic episcopate. In their view all the Lambeth Quadrilateral requires is that a person take on the historic episcopate in practice; the theology can vary widely, short of such absurdities as: the historic episcopate is opposed to the Christian faith, an illusion, intrinsically evil, and the like. There is confidence that thought will follow deed, that theology will follow in the train of adopting the historic episcopate in practice.

This approach is not unlike the proposal approved and commended to the churches by the Sixteenth Plenary of COCU, of which the Episcopal Church is a member. After stating that “bishops shall stand in continuity with the historic ministry of bishops as that ministry has been maintained through the ages” and that bishops will be ordained “in such a way that recognition of this ministry is invited from all parts of the universal Church,”<sup>10</sup> it concludes:

49) In doing so, the Church Uniting will not require any theory or doctrine of episcopacy or episcopal succession which goes beyond the consensus stated in this

document. It will recognize that it inherits, from episcopal and non-episcopal churches alike, a variety of traditions about the ministry of oversight, unity, and continuity. It will seek to appropriate these traditions creatively, and so to move toward an episcopate reformed and always open to further reformation in the light of the gospel: an episcopate which will probably be different from that now known in any of the covenanting bodies.

Since both “consensus” and “gospel” in this document are broadly construed, this proposal is unclear about what is included in an episcopate both “in continuity” and finding recognition “from all parts of the universal Church” (#48), yet at the same time appropriating “creatively” a variety of traditions, including the United Church of Christ and the International Council of Community Churches (#49). The theology is broad; all that is specifically required is that a church actually take on the historic episcopate.

But then are Lutherans not free to take on the historic episcopate with a Lutheran understanding at least with non-Anglo-Catholic Anglicans and COCU? What kind of freedom do the non-Anglo-Catholic Anglicans and COCU allow to those taking on the historic episcopate with their own understanding? Would Lutherans, at another point in history after due consideration for what was appropriate and needed, be equally free to lay the historic episcopate down with our own understanding? Would it be possible to take on the historic episcopate with our own understanding and yet recognize, as very occasional exceptions, the ministries of those who do not take on the historic episcopate, as a way of symbolizing the Christian freedom preserved within our newly found unity? Preliminary inquiries indicate that the answer is no in both cases. What then, Lutherans will ask, has happened to Christian freedom?

Here one may object that this whole line of reasoning overlooks the fact that many Anglicans understand the historic episcopate to be of the *bene esse* (well being) rather than the *esse* (being) of the church, hardly a requirement. First, Anglo-Catholics, precisely because they gravitate toward Rome, do hold that the historic episcopate is of the very *esse* of the church, and they object to the idea that as long as one actually takes on the historic episcopate, the theology required can be broad or indefinite.<sup>11</sup>

Second, *bene esse* is not the same as *adiaphoron*. The English Reformation did, to be sure, use the concept of *adiaphoron*, but in a different sense than the Lutheran Reformation.<sup>12</sup> The terms *bene esse* and *plene esse* (full being) do not have to do with Christian freedom or requirements added to the gospel, that is, the *adiaphora* questions, but about levels of unity in the church. If questions about Christian freedom and requirements added to the gospel come into play at all, it is only in the sense that, according to those holding that the historic episcopate is of the church’s *bene esse* and *plene esse*, a given church does not require the historic episcopate in order to be part of God’s saving work in the church precisely because the historic episcopate only belongs to the *bene esse* or *plene esse* of the church. But to lack the historic episcopate, according to those

holding to it, is a defect when one recalls God's will for his church, namely, organic unity; thus the historic episcopate is a requirement for true unity because the pure preaching of the gospel and sacraments celebrated according to this gospel is not enough. It is evident that the Lutheran understanding of *adiaphoron*, according to which the gospel is the *esse* of true unity in the church (CA 7, BC 32) so that all else is a matter of Christian freedom (*adiaphora*) unless made a requirement for salvation, is a different kind of conceptuality from that implied by Anglican ideas of *bene esse* and *plene esse*.

Could Lutherans not then take on the historic episcopate with their own understanding and thus join with those for whom the historic episcopate is *bene esse*, such as non-Anglo-Catholic Anglicans and COCU? Probably yes, because the latitude of the theology held by those for whom the historic episcopate is *bene esse* is probably wide enough. Lutherans would have to negotiate some way, symbolic or otherwise, of demonstrating that the historic episcopate is not a legalistic requirement but an ordinance consistent with Christian freedom, because *for Lutherans an adiaphoron is only an adiaphoron when it is an adiaphoron for both sides*. We would also have to deal with the ironic fact that, as a sort of courtesy, those holding to the historic episcopate state that, when mutual reconciliation of ministries occurs with those lacking the historic episcopate, those with the historic episcopate also fill a lack although this means no more than that, up until that point, they have lacked those now taking on the historic episcopate.

Swedish Lutherans cannot really be used as an example proving that Lutherans can adopt the historic episcopate and simply understand it in a Lutheran way, because a Lutheran pastor without historic orders is not reordained when he or she becomes a pastor in the Lutheran Church of Sweden. At the other end of the spectrum, when an Anglican priest becomes a Roman Catholic priest, he is reordained, and the same is true when an Anglican priest becomes an Orthodox priest, in spite of the Orthodox principle of *oikonomia* (the church's stewardship of spiritual discernment about church unity).<sup>13</sup> Anglican priests who are women, of course, cannot enter either the Roman or Orthodox church as priests.

#### ARE BISHOPS NECESSARY FOR UNITY?

Are bishops necessary for the unity of the church? That depends on what is meant by "bishops," "necessary," "unity," and "church." Concerning bishops, *BEM* asserts: "Among these gifts a ministry of *episkopé* is necessary to express and safeguard the unity of the body" (M 23; cf. M 27). If by *episkopé* one means that there will be leadership and that leadership naturally includes authority, without specifying the nature and extent of that authority, who could object? Leadership with authority occurs in many ways. Necessary? Of course, to the extent that without authoritative leadership, unity is more difficult. But what is "unity"? Lutherans teach that the church, both one and visible, has as "its



marks, the pure teaching of the Gospel and the sacraments" (Ap 7, 8.20, *BC* 171). Agreement on this is "enough" for unity (cf. CA 7; "it is enough"), an exclusionary principle indicating that other marks are not to be required for unity.

Such an explication of "bishops," "necessary," "unity," and "church," however, is unacceptable to some Lutherans. Bishops for them should be "real" bishops, by which they mean "sacramental structures," to use the current jargon, or at least they should be sacramentally understood "in our own way," that is, in their particular interpretation of an "evangelical episcopate." A signal that this view is being promoted is the word "consecration" when someone becomes a bishop—a growing usage in such circles.

"Real" bishops are "necessary," according to these particular Lutherans, because "real" bishops are *iure divino*, which is understood here either as New Testament prescription or as irreversible development. But who then decides which development is irreversible? Even the New Testament canon is variously understood; the Copts and Ethiopians have added to the twenty-seven books, yet who would exclude them from the church for that reason?<sup>14</sup> The canon, to be sure, is by far the most likely candidate for an irreversible development. In what possible sense, however, can other irreversible developments exist if the New Testament canon is *norma normans non normata*? Furthermore, it remains unclear how "irreversible developments," even such a development as the New Testament canon, could be elevated to the status of gospel and thus be other than *adiaphora*. The gospel was efficacious long before the canon.

Faced with such difficulties, the argument shifts to the fact that the historic episcopate is the majority view. But what then of the ordination of women, which is not practiced by even a strong minority of Christians? Yet who is prepared to argue that the ordination of women should be abandoned? The papacy is also the majority view, and again one hesitates. *BEM* judiciously avoided the whole subject. The Lutherans in the Lutheran—Roman Catholic Dialogue in the United States stated they would accept a papacy "so structured and interpreted that it clearly serves the gospel and the unity of the church of Christ, and that its exercise of power not subvert Christian freedom."<sup>15</sup> But can anyone point to such a papacy (and to such an evangelical historic episcopate) *in concreto*? Without working out a structure based on the primacy of the gospel and allowing for Christian freedom in practice, the vision of an ideal pope (the *papa angelicus*—and, to coin a term, the *episcopus angelicus*) remains an eschatological chimera<sup>16</sup> and should be labelled as such.

Have bishops in fact expressed and safeguarded the unity of the church (cf. *BEM*, M 29)? In the early church the bishop was one unifying factor, along with canon, creeds, councils, heresies, and persecutions. But canon, creeds, and councils have been more decisive sources of unity than bishops. Major tensions and disagreements among early bishops cannot be overlooked; it was not all

sweetness and light. Bishops have been as great a source of disunity as of unity. The historic episcopate has not produced unity among those churches claiming the historic episcopate, such as Anglicans, Orthodox, and Roman Catholics. The jurisdictional struggles within Orthodoxy are well known. Episcopacy must therefore be seen as a fallible mark of church unity.

#### SHOULD BISHOPS SERVE FOR LIFE?

Why not have bishops for life? Could we? Of course we could because this is an *adiaphoron*. If bishops for life would be the most appropriate and effective way of carrying out the mission of the church, that is what should be done.

But some advocate bishops for life in a different sense. Their main thesis is that because bishops do what pastors do, although in a larger arena, they should be called to serve until they resign, retire, or die, like any pastor. Behind this thesis lies the presupposition that because ordination is not repeated (which is considered to be a basic indication of indelible character), ordination is sacramental in character and carries life tenure for the person holding pastoral office. According to this view, having a bishop serve for life is not an *adiaphoron*.

Their second thesis is that both pastors and bishops need lifetime tenure in order to carry out their mission; with tenure pastors and bishops do not have to concern themselves with pleasing others in order to continue, but can be free to proclaim the truth plainly, to be prophetic. If anyone is concerned about what happens when bishops are incompetent, the answer usually is: elect bishops with greater care and establish review committees in order to improve the quality of bishops.

Why then question having bishops for life? The root question is whether ordination is a sacrament. This is not the place to take up that whole question, yet it is worth noting that early Lutheran practice equated ordination and installation. Ordination thus was repeated in early Lutheran practice, particularly by Bugenhagen, although Luther did not, at least after 1535, continue this approach.<sup>17</sup> In spite of the use of the word “sacrament” in relation to ordination in the Apology 13.9–13 (*BC* 212–13), the text itself interprets this to mean the ministry of the gospel whose power comes solely from the external Word and not from ordination itself. As a major U. S. Lutheran study recently pointed out, the logic of the Lutheran position would call for repeating ordination even though this has not usually been Lutheran practice.<sup>18</sup> In fact, tenure in and of itself is a kind of power, and the question needs to be asked whether the power of tenure does not interfere with relying on the power of the Word.

Nor can it be claimed that ordination is analogous to baptism and therefore a nonrepeatable sacrament. To the contrary, precisely because, unlike ordination, baptism is the sacrament of new birth, it is nonrepeatable. The Lord’s Supper and absolution, which along with baptism are the “genuine sacraments” (*Ap* 13.4, *BC* 211), are, on the other hand, repeatable. Even if marriage were

a nonrepeatable sacrament for Lutherans, it would still not be an analogy proving ordination is nonrepeatable because in marriage both parties pledge their troth to each other for life, whereas the pastor is not committed to one congregation for life, although the congregation may be bound to give the pastor tenure.

Why then has it been, in the main, Lutheran practice not to repeat ordination? Does this indicate a residual memory of what ought to be, before the so-called emergency of the Reformation confused the situation? Probably not. Rather, most Lutherans have the perspective that ordination is not repeated because it is a calling like other callings, such as commissioning to military or missionary service or promotion to the status of teacher or professor, which are not repeated if there is a change in continuity, either of kind of work or of location. In fact, before modern industrial development changed the nature of work, it was possible to think of most work as a calling, based on one's expertise and place in life.<sup>19</sup>

That Lutherans think this way can be seen in how we have not hesitated to give pastors nontenured calls, and not only to those who are hospital and military chaplains or in staff ministries where all must resign when the senior pastor resigns. Nor have Lutherans hesitated to limit the length of term of office for bishop and even to limit the number of terms because of the obvious fact that incumbents are very difficult to unelect. In a similar fashion after centuries of experience many Roman Catholic orders limit terms for their leaders. Also, leaders from traditions with tenured bishops can be very candid about the problem of incompetent bishops. They will point out how it is politically unrealistic to think one can "simply elect better bishops" because in every political system it is the best politician who is elected, not necessarily the best bishop. Those advocating life tenure for bishops have not reflected on the problem of incompetent bishops and how this will be affected by recent legislation about the age of retirement or of how Lutherans would react to the idea of a presiding bishop with tenure. Most doubtful is the claim that bishops with tenure are more prophetic, for by far the greatest number of bishops in traditions giving life tenure serve their own establishments.

#### SHOULD BISHOPS BE TEACHING AUTHORITIES?

According to *BEM*, in the early centuries of the church the historic episcopate "was understood as serving, symbolizing and guarding the continuity of the apostolic faith and communion" (M 36). The church, to be sure, also used other ways in order to preserve the continuity of the apostolic faith, and "a" continuity in the apostolic faith has been preserved in churches without the historic episcopate (M 36-37). Even more striking is the statement that "there have been times when the truth of the Gospel could only be preserved through prophetic and charismatic leaders" (M 33).

This perspective is overlooked, however, by those who see the teaching authority of the bishop as the answer to present confusion about authority in the

church. For them it is the bishop who particularly preserves and safeguards the apostolic faith, and in councils, together with other bishops, episcopal safeguarding is thought to be even more effective. Some would hold that bishops have been given a special charisma for teaching.

Of course bishops teach, not in the formal but in the general sense, and this is part of their leadership. But Lutherans have traditionally asked theological faculties to function as the *magisterium*, that is, the teaching office. The college of bishops has not been thought to have unusual teaching competence. Councils err, faculties err, and so do bishops. The bishop is a “fallible sign of apostolicity,” as Lindbeck puts it.<sup>20</sup>

Indeed, bishops have been notably fallible. During the first generation of the Reformation no bishops stood on the side of the freedom of the gospel, with the exception of Georg von Polentz, Bishop of Samland, and Erhard von Queiss, Bishop of Pomerania, both from eastern Prussia. In the 1930s during Hitler’s rule no Lutheran bishops stood up with the Confessing Church, with the possible exception of Bishop Theophil Wurm; on the Roman Catholic side things were no better, with Bishop Clemens August von Galen being parallel to Wurm. Only three out of eighty-three Roman Catholic bishops in Argentina opposed the terrorism of their recent military dictatorship.

Yet do not traditions with the historic episcopate have an advantage in safeguarding the truth of the gospel because at least the collegial dimension of the historic episcopate leads to continuity with the apostolic faith? It “is not apparent in Anglican experience,” one Anglican expert points out:

Here is a lamentable weakness—an apparent inability among bishops to agree upon what fundamentals should be agreed upon. How can the bishops be the guardians of a tradition which is itself unclear to them: if they are to be guardians of the faith, who is to be *their* guardian? . . . There is in no real sense a college of bishops in England.<sup>21</sup>

The question of a guardian for the guardians obviously raises the further question of the papacy, which has its own difficulties.

In contradistinction to all of this, Lutheran theology has held that the only teaching authority the bishop has is the authority of the gospel. Lutherans are irrevocably committed to the view that the authenticity of the gospel is the only guarantee of the legitimacy of structures in the church, rather than the converse.

#### WHO THEN ARE “REAL” BISHOPS?

Bishops have functioned variously, for example, as eighteenth-century lord bishops, civil magistrates, full-time pastors while part-time bishops, power brokers, chief executive officers, expert managers, masters of ceremonies, political representatives, and the like. Culture obviously shapes the role of bishops. Thus, as the church expands in the Third World, particularly in Africa, just as the authority figure of the tribal chief is part of the landscape, so it is natural to

hold that the church should also have its chief, its bishop, and the same kind of deference should be given to the bishop as to the chief. The question is whether, as often in the past, the church is being led by the culture.

Is there anything absolutely essential to the office of bishop? Is, for example, the bishop to be the chief pastor and a pastor to pastors? At most the bishop can be a kind of symbolic pastor, a spiritual leader; opportunities for functioning in this way occur when the bishop is speaking to various groups, preaching and celebrating the Eucharist occasionally in each congregation, and writing. But the bishop is not "pastor" in the sense of doing all the proclaiming and celebrating in that jurisdiction; the local pastor according to Lutheran theology surely does not baptize or celebrate communion as the deputy of the bishop. The way the bishop functions as "pastor" will in fact be jurisdictional, that is, guiding and leading. Thus, although the bishop can be understood symbolically as a pastor who is like every other pastor except for having a larger jurisdiction, the leadership role creates a significant difference.

But is not the bishop at least "pastor to pastors"? A study in 1982 by the Southeastern Pennsylvania Synod of the LCA forces one to rethink this shibboleth. It is said to be "based on a false assumption" and "establishes an unreal expectation." The problem is that personal issues may have future professional ramifications and that both pastors and congregations want the bishop to be their pastor when the bishop agrees with them, but not when they are being criticized. The Southeastern Pennsylvania Synod recommends, therefore, extensive use of clustering and that each pastor, including the bishop, intentionally select a pastor for himself or herself.

Is not, finally, the bishop the only one who ordains? Not in the Lutheran tradition. "This right is a gift given exclusively to the church" (Tr 67, BC 331), not exclusively to the bishop. It may be that for purposes of good order ordination might be performed exclusively by the bishop, but as soon as this would be made a requirement, especially a kind of sacramental requirement implying among other things that the "fullness" of ministry lies in the bishop, the question of the gospel and Christian freedom described earlier would come into play.

Is the idea of an evangelical episcopate a contradiction in terms? It is clear, on the one hand, that the versions of the historic episcopate embraced by Anglicans, Roman Catholics, and the Orthodox are not compatible with the notion and practice of Christian freedom implied by the doctrine of justification by faith alone. The claim that a historic episcopate is necessary to the being of the church—whether to its being as such (*esse*), to its well-being (*bene esse*), or to its full being (*plene esse*)—effectively adds an element to the definition of the church foreign to the Lutheran Confessions and, indeed, makes of the historic episcopate a requirement of the kind specifically rejected by the Reformers and Confessors. In this matter Lutherans think the claims of gospel truth take precedence over the legitimate desire to manifest the visible unity of the church.

Lutheran theology and historical practice, on the other hand, make ample room for the function of oversight in the church. The theological and historical traditions of the Lutheran churches implicitly and explicitly recognize the need for leadership beyond the bounds of local congregations and grant the church a broadly construed freedom to provide for that leadership or *episkopé*. The Lutheran Confessions envision overseers of the church, evangelical bishops who are first and primarily evangelical pastors, who assume a role of wider leadership which may be defined differently by the people of the church in a variety of times and places.

The fundamental Lutheran argument, that the ungodly are justified by faith alone, implies, however, an even broader freedom than most Lutherans have yet appropriated. Authentic bishops, Lutheran theology suggests, will be men and women of God who lead the church in a way appropriate to the times and places in which they find themselves. They will need no other mandate than that already provided for them by the Scripture, the Confessions of their church, and the call of the Christians they are summoned to lead. That is what the Lutheran tradition means by "real bishops," and in this sense there can be a truly evangelical episcopate. Indeed, such an episcopate is desperately needed.

#### NOTES

1. See further, Joseph A. Burgess, "What Is a Bishop?" *Lutheran Quarterly* 1 (new series, 1987): 307–28.
2. Jaroslav Pelikan, *Spirit Versus Structure* (New York: Harper & Row, 1968), 37.
3. George Lindbeck, "Question No. 2," in *Eucharist and Ministry*, Lutherans and Catholics in Dialogue, vol. 4, ed. Paul E. Empie and T. A. Murphy (Minneapolis: Augsburg, 1979), 58–59.
4. Robert Goesser, "Historic Episcopate and the Lutheran Confessions," *Lutheran Quarterly* 1 (new series, 1987): 214–32.
5. See Ivar Asheim and Victor R. Gold, eds., *Episcopacy in the Lutheran Church?* (Philadelphia: Fortress Press, 1970), 59–60, 117–20, 125–37, 239–40.
6. *Ibid.*, 134.
7. "Roman Catholic Church," *Churches Respond to BEM*, Faith and Order Paper, no. 144, ed. Max Thurian (Geneva: World Council of Churches, 1988), 5:26, 33.
8. "Ecumenical Patriarchate of Constantinople," *Churches Respond to BEM*, Faith and Order Paper, no. 135, ed. Max Thurian (Geneva: World Council of Churches, 1987), 4:4.
9. E. L. Mascall, *The Recovery of Unity: A Theological Approach* (London: Longmans, Green & Co., 1958), 159–60.
10. *The COCU Consensus: In Quest of a Church of Christ Uniting*, ed. G. F. Moede (Baltimore: Consultation on Church Union, 1984), #48.
11. Mascall, *The Recovery of Unity*, 153–69.
12. B. J. Verkamp, *The Indifferent Mean: Adiaphoron in the English Reformation to 1544* (Athens, Ohio, and Detroit: Ohio and Wayne State University Presses, 1977).
13. Orthodox-Roman Catholic Bilateral Consultation, "The Principle of Economy: A Joint Statement," in *Building Unity*, Ecumenical Documents 4, ed. J. Burgess and J. Gros (New York and Mahwah, N.J.: Paulist Press, 1989), 334.

14. Werner G. Kümmel, *Introduction to the New Testament* (Nashville and New York: Abingdon Press, 1973), 503.
15. *Papal Primacy and the Universal Church*, Lutherans and Catholic in Dialogue, vol. 5, ed. Paul E. Empie and T. A. Murphy (Minneapolis: Augsburg Publishing House, 1974), 210: #28.
16. Peter Moore, "The Anglican Episcopate: Its Strengths and Limitations," in *Bishops: But What Kind?* ed. Peter Moore (London: SPCK, 1982), 123.
17. J. Heubach, "Ordination: III. Rechtsgeschichtlich und rechtlich," in *Religion in Geschichte und Gegenwart*, 3d ed. (Tübingen: J. C. B. Mohr, 1960), 4:1674.
18. *The Ministry of the Church: A Lutheran Understanding* (New York: Division of Theological Studies, Lutheran Council in the U.S.A., 1974), 6.
19. F. Lau, "Beruf. III. Christentum und Beruf," in *Religion in Geschichte und Gegenwart* 1:1078–79.
20. Lindbeck, "Question No. 2," 58.
21. Moore, "The Anglican Episcopate," 132–33. Emphasis in text.