



# **The Old Ministry Debate in the Synods of the Synodical Conference**

## **And in the ELS Today**

**Rolf Preus, September 23, 2005**

The topic assigned to me is quite timely. The Evangelical Lutheran Synod has been engaged in a debate about the ministry for some time. The Doctrine Committee of the ELS prepared a document several years ago that was debated, amended, brought to the 2001 convention of the synod, tabled, brought to the 2002 convention of the synod, and rejected. The DC Theses, as the document was known, was acknowledged by all to represent the teaching of the Wisconsin Synod. It would be a mistake, however, to assume that its rejection was a rejection of the Wisconsin doctrine by the ELS. The ELS was not prepared to embrace as her own confession the official position of the Wisconsin Synod, but she was not prepared to express official disagreement with the Wisconsin Synod position either. Shortly after the 2002 convention, the newly elected president of the ELS, the Rev. John Moldstad, Jr., appointed a committee of six men to produce a new statement. The Presidium's Committee on Ministry, or PCM, was made up of both supporters and opponents of the DC Theses that had just been rejected. The first draft of the PCM document, called "The Public Ministry of the Word," was produced in May of 2004. After discussion at the General Pastoral Conference the following October, it was revised and a second and final draft was produced in February of 2005 and proposed for adoption at the synodical convention in June. After vigorous debate, the document was adopted by a 62% majority with fourteen pastors and nine laymen recording their negative votes.

The ministry debate in the synods of the Synodical Conference is not exactly the same debate in which we are presently engaged in the ELS. But the Synodical Conference debate did establish certain points of controversy that we in our day have been unable to overcome. Therefore it will be necessary to review the old Synodical Conference debate in order to understand what we are arguing about today.

### **Synodical Conference Debate on Church and Ministry**

The beginning of the controversy is usually traced back to the so-called Cincinnati case of 1899. A member of a Missouri Synod congregation in Cincinnati who sent his son to the public school in order to learn English was excommunicated for not sending his son to the congregation's parochial school. Officials in the Missouri Synod responded to what they considered an unscriptural excommunication by suspending the congregation and her pastors. The congregation applied for membership in the Wisconsin Synod and was refused, but some Wisconsin Synod congregations practiced fellowship with the congregation. This raised questions and controversy. Was a suspension an excommunication? Everyone

agreed that the keys belonged to the local congregation. Did the keys also belong to a synod? Could a synod excommunicate someone? Or was the authority to bind and to loose given exclusively to the local congregation?

The church and ministry debate between the Wisconsin Synod and the Missouri Synod during the first decades of the 20<sup>th</sup> century was a debate about both form and substance. Wisconsin argued that God had not established in the Scriptures that the church or her ministry should assume any particular form. The local congregation and the pastoral office were the most commonly recognized forms of church and ministry but were by no means the only forms that the church and ministry could take. It was unbiblical and legalistic to insist that this or that form of church and ministry was divinely fixed. Missouri argued that God had instituted the local congregation and the pastorate of the local congregation. There was no divine command to establish or join a synod. To insist, as Wisconsin did, that the synod was a church in the same sense that the local congregation was a church was to treat a human institution as if it were a divine institution. The Wisconsin Synod argued that whenever and wherever Christians gathered around the word of God there the church must be and that to insist that the church and ministry assume a particular form before it can rightly be called church and ministry is to elevate form above substance.

Both sides argued that their position agreed with Article VII of the Augsburg Confession which states: "The church is the assembly of saints in which the Gospel is taught purely and the sacraments are administered rightly." What kind of visible group should be regarded as church? The Missourians argued that the only visible group that is to be called a church is the local congregation because the local congregation is, by definition, where the gospel is preached and the sacraments are administered. Christ has instituted the full use of the means of grace and this is what marks the church. Missouri appealed to AC VII and asked where the gospel is purely taught and the sacraments rightly administered. The answer was clear. It was in the local congregation. Therefore, the local congregation – nothing more and nothing less – is what Lutherans confess as the church in a visible sense.

Wisconsin argued that the point of AC VII is not to prescribe any external structure or form but to teach that the actual preaching of the gospel and administration of the sacraments will establish and identify the church. Indeed, wherever and whenever the gospel is purely proclaimed the church will be present regardless of whatever form it may assume. While the local congregation is the primary and most obvious manifestation of the church, we may not ascribe to it a character that would imply that the form of the church in some way determines the efficacy of the means of grace. The word creates the church. The church does not create the word. Therefore, we must not define the church in such a way as to suggest that the word could be present while the church is not.

### **The Wauwatosa Gospel**

The three most influential men of the Wisconsin Synod during the church and ministry debates with the Missouri Synod were the so-called Wauwatosa theologians: J. P. Koehler,

John Schaller, and August Pieper. The Wauwatosa Gospel advanced by these men emphasized evangelical freedom. Opposing what they considered to be encroaching legalism within the Synodical Conference,<sup>[1]</sup> they argued against looking for external divine mandates for the church and her ministry in the Scriptures. Instead, they spoke of the Holy Spirit's internal movement through the faith of the Christians by the power of the gospel. Wisconsin Synod Pastor Peter Prange summarizes the Wauwatosa understanding of the divine institution of the public ministry when he writes, "In other words, all forms of the gospel ministry *are* divinely instituted, that is, set in motion by the Holy Spirit working in the hearts of believers through faith in the gospel."<sup>[2]</sup>

August Pieper saw the ongoing debate about the church and ministry as a continuation of Luther's debate with Rome. Rome advocated externalism; Luther inwardness. Rome promoted mediacy; Luther immediacy. Rome favored the outward and legalistic while Luther favored the inward and evangelical.<sup>[3]</sup> In his opposition to a divinely mandated permanent external form of ministry for the church, August Pieper appealed to Luther's famous words in his letter to the Christians in Prague in which he argued that there is no function of the public ministry that does not belong to every individual Christian. Luther was arguing not for a private or individual use of the keys in contrast to a public use of the keys but rather that the office in its entirety and everything pertaining to it belonged immediately to all Christians and to every Christian. This was the foundation of his argument that the Christians in Prague did not need to accept pastors ordained by papist bishops. The ministry belonged to the Christians and as Christians they had the right to call ministers who would preach the pure gospel by which sinners are justified through faith.<sup>[4]</sup> August Pieper understood Luther to be teaching that the only office in the church is the spiritual priesthood and that the public ministry is only another "phase" of the universal priesthood. Here is how he interpreted Walther on this point.

When Dr. Walther then says in his first thesis on the Office of the Ministry: "The holy office of the ministry or pastoral office is a different office from the priestly office which all Christians have," this dare not be misunderstood in this way as if it should have other functions than the spiritual priesthood; its difference rather lies merely in "a different use" of the same priestly office, solely in this that it is carried out in the name of, or with the consent of, all the other priests that are involved.<sup>[5]</sup>

This virtual identification of the preaching office with the priestly office of all Christians was advanced as well by John Schaller who argued that the divine institution of the New Testament ministry consists in the fact that God regenerates people, making them Christians. All true Christians are preachers of the gospel, not only potentially, but as a matter of fact.<sup>[6]</sup> The Wauwatosa theologians believed that to teach the divine institution of any external form of an office promoted legalism. The public ministry of the Word consists in the delegation of duties belonging to the private ministry of every Christian.

Through the lens of their concerns about inner and immediate evangelical freedom, we can understand what drove the Wauwatosa theologians. The heart of the Wauwatosa Gospel is

evangelical freedom. This means there can be no legalistically mandated forms of gospel ministry. The gospel creates and establishes its own forms. The official doctrine of the Wisconsin Synod on the ministry well summarizes the Wauwatosa teaching on this matter.

The specific forms in which Christians establish the public ministry have not been prescribed by the Lord to His New Testament Church. It is the Holy Spirit who through the gift of their common faith leads the believers to establish the adequate and wholesome forms which fit every circumstance, situation, and need.<sup>[7]</sup>

### **Setting the Stage for the ELS Debate**

Three things should be noted about the Missouri / Wisconsin debate about church and ministry. First, it was an intramural battle between the heirs of Walther's theology. Missourians argued that it was Wisconsin that broke with Walther. Wisconsin theologians were frankly critical of Walther's theological method and that of their own Adolf Hoenecke, rejecting what they called "father's theology" in favor of an allegedly more biblical approach relying on original exegesis of biblical texts. Theologians from Wisconsin argued that Missouri had calcified Walther's theology into something far more rigid than Walther ever intended. They attempted to show that Walther recognized different forms of the ministry than the parish pastorate and that he considered the synod to be church. Wisconsin interprets Walther's theses on church and ministry somewhat differently than Missouri does.<sup>[8]</sup> It may be that at least some of the debate between Missouri and Wisconsin came about because of certain tensions within Walther's theology.

A second point to note is that the debate about the office of the ministry was largely subsumed under the debate about the form of the church. It is our generation that is arguing primarily about the ministry. The debate about whether or not the parish pastorate was the one divinely fixed form of the ministry of the word was therefore a debate as well about whether or not the local congregation was the one divinely fixed form of the church. The two issues were inseparable. There can be no ministry without the church. On that everyone agreed. If the local congregation is specifically instituted by God in contrast to every other gathering of Christians, then the pastorate of the local congregation is specifically instituted by God in contrast to any other form of office.

A third point is that neither side in the debate appealed to the words Jesus spoke to His apostles as recorded in Matthew 28, Mark 16, and John 20 as constituting the divine institution of any particular office. Instead, they argued over the meaning and application of passages that dealt more with the transmission of the office than with its institution. This is one reason why the debate went on and on without any resolution and why it remains so difficult for us in the ELS to resolve. Finding themselves locked in a debate about how the office is transmitted, they neglected to ground its institution in the words of the Lord Jesus Christ who established the office in the first place.

We distinguish between the divine institution of the preaching office and the divine call to the preaching office. The divine institution was then. The divine call is now. But when the Lord Jesus sent out His first ministers the divine institution and the divine call were one and the same thing. He sent out His first ministers as recorded in Matthew 28, Mark 16, and John 20. He told them to preach the gospel and administer the sacraments. That's what they did. That's what Christ's ministers have been doing ever since. Whenever God entrusts this office to a man He says to that minister what He said to the original ministers.

Consider an analogy. The baptism with which we are baptized takes place at a specific time and place that is separated by time and space from Christ's baptism, passion, death, and resurrection. Yet we know and we confess that our baptism joins us in a mystical union with Christ in which time and space have been transcended. Likewise, we distinguish between the divine institution of the office then and there and the call into the office here and now but we cannot separate them. The call into the office here and now simply has no validity apart from the divine institution of the office then and there. To break the organic connection between Holy Baptism and Christ's passion and resurrection is to rob baptism of its power. Similarly, to speak of a divine call into the ministry of the word is meaningless unless the call that is extended through the church here and now is the same call extended directly by Jesus then and there.

It was the Wisconsin Synod's Adolf Hoenecke who, among the Synodical Conference fathers, most clearly recognized this. He wrote, "The ordinary preaching office is the continuation of the extraordinary apostolic office, a continuation God himself wants. It is of divine institution in and with the apostolic office."<sup>[9]</sup> Wilhelm Loehe also recognized this Christological foundation of the pastoral office. But then Loehe also held to what Walther and the Synodical Conference considered a "Romanizing" view of ordination.

Here is where a certain reaction set in. A theological argument must be grounded in the Holy Scriptures. Texts from the Bible are cited to prove what needs to be proved. When certain texts are repeatedly applied in a certain way to make a particular theological argument an exegetical tradition is born. That tradition often becomes as normative for the church as the Bible itself, perhaps even more so. This is what happened to the heirs of Walther's theology in both the Missouri and Wisconsin synods. Texts to which the Lutheran Confessions appeal to teach the divine institution of the pastoral office were no longer used to prove the divine institution of the pastoral office but to prove instead that God gave the means of grace to the whole church.<sup>[10]</sup> The attempt to safeguard the teaching that the office belonged to the whole church resulted in undercutting the biblical foundation for the office itself.

Consider how the Lutheran Confessions apply Christ's words to His apostles as recorded in Matthew 28:18-20; Mark 16:15-16; and John 20:21-23. The Confessions never appeal to these texts to refer to what a layman does. These texts are cited to show the divine institution of the concrete pastoral office. These texts are also cited in ordination rites of the church to

show the divinely assigned duties of the pastoral office. Let us consider just one confessional citation. We read in Augsburg Confession, Art XXVIII, par. 5-7:

But this is their opinion, that the power of the Keys, or the power of the bishops, according to the Gospel, is a power or commandment of God, to preach the Gospel, to remit and retain sins, and to administer Sacraments. For with this commandment Christ sends forth His Apostles, John 20, 21 sqq.: As My Father hath sent Me, even so send I you. Receive ye the Holy Ghost. Whosoever sins ye remit, they are remitted unto them; and whosoever sins ye retain, they are retained. Mark 16, 15: Go preach the Gospel to every creature.[\[11\]](#)

Notice that the power of the bishops or pastors is joined to the commandment Christ gave to the apostles. Implicit throughout the Treatise on the Power and Primacy of the Pope is that the apostles were the first pastors of the church. Melancthon assumes as much as he cites such texts as John 20 and Matthew 28 to refer to both apostles and pastors.

Both Luther and Walther insisted that the preaching office belonged to the whole church and not only to the preachers and that it was transmitted by God through the church and not only by the preachers. Both men also affirmed the divine institution of the pastoral office and found its divine institution in Christ's sending out of the apostles as the first Christian preachers.

But when Missourians argued with Wisconsin about the divine institution of the pastoral office they did not appeal to the texts that recount its divine institution. How could they? Those texts had already been interpreted to refer to Christ giving the means of grace to all Christians in opposition to the Romanizing Lutherans who denied that the office belonged immediately to the believers.[\[12\]](#) Instead, Missourians argued from texts that assumed the divine institution of the office but did not actually establish it. Such passages as Acts 20:28, 1 Timothy 3:1-7, Titus 1:5-9 teach that there were pastors who fed the flock with God's word and who were put into office by the Holy Spirit through the church but do these texts record for us a specific divinely instituted form that the office must take? Wisconsin argued no. John Schaller argued that the requirements set forth in the Bible for the office of bishop no more prove the divine institution of that office than St. Paul's commands concerning the treatment and behavior of slaves prove the divine institution of slavery.[\[13\]](#) The Missourians were always at a disadvantage exegetically because the best texts to prove the divine institution of the pastoral office as the "divinely fixed form" of the office could not be used since both sides appealed to these texts to prove that the ministry belonged immediately to the priesthood of believers.[\[14\]](#)

The polemical context of the nineteenth century debates with the Romanizing Lutherans hampered Missourians in their debate with Wisconsin during the twentieth century. By neglecting the texts that prove the divine institution of the pastoral office the Missourians were forced to rely on such texts as Acts 14:23; Acts 20:28, Ephesians 4:11, and Titus 1:5. These texts teach the divinity of the call and the need for the pastoral office. They don't deal specifically with the divine institution of the pastoral office, however. In order that the divine

institution and divine call be properly joined, these texts should be understood as further commentary on the meaning of the divine institution of the pastoral office by Christ as recorded for us by Saints Matthew, Mark, and John. In this way the divine institution in the then and there and the divine call in the here and now will be in agreement.

The point of controversy between Missouri and Wisconsin is often stated in terms of forms. Missouri insists on divinely fixed forms of both church and ministry while Wisconsin insists that evangelical freedom prohibits any such legalistic imposition. But all this talk about forms simply obscures the real issue. The more fundamental question is whether or not the Lord Jesus instituted a concrete office of preaching the gospel and administering the sacraments when He sent out the original apostles with instructions to preach the gospel and administer the sacraments. And if we deny that He did, are we not denying that there is in the Scriptures a divine institution of any office at all? What is a divine institution? Is it something clearly described in the words of the Holy Scriptures? If so, whatever that is will be fixed according to how it is set forth in the written Word of God. But if a divine institution is something that the Holy Spirit may or may not lead the believers through their common faith to establish, then whatever it is will change according to the needs of the church. Does Jesus form the divinely instituted office of the ministry in words recorded for us in the Bible? Or does the church, guided by the Holy Spirit through the gospel, determine the forms it will take?

If it is Jesus who instituted a concrete office the incumbents of which are given by God the responsibility of preaching the gospel and administering the sacraments then this must be a gospel institution. To insist on teaching the divine institution of this form of an office is no more legalistic than to insist on baptizing babies. We baptize babies for evangelical, not legalistic, reasons. Yet Christ commands us to baptize. The *mandatum Dei* on which the divine institution of the pastoral office is based is not legalistic. Jesus did not institute a ministry of death but a ministry of reconciliation. If Jesus did institute specifically and exclusively the pastoral office then it must have been for evangelical reasons.

### **Church and Office in the Norwegian Synod**

The ELS was formed in 1918 as the remnant of the Norwegian Synod that remained loyal to the doctrine of the Norwegian Synod after that church body merged into oblivion in 1917. The old Norwegian Synod and the new "Little Norwegian Synod" (today known as the Evangelical Lutheran Synod or ELS) did not participate in the Missouri / Wisconsin debates on church and ministry. They were too busy debating the doctrine of election. There is no question that the Norwegian Synod stood with Walther. Herman Amberg Preus, who served as president of the Norwegian Synod during most of the time Walther was president of the Missouri Synod, repeatedly praised Walther's salutary influence on the Norwegian Synod precisely in the area of church and ministry.<sup>[15]</sup> Preus taught the divine institution specifically of the local congregation and the pastorate of the local congregation.<sup>[16]</sup> When the Norwegian Synod took a stand against lay preachers and in defense of Article XIV of the Augsburg Confession,



she produced in 1862 seven theses on lay preaching which, among other things, identified the office of divine institution as the pastoral office.[\[17\]](#) The Catechism in use in the Norwegian Synod when the little Norwegian Synod was formed identified those with the call of AC XIV as ordained pastors.[\[18\]](#)

### **Missouri and Wisconsin in the ELS**

Prior to the breakup of the Synodical Conference over the doctrine of church fellowship, the ELS had had close ties to Missouri ever since her founding in 1918. Their pastors were mostly educated at Concordia Seminary in St. Louis. Since the suspension of fellowship with Missouri in 1955 the ELS has taken in a steady stream of conservative Missourians. Presently over a quarter of the ministerium of the synod attended Missouri Synod seminaries, far more than have attended Wisconsin Synod seminaries. Within the ELS over the years there have been advocates of the Missouri view, the Wisconsin view, and a combination of both. In 1946 Pastor George Lillegaard prepared a dozen theses for discussion in the synod in which he took issue with the Missouri position that only parish pastors were in the office of divine institution. His position was not purely Wisconsin either, however.[\[19\]](#) Professor Milton Otto, who served at Bethany Seminary for many years and taught a good portion of the ministerium of the ELS, was a strong adherent of the Missouri position. The Gullixsons were Missouri. The Harstads were both. Within some families, brothers would take opposite sides in the debate. While the debate was sometimes quite heated, the differences were never considered to be differences in doctrine. Until about a decade ago the President of the ELS would describe the synod to prospective members as “old Missouri.” Both the Wisconsin and Missouri positions were welcome in the ELS. The divide between the two positions was not considered divisive of fellowship.

It was not considered divisive of fellowship in the Missouri Synod, either. Paul Zimmerman, who served as president of Concordia Lutheran Junior College in Ann Arbor, as president of Concordia Teachers College in River Forest, and as the chairman of LCMS President Jack Preus' fact finding committee that investigated the theology of Concordia Seminary in St. Louis during the Tietjen administration, was a strong proponent of the Wisconsin position and openly advocated it.[\[20\]](#)

### **The Missouri / Wisconsin Divide Deepens**

In recent years the Missouri Synod and the Wisconsin Synod have moved further apart on this issue. After the suspension of John Tietjen as president of Concordia Seminary in 1974 and the subsequent faculty walk out when ninety percent of the faculty went on strike, were fired, and formed a rival seminary in this city, Missouri's premier institution was shaken and with it Missouri's theological tradition. The post-Seminex generation of pastors in Missouri increasingly saw their theological roots, not primarily within Missouri's tradition, but in the Confessions and Lutheran orthodoxy. The apostolic, that is, the Christological foundation of

the preaching office was rediscovered. Meanwhile the Wisconsin Synod has been refining her position increasingly in ways that bring out the logical implications of the Wauwatosa Gospel. For example, several prominent WELS theologians have recently stated that there is nothing in the Scriptures to forbid ordaining women as pastors. Since the Bible doesn't teach the divine institution of any form of office the Bible cannot define the duties of any particular form of office. What the Bible can do is provide principles that the church must apply. The principles in regard to the ministry of women in the church are that women may not teach men and women may not have authority over men. But there is nothing unbiblical about ordaining women as pastors. They would simply have to serve in such a way as to avoid having authority over men and teaching men. Professor John Brug, one of the leading theologians in the Wisconsin Synod today, writes:

A serious shortcoming of many studies of this question, especially those originating in the LCMS, is to focus too much on the office of pastor or elder. Scripture does not say that a woman should not be ordained or that she should not be a pastor or an elder. It does say that she should be submissive and that she should be silent in the church and should not teach or have authority over a man.[\[21\]](#)

Brug goes on to say:

The Lord's Supper likewise is normally administered by the pastor of a congregation. Therefore it would not normally be administered by a woman. It is conceivable that it might be administered by a woman in a congregation which consisted entirely of women, such as a convent.[\[22\]](#)

Brug's opinion has found expression elsewhere in the Wisconsin Synod in recent years. Pastor Daniel Leyrer has written that "wherever authority over men is not an issue, the office of pastor would be open to women. . . There would be nothing unscriptural about a woman serving as a pastor or chaplain in an all woman situation, such as a woman's crisis center or penitentiary."[\[23\]](#) More recently, WELS Pastor Nathan Pope of Racine, Wisconsin, has written a book, Feminism, in which he restates Professor Brug's position that a woman could serve as a pastor if she did not have authority over men. Pope writes:

Would that mean that a woman could commune another woman in a parish, provided that she did so under the auspices or supervision of a male pastor? Yes. Could that ever happen? Perhaps, if the parish is too large for one pastor to handle, the church may assign the pastor a deaconess who would assist him in ministering to elderly women."[\[24\]](#)

The argument is that since there is no biblically defined office of pastor it is biblical for women to serve as pastors of women including consecrating and distributing the elements in a celebration of the Lord's Supper. This view has been met with strong opposition within the ELS. Several congregations memorialized the synod at last June's convention to condemn

this as false doctrine. After debating whether to condemn this in convention or to refer the matter to the synod's Doctrine Committee it was referred by one vote.

The matter of woman serving as pastors to women and administering the Lord's Supper brings into bold relief implications of the Wisconsin Synod doctrine of the public ministry that have not always been apparent.

### **The Point of Controversy**

There are two mutually exclusive definitions of the office of divine institution. One identifies it with the pastoral office. The pastoral office may be defined strictly to refer exclusively to the parish pastorate. It may be defined more broadly to refer to the office of preaching the gospel and administering the sacraments whether or not the incumbent is serving a specific local congregation. In either case, the office is a concrete office whose incumbents are given by God the responsibility of preaching the gospel and administering the sacraments. By human right incumbents of this office may specialize in this or that essential duty of the office (as do, for example, missionaries, chaplains, and theological professors), but by divine right all incumbents of the office are given the responsibility of doing what Jesus told His original ministers to do: to preach the gospel, forgive and retain sins, and administer the sacraments.

The other definition of the office of divine institution is that it is not a specific or concrete office. It is a genus or category of offices. It includes any office in which God's word is taught on behalf of the church. According to this definition the pastoral office is divinely instituted but so is every form of office in which the word of God is taught and/or the sacraments are administered on behalf of the church.

This definition was what underlay the Theses of the Doctrine Committee of the ELS that were rejected by the 2002 ELS convention. President Gaylin Schmeling of Bethany Lutheran Seminary in Mankato and chairman of the synodical Doctrine Committee was the primary author of the DC Theses. He defined the public ministry as "any use of the means of grace on behalf of the church and in the name and stead of Christ." The DC Theses represented the Wisconsin Synod teaching on the ministry. In deference to those within the ELS who believed in the specific divine institution of the pastoral office the document did say that "a form like the pastoral office is indispensable to the church." Efforts to change the words "a form like the pastoral office" to "the pastoral office" were unsuccessful. To say that the pastoral office is indispensable to the church would suggest that the pastoral office is specifically divinely instituted and that would contradict the Wisconsin teaching.

In rejecting the DC Theses, the ELS was not condemning them. It was saying that they were too one-sided. They failed adequately to harmonize the various views held within the ELS. But then how could a statement harmonize two mutually exclusive definitions of the divinely instituted office? Is the office of divine institution a specific office, a species of office, the pastoral office? Or is the office of divine institution a general category of offices, a genus in

which there are many species, with the pastoral office being only the most comprehensive form of office but no more divinely instituted than any other form? It would seem that no doctrinal statement could possibly affirm both sides in this debate.

But the document that was adopted at the June 2005 convention of the ELS did precisely that. "The Public Ministry of the Word," (the PCM document) teaches the Wisconsin position that the entire genus of offices that use the means of grace on behalf of the church is divinely instituted. It teaches the Missouri position that the pastoral office is divinely mandated. It defines the pastoral office to include both the parish pastorate as well as specialized offices whose incumbents are qualified to exercise a full use of the keys. Other offices that exercise what the document calls a "limited public use of the keys" are divinely instituted, but not divinely mandated. Such offices include the office of Christian Day School teacher whose incumbents teach God's word to the children. Since the CDS teacher teaches God's word on behalf of the church he or she is "in" the divinely instituted ministry of the word and should receive a divine call in accordance with Romans 10:15 and Augsburg Confession, Article XIV. It is by human right that the office of CDS teacher is established. The church establishes this office in her freedom to do those things that are neither commanded nor forbidden by God's word. But it is by divine right that CDS teachers do their work on behalf of the Christians through whom the call has come.

### **The "Divine Call" for the Parochial School Teacher**

The so called "divine call" for parochial school teachers has never received unanimous endorsement within the Missouri Synod tradition.<sup>[25]</sup> The Wisconsin doctrine, on the other hand, requires it. Since the public office is by definition any use of the means of grace on behalf of the church, anyone who teaches God's word on behalf of the church is in the public ministry of the word and must receive a divine call according to Romans 10:15 and AC XIV. The ELS tradition is by no means unanimous, but the view that a parochial school teacher should receive a divine call has a synodical pedigree going back into the Norwegian Synod. The Norwegian Synod and subsequently the ELS received this tradition from Missouri. When Missourians taught the divine call for the parochial school teacher they did so by joining that office to the pastoral office and making the teacher of children in effect an assistant to the pastor, taking over a part of the pastor's office under his oversight. Since the pastor was required by his office to teach the lambs of the flock (John 21:15) this portion of his divinely instituted office could be delegated to a teacher while the pastor would retain responsibility for it.<sup>[26]</sup>

The PCM document takes the Wisconsin position on the "divine call" of the parochial schoolteacher. Instead of extracting the office of parochial schoolteacher from the pastoral office, both the pastoral office and the office of parochial school teacher become species of the same genus. The genus is "the public use of the keys." As the document states, "This public use of the keys is the Public Ministry of the Word." Those who "preside over the

churches” must have the scriptural qualifications for a “full use of the keys.” A presiding office is indispensable for the church. The genus also includes offices that exercise a “limited public use of the keys.” This is a reference primarily to the office of parochial school teacher. What necessitates the divine call is not that one holds a specific position in the church that is of divine origin, but that one is using the keys on behalf of the church.

### **“Beefed Up Wauwatosa”**

Key to an understanding of the PCM Theses is that the office of divine institution may not be identified with any species of office. This is the essence of the Wisconsin position. After reading the original draft of the PCM document, one synodical wit opined that they were “beefed up Wauwatosa.” The Wisconsin definition of the office was adopted, but the pastoral office was mandated. The document was revised to include language about the ministry in a narrower sense and the ministry in a wider sense. The divinely mandated pastoral office that carries out a full use of the keys is the ministry in the narrower sense while the ministry in the wider sense includes offices that carry out a “limited public use of the keys.” It was revised further at the convention as efforts continued to change that document so that it no longer taught the divine institution of a “limited use of the keys.”[\[27\]](#)

It is only fair to point out that several ELS pastors who opposed the DC Theses but supported the PCM Theses (even if they would have preferred not to adopt them so quickly) argued and still argue that the PCM document does not teach the divine institution of a limited public use of the keys. They argue that since the limited use offices are not mandated but rather established in Christian freedom they are not divinely instituted. This argument applies a traditional Lutheran definition of a divine institution to a document that has adopted the Wauwatosa definition of a divine institution. Traditionally Lutherans have identified the divine mandate with the divine institution. What is neither commanded nor forbidden in Scripture is not divinely instituted. This document, however, clearly teaches the divine institution of offices that are neither commanded nor forbidden by God. This is in accord with the Wauwatosa Gospel that all offices in which the word of God is taught on behalf of the church are divinely instituted because the divine institution does not pertain to any particular form of the office. The PCM document puts it this way: “It is by human right that the church separates a limited portion of the office to one individual. But it is by divine right that one exercises that work on behalf of the Christians through whom the call has come.”

Two things go together: the divine call of the parochial schoolteacher and the divine institution of a limited public use of the keys. While it is unlikely that the Synodical Conference fathers could have envisioned the evolution that has taken place with respect to the so called “divine call” of a parochial school teacher, the logic of its evolution is inescapable. How can you have a divine call to an office that is not divinely instituted? If we are issuing “divine calls” to schoolteachers such a practice will sooner or later necessitate the teaching that the schoolteacher is in the divinely instituted office. The logic of divine call and divine institution

being joined together is too powerful to ignore. The divine call of the schoolteacher drives the doctrine. Since they have divine calls they are “in” the public ministry of the word and since they are not “in” the pastoral office we must define the public ministry of the word as being broader than the pastoral office. This is what has happened.

The “divine call” for the parochial school teacher is a tradition based on a doctrinal deduction that has been set aside. No longer extracted from the divinely instituted pastoral office, we need to find a biblical foundation for it. But there is none.<sup>[28]</sup> In explaining the limited public use of the keys the PCM Theses assert:

The extent to which one is authorized by the call of the church to exercise the keys publicly is the extent to which one is in the Public Ministry of the Word. Authorization to exercise a limited part of the Public Ministry of the Word does not imply authorization to exercise all or other parts of it (1 Corinthians 12:5,28, Romans 12:6-8, Philippians 1:1, 1 Timothy 3:8, 5:17).

These texts allegedly address the matter of the church calling someone to exercise a limited part of the public ministry of the Word but none of them does. Nowhere does the New Testament speak of the church assigning the responsibility of teaching God’s word to someone who is forbidden to preside over the congregation, preach publicly, and administer the sacraments. What the specific duties of the deacons were is uncertain, but the Scriptures nowhere say that anyone taught God’s word but was not permitted to teach the entire congregation. Simply put, the very concept of a limited public use of the keys as this is set forth in the PCM document is foreign to the Scriptures. Nevertheless, these texts are cited as biblical proof that “the extent to which one is authorized by the call of the church to exercise the keys publicly is the extent to which one is in the Public Ministry of the Word.” Being “in” the Public Ministry of the Word to this or that “extent” is quite impossible if this office is the concrete office of preaching of the gospel and administering the sacraments.

Whereas the texts cited to prove a limited public use of the keys in the Bible don’t teach this, these texts do show that the Holy Spirit moves freely in giving His gifts to men. The Wauwatosa Gospel teaches that it is the evangelical activity of the Holy Spirit here and now in the hearts of Christians that constitutes the divine institution of the office in whatever form it may take. Here we see the Wauwatosa influence on the PCM document. John Schaller put it this way: “For whatever the Christian congregation decides upon to further the preaching of the gospel it does at the instigation and under the guidance of the Spirit of Jesus Christ.”<sup>[29]</sup> The PCM document puts it this way: “But it is by divine right that one exercises that work on behalf of the Christians through whom the call has come.”

What is divinely instituted is representative ministry in whatever form it may take. When I argued at the microphone during the convention against applying Romans 10:15 (“how shall they preach unless they are sent?”) to the calling of a parochial school teacher I said that nowhere in the New Testament is a woman told to preach. The President of the Synod took issue with me and cited Mark 16:15, words that were spoken to the “eleven.” But the

exegetical tradition to which we have become bound insists that this text teaches the giving of the means of grace to all Christians. The fact that nowhere in the New Testament is a woman told to preach must yield before this tradition. The fact that AC XIV refers to the call of men who are ordained and hold the concrete office of preaching the gospel and administering the sacraments must be reinterpreted to accommodate the new definition of the office.

## Conclusion

The old debate about the ministry was also a debate about the debate, whether it was a debate over doctrine or the form (if you will excuse the expression) of expressing the doctrine. Both sides in the debate teach that the gospel and the sacraments of Christ are the means by which God regenerates and justifies sinners and that God has instituted the ministry of preaching the gospel and administering the sacraments for the salvation of souls. No one denies that the parochial schoolteacher is engaged in God-ordained work. No one suggests that we should dispense with parish pastors. It has often been suggested by folks on both side of the debate that Wisconsin practices Missouri's doctrine and Missouri practices Wisconsin's doctrine. While I recorded my negative vote against the adoption of the PCM document, I nevertheless believe that if there can ever be a coming together of the two great synods of the former Synodical Conference on this vexing issue the Little Norwegian Synod – the ELS – will play an instrumental role in bringing it about. This will require setting aside the PCM document and starting over again. Finding the divine institution of the public preaching office in Christ's sending out of the eleven apostles will make a good beginning.

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[1] "Legalism Among Us" by J. P. Koehler. The Wauwatosa Theology, Volume II, Curtis A. Jahn, Editor. Northwestern Publishing House: Milwaukee, Wisconsin, 1997, pages 229-282.

[2] "The Wauwatosa Gospel and the Synodical Conference: A Generation of Pelting Rain," by Peter M. Prange. Logia: A Journal of Lutheran Theology, Volume XII, Number 2, page 43. (Emphasis in the original)

[3] "Luther's Doctrine of Church and Ministry" by August Pieper. The Wauwatosa Theology, Volume III, pages 145-147.

[4] American Edition. General Editors, Jaroslav Pelikan and Helmut T. Lehmann. Fortress Press, Philadelphia, 1958, Volume 40, pages 7-44. See also "The Office of Prophetess in the New Testament" by Rolf Preus. Feminism and the Church, John Maxfield, Editor. Luther Academy, 2003, pages 173-177.

[5] August Pieper, Wauwatosa Theology, pages 192-193.

[6] Wauwatosa Theology, Volume III, page 78.

[7] "Theses on Church and Ministry" at [www.wels.net](http://www.wels.net)

[8] “An Evaluation of Walther’s Theses on the Church and Ministry” by Carl Lawrenz, Wisconsin Lutheran Quarterly, Volume 79, Number 2, Spring 1982, pages 126-130. A frequently debated issue is the meaning of Walther’s theses on the ministry in which he appears to identify the divinely instituted preaching office with the pastoral office. The first thesis reads: “The holy ministry (German: *Das heilige Predigtamt*), or the pastoral office, is an office distinct from the priestly office, which belongs to all believers.” The second thesis reads: “The ministry (German: *Das Predigtamt*), or the pastoral office, is not a human ordinance, but an office established by God Himself.” (Dau translation) Does this mean that Walther identified the preaching office with the pastoral office? Lawrenz and the Wisconsin Synod argue that Walther did not with these words intend to identify the holy ministry with the parish pastorate as Missouri claimed. Rather, Walther was using a synecdoche. He was identifying a genus by referring to a species of it. Walther’s intent was not to say anything about forms. This is the view as well of some theologians in the ELS.

[9] Evangelical Lutheran Dogmatics, Volume IV, Adolf Hoenecke, Translated by Joel Friedrich, Paul Prange, and Bill Tachmier, Northwestern Publishing House, 1999, page 192.

[10] See as examples Francis Pieper, J. T. Mueller, the Brief Statement, the 1943 Catechism, and the 1987 Catechism.

[11] Concordia Triglotta

[12] This exegetical tradition was followed in the little Norwegian Synod as well. See Ylvisaker, The Gospels, page 780.

[13] Wauwatosa Theology III, p93

[14] After giving the paper, “Did Jesus Institute the Pastoral Office” (see christforum.org) at the 2002 Walther Conference I was accused by men in Wisconsin, Missouri, and the ELS for advocating the doctrine of Loehe because I taught that the words of Jesus to His apostles as recorded in Matthew 28, Mark 16, and John 20 constituted the divine institution of the pastoral office. Since these texts are used to prove that the ministry belongs to the whole church, to use them to prove the divine institution of the concrete pastoral office is taken as a denial that the ministry belongs to the whole church.

[15] “The Legacy of Herman Amberg Preus,” by Rolf David Preus, Lutheran Synod Quarterly, Volume 44, Number 1, page 22.

[16] Ibid, pages 28-29.

[17] Grace for Grace: Brief History of the Norwegian Synod, S. C. Ylvisaker, Editor, Lutheran Synod Book Company, Mankato, Minnesota, 1943, page 139.

[18] The 1907 Edition of the Norwegian Synod Catechism by Dr. Johann Conrad Dietrich. Part V is available at <http://ibnabraham.tripod.com/doctrine/catechismframe.html>

[19] “The Call to the Office of the Ministry” by George Lillegaard, Newton, MA, February 6, 1946)

[20] “The Lutheran School – Minister of the Church” Paul A. Zimmermann, Paul G. Grotelueschen Lecture of 1980.



[21] "Application of the Scripture Principles Concerning the Service of Women in the Church" 1990 by John F. Brug, available at [www.wels.net](http://www.wels.net).

[22] Ibid.

[23] "Women in the Church: Drawing the Line Between Truth and Tradition" 1991, by Daniel P. Leyrer, available at [www.wels.net](http://www.wels.net).

[24] Feminism, by Nathan R. Pope, Milwaukee: Northwest Publishing House, 2004, pages 242-243.

[25] Ministry in Missouri Until 1962 by John C. Wohlrabe, Jr. 1992, pages 12-13.

[26] See, for example, "The Office of a Pastor as School Overseer" by C.A.T. Selle translated by Mark Nispel from: "Das Amt des Pastors' als Schulaufseher" Evang.-Luth. Schulblatt 4 (January 1869) no. 5. This lecture, highly praised by C. F. W. Walther, received much attention during the recent debate in the ELS on the ministry. Indeed, members of the PCM said that it served as a guide as they attempted to explain the relationship between the office of parochial school teacher and the ministry of the word. However, the PCM document parts company with Selle in a significant way. It does not extract the office of parochial schoolteacher from the pastoral office as Selle did.

[27] The February 10, 2005 version of the PCM document says: "This divinely instituted Public Ministry of the Word includes both a narrower sense (a presiding office; see II A) and a wider sense (offices that have a limited public use of the keys, see II B)." This was revised at the convention to read: "This divinely instituted Public Ministry of the Word includes both a narrower and a wider sense. The narrower sense refers to a presiding office that is indispensable for the church; see II A. The wider sense refers, in addition to a presiding office, to offices having a limited public use of the keys, offices that the church, in her freedom, may establish; see II B."

[28] "Does the Bible Teach a Limited Public Use of the Keys?" by Rolf Preus [www.christforus.org](http://www.christforus.org)

[29] Wauwatosa Theology, Volume III, page 94

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