

Does the Bible Teach a Limited Public Use of the Keys?
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Northern Circuit Meeting of the Evangelical Lutheran Synod
River Heights Lutheran Church
East Grand Forks, Minnesota
April 24, 2005

Introduction: The Source and Standard of Christian Teaching

When God blesses a synod such as ours with doctrinal unity we should never stop giving thanks. Doctrinal unity is a gift from God. Yet it is gained through hard work. We don't obtain it by means of clever church politicking. It doesn't come by means of submitting to the headship of a charismatic leader. And it isn't enough that we all agree to teach the same thing. Our doctrine must be God's doctrine or our doctrinal unity is merely a wall to separate ourselves from other Christians. True doctrinal unity comes about by God's grace when we subject all of our teaching to the standard of God's written word, the Holy Scriptures. The Holy Scriptures are the only standard according to which all teaching and teachers of the church must be judged.

The Lutheran Confessions are a standard and judge of the doctrine of the church because they are drawn from and agree with the Holy Scriptures. We don't subscribe to the Confessions in addition to the Holy Scriptures. We subscribe to the Confessions because they are a faithful exposition and exhibition of the Holy Scriptures. Our commitment to the Lutheran Confessions is nothing else than a commitment to the pure teaching of the scriptural doctrine. When we are confirmed we are asked:

Do you hold all the canonical books of the Bible to be the inspired Word of God, and the doctrine of the Evangelical Lutheran Church, drawn from the Bible, as you have learned to know it from Luther's Small Catechism, to be the true and correct one?

We answer: "I do." We confess no other doctrine than that doctrine that is drawn from the Bible. The Catechism teaches nothing that the Bible did not teach before the Catechism was written.

We also respect the writings of the fathers. The early church fathers and the Lutheran fathers of the reformation era still speak to us today and insofar as they are faithful to the teaching of the Scriptures we honor their teaching. We are also heirs to the faithful teaching of many Lutheran immigrants from northern Europe who came to America in the 19th century and formed the Norwegian Synod, the Missouri Synod, the Wisconsin Synod, and other confessional Lutheran synods. Seldom has the church experienced such unity in doctrine as did our forefathers of the old Synodical Conference. This unity in doctrine could not have been achieved without a strong commitment to the Scriptures as the only source and norm of all doctrine and to the Lutheran Confessions as a correct exposition of the teaching of the Holy Scriptures.

A New Tradition: A Limited Public Use of the Keys

We are heirs to a wonderful tradition. But tradition must constantly be examined in the light of God's written word. Whereas tradition has the tendency of developing and changing over time, the Holy Scriptures and the Lutheran Confessions stay the same. This afternoon I would like to talk about a relatively new tradition that has begun to take hold among us. This tradition is set forth in the document, "The Public Ministry of the Word," produced by the Presidium's Committee on the Ministry, also known as the PCM Theses. The President and Vice President of the ELS are encouraging us to adopt this doctrinal statement as the official teaching of the ELS at this summer's convention in Mankato. Some of us are urging caution. We believe that the PCM Theses teach as biblical doctrine things that are not taught in the Bible. We have revised the PCM Theses to correct those portions of it that we believe substitute church tradition for biblical teaching.

The new tradition promoted by the PCM Theses is the assertion that God has instituted a "limited public use of the keys." We read on lines 53 – 56:

The Lord has instituted the Public Ministry of the Word. 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).

The PCM Theses here teach that the divinely instituted office includes offices that have a limited public use of the keys. Later it says that the extent to which one may exercise the keys publicly is determined by the call of the church. We read on lines 116 – 121:

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).

Neither the Bible nor the Lutheran Confessions teach us anything at all about a limited public use of the keys. When we speak of the keys we do distinguish between a strict sense and a more general sense. Strictly speaking, the office or power of the keys is the authority to forgive and retain sins. In more general terms, the power of the keys is the authority to preach the gospel and administer the sacraments. Usually, when we speak of the keys, we are talking about the binding and loosing of sins, that is, forgiving the sins of penitent sinners and retaining the sins of impenitent sinners as long as they do not repent. This was the authority that Jesus promised to give to Peter in Matthew 16:19. He said:

And I will give you the keys of the kingdom of heaven, and whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.

So that no one would misunderstand His words and assume that He was establishing some kind of a papacy, Jesus repeated His words about binding and loosing in Matthew 18:18. He said:

Assuredly I say to you, whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.

Here it is clear that Jesus gave the power of the keys to His whole church and specifically to every individual congregation, even if that congregation were made up of only two or three people. What does this binding and loosing mean? Here are the words that we have memorized from the Catechism:

What is the Office of the Keys?

The Office of the Keys is the special authority which Christ has given to His Church on earth: to forgive the sins of the penitent sinners, but to retain the sins of the impenitent sinners as long as they do not repent.

Where is this written?

The evangelist writes, John 20, 22-23: “Jesus breathed on His disciples and said to them, ‘Receive the Holy Spirit. If you forgive the sins of any, they are forgiven them; and if you retain the sins of any, they are retained.’”

If one sin is forgiven all sins are forgiven. The loosing key is not limited. If one sin is retained all sins are retained. The binding key is not limited. So when we are speaking of the keys as the power to forgive and to retain sins there is clearly no such thing as a limited use of the keys.

However, we also speak of the keys to refer to the preaching of the gospel and the administration of the sacraments. This is because the essence of all preaching and administration of the sacraments is the forgiving of the sins of the penitent sinners and the retaining of the sins of the impenitent sinners. This is clearly how the PCM Theses intend to speak. We speak this way in the Augsburg Confession:

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. This power is exercised only by teaching or preaching the Gospel and administering the Sacraments, according to their calling either to many or to individuals. For thereby are granted, not bodily, but eternal things, as eternal righteousness, the Holy Ghost, eternal life. These things cannot come but by the ministry of the Word and the Sacraments, as Paul says, Rom. 1, 16: The Gospel is the power of God unto salvation to every one that believeth. (Augsburg Confession, Article XXVIII, paragraphs 5-9)

Here the authority of the keys is identified with the authority of the bishops or pastors. Jesus sent out the apostles as the first pastors of His church and told them to preach the gospel, to forgive and retain sins, and to administer the sacraments. It is perfectly appropriate to speak of the keys as encompassing not only the forgiving and retaining of sins but also the public preaching of the Word

of God and the administration of the sacraments. Our Confessions speak this way. Our catechisms also speak this way. Missouri Synod, Wisconsin Synod, and ELS catechisms over the years have taught that Christ has given His keys to the church and that the church exercises the keys by calling pastors to preach the gospel and administer the sacraments.

But our Lutheran Confessions and our synodical catechisms have never spoken of a limited public use of the keys. More to the point, the Bible never does so. The Bible says nothing about anyone exercising a limited part of the Public Ministry of the Word. But the PCM document claims that the Bible does teach this. It goes so far as to claim that the limited public use of the keys is divinely instituted. After asserting that someone is in the divinely instituted public ministry of the word to the extent that the church authorizes him to exercise the keys publicly the PCM Theses cite a number of Bible passages. Let us examine the texts that the PCM Theses claim teach the divine institution of a limited public use of the keys.

A Limited Public Use of the Keys in the Light of Scripture

The PCM Theses list a number of Bible passages after making the claim that one is in the public ministry of the word to “the extent to which one is authorized by the call of the church to exercise the keys publicly.” The passages are: 1 Corinthians 12:5,28; Romans 12:6-8; Philippians 1:1; 1 Timothy 3:8; 1 Timothy 5:17. Let us examine each of them.

1 Corinthians 12:5, “There are differences of ministries, but the same Lord.” This text does not say that the different “ministries” are different ministries of the word in which a person is in the public ministry of the word to this or to that extent. The word “ministry” is a generic term that is used to refer to various kinds of service. It may or may not refer to the ministry of the word. There is nothing here to suggest that there is more than one ministry of the word.

1 Corinthians 12:28, “And God has appointed these in the church: first apostles, second prophets, third teachers, after that miracles, then gifts of healings, helps, administrations, varieties of tongues.” The question before us is whether or not God has instituted a limited public use of the keys for His church. The PCM Theses claim 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. This text says nothing about that. The apostles and prophets taught God’s word but they were not called by the church. They were called directly by God without the participation of the church. There is no suggestion that the teachers here mentioned were in any way constricted or limited in their teaching.

What follows in this list does not belong to the public ministry of the word. So there is nothing here to suggest a limited public use of the keys.

Romans 12:6-8, “Having then gifts differing according to the grace that is given to us, let us use them: if prophecy, let us prophesy in proportion to our faith; or ministry, let us use it in our ministering; he who teaches, in teaching; he who exhorts, in exhortation; he who gives, with liberality; he who leads, with diligence; he who shows mercy, with cheerfulness.” Again, there is nothing in these words to suggest a limited public use of the keys. The fact that God gives different gifts, some of which pertain to the public ministry of the word and some of which are only tangentially related to it, simply does not address the matter of a limited public use of the keys.

Philippians 1:1, “Paul and Timothy, bondservants of Jesus Christ, to all the saints in Christ Jesus who are in Philippi, with the bishops and deacons.” 1 Timothy 3:8, “Likewise deacons must be reverent, not double-tongued, not given to much wine, not greedy for money.” These texts say nothing about a limited public use of the keys. There is evidence that the deacons in the New Testament who served well were later placed into the public ministry of the word and sacraments. However, there is nothing in the New Testament that suggests that they engaged in a limited public use of the keys. It just isn’t there.

1 Timothy 5:17, “Let the elders who rule well be counted worthy of double honor, especially those who labor in the word and doctrine.” The elders who labor in the word and doctrine are what we today call pastors. In the New Testament they are called elders, bishops, teachers, pastors, etc. There is nothing in this text or the others to suggest that a limited public use of the keys exists in the New Testament.

The Evolution of a New Tradition

Where did the idea of a limited public use of the keys come from? The Bible does not teach it. As we have shown, the biblical texts cited to prove it do not prove it. It has been read into the Scriptures. It has not been taken out of the Scriptures. The Confessions do not teach it. Our catechisms have never taught it. How, then, did this concept develop? It certainly didn’t spring out of nowhere. I believe that this question should be addressed because I am convinced that our brothers who promote this idea are in fact deeply devoted to the Scriptures as the sole source and standard of all Christian teaching and they would not promote any doctrine that they did not sincerely believe was set forth in the Scriptures. If the texts cited above do not prove it, why do Bible believing men assert it? There

must be a logical explanation for the rising of this unbiblical tradition within a synod that has always taught that all our doctrine must be grounded in the Scriptures alone. And there is.

When the Norwegian Synod was founded some 152 years ago she had to adjust from the hierarchical type of church government of Norway to a more democratic and congregational type of church government here in the United States. The Germans who founded the Missouri and Wisconsin Synods had to make the same adjustment. In the old country, the schoolteachers were under the authority of both the church and the state because it was a state church. In America, with the separation of church and state, the Lutheran immigrants had to come up with new ways of arranging things. The congregations and the synods they formed had to take over responsibilities that, in the old country, were handled to a certain degree by servants of the state. It was an exciting and fascinating time for the church as she struggled to apply old principles to new situations, always careful to appeal to the authority of the Scriptures as she did so.

Questions quickly arose about the office of a Christian schoolteacher in America. How are we to understand this office? Everyone agreed that it derived from the office of father and mother. However, inasmuch as the schoolteacher also assisted the pastor was it not also correct to say that this office derived as well from the pastoral office? The one proposition does not contradict the other and the general consensus was that the office of Christian schoolteacher derived its authority from both the parental and pastoral offices. This was more than a merely theoretical consideration because in America the Christian schoolteacher was a servant of the local congregation. Without a state church the state no longer played a role. The congregation put the Christian schoolteacher into office.

This raised the question of the call. Lutherans had always taught that pastors were to be called and ordained. When the congregation called a man to preach the gospel and administer the sacraments in her midst it was God Himself who extended that call. This is true for two reasons. First, because God instituted the office of preaching the gospel and administering the sacraments, that is, He instituted the pastoral office. Second, because God gave this office to every Christian congregation. The office was divine. The divinely instituted office belonged to the congregation. Therefore, when the congregation called a man to be her pastor God called that man. It was a divine call.

What about the Christian schoolteacher? Should these men also receive calls? This was discussed and debated for years. How could they receive divine calls? The office of Christian schoolteacher is not divinely instituted. The Bible says nothing about it. Yes, but the pastoral office is divinely instituted. And the pastoral office requires of every pastor that he feed the whole flock including the lambs (John 21:15-17, Acts 20:28). It is the pastor's duty to teach the word of God to the children. Therefore, when the church calls a Christian schoolteacher to teach God's word to the children of the congregation she thereby entrusts to that teacher a part of the pastoral office. Naturally, the pastor remains responsible for teaching the children and so he is responsible for what the teacher teaches the children. But the Christian schoolteacher is engaged in carrying out divinely ordained duties that belong to the divinely instituted pastoral office. For this reason, it was argued, he should be called. True, God did not specifically institute the office of Christian schoolteacher, but He did specifically institute the pastoral office from which the office of Christian schoolteacher is derived. It was on account of this organic connection to the pastoral office that Christian schoolteachers were given divine calls.

This is the origin in America of the idea that a Christian schoolteacher should receive a call. Had the tradition stopped there we would not fault it. After all, it is a compelling argument that a part of a whole is as divine as the whole. But the tradition moved as traditions tend to do. During the early decades of the 20th century the tradition evolved into something different from what it had been. The organic connection between the pastoral office and the office of Christian schoolteacher was broken. A new generation of theologians arose at the Wisconsin Synod seminary in Wauwatosa who argued that God had not actually instituted the pastoral office as an office. Instead, God instituted a generic ministry of the gospel and the sacraments with the command that properly qualified people should be chosen to carry out the duties of this ministry. There was no command for any particular "form" of an office. The divinely instituted office was now any use of the means of grace on behalf of Christians. The public office came into being by means of Christians delegating their authority as Christians to individuals who would act on their behalf.

This was a radical break with the past. The Lutherans in the Norwegian, Missouri, and Wisconsin synods had always agreed that the office God instituted belonged to the church and to all Christians of the church. On that there was no debate. But they had also understood that this office was a real concrete office. It was not just a category of activities. It was a position that Christ had established in and for His church. It was a concrete office with specified duties, namely, to

preach the gospel and administer the sacraments. It was not one form among many forms but it was formed by Christ Himself when He instituted it. Therefore, when the church called men into the public ministry of the word she was not thereby forming that office. She was conferring it. It belonged to her as church, but it was instituted, formed, and fashioned by Christ Himself in His sending out of His apostles as recorded in Matthew 28, Mark 16, and John 20. This is the teaching of the Lutheran Confessions. This was also the teaching of C. F. W. Walther in the Missouri Synod, Adolf Hoenecke in the Wisconsin Synod, and H. A. Preus in the Norwegian Synod.

The new understanding of the public ministry of the word did not derive the office of Christian schoolteacher from the pastoral office. The divinity of the office of Christian schoolteacher did not come from the divinity of the pastoral office. The new tradition insisted that the Bible taught no “divinely fixed form” of an office. Instead, it taught that the Holy Spirit leads the church to establish many different forms of the office each of which is as divine as the other. What is divine, according to this new tradition, is not any particular form of the office (like the pastoral office, for example) but that those who teach God’s word do so on behalf of other Christians.

The PCM Theses and the New Tradition

The PCM Theses do not entirely embrace this new tradition. They correctly teach that God commands that the church establish the pastoral office. However, when they speak of what is divinely instituted they include both the pastoral office and offices of churchly origin. The PCM Theses do not derive the office of Christian schoolteacher from the pastoral office. They do not argue that the office of Christian schoolteacher is divine because it takes over a part of the divinely instituted pastoral office. Instead they teach that it is divine because the teachers do their work on behalf of Christians. Here we see in the PCM Theses the influence of the tradition that evolved in the Wisconsin Synod during the 20th Century. The PCM Theses state:

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.
(lines 134-137)

It was probably inevitable that the tradition would evolve as it did to become something quite different from what it was in the first place. The Germans who immigrated to America in the 19th Century were extremely careful to distinguish

between what was by divine right and what was by human right. They would not have conceived of saying that the Christian schoolteacher had a divine call unless they could connect him to a divinely instituted office. This is why they joined the Christian schoolteacher's office to the pastoral office. But in time, as we became more Americanized, what was "divine" became more and more akin to Jefferson's "deriving their just powers from the consent of the governed" and less and less in accord with the divine institution confessed in the Augsburg Confession! Such are traditions. They move. They move as the culture moves. When the tradition of the church moves the church must reexamine her tradition in light of the Scriptures and the Confessions.

The Circuit 8 Revision of the PCM Theses attempts to correct this ever evolving tradition by going back to the sound formulations of C. F. W. Walther. H. A. Preus credited Walther with having done more than anyone else to lead the Norwegian Synod to a biblically sound teaching on the doctrine of church and ministry. The Circuit 8 Revision does teach that the Christian schoolteacher teaches God's word by God's authority and assists both parents and pastors. The Circuit 8 Revision avoids speaking of taking over a "part of" the office because this language can easily be misunderstood to support the unbiblical tradition that has evolved among us.

An ongoing and quite emotional issue is the divine call for Christian schoolteachers. What does the Bible teach? Tradition within our synodical history does teach a divine call for a parochial school teacher, but, as we have seen, the tradition has moved. What does the Bible say?

Does the Bible Require the Church to Call Parochial School Teachers?

"How then shall they call on Him in whom they have not believed? And how shall they believe in Him of whom they have not heard? And how shall they hear without a preacher? And how shall they preach unless they are sent?" Romans 10:14-15a

"Of ecclesiastical order we teach that no one should publicly teach in the Church or administer the sacraments unless he is rightfully called." Augsburg Confession, Article XIV (Latin text)

"It is taught among us that nobody should publicly teach or preach or administer the sacraments in the church without a regular call." Augsburg Confession, Article XIV (German text)

The PCM Theses claim that calling men and women to teach children in parochial schools is done “in accordance with Romans 10:14-17 and Augsburg Confession XIV.” (lines 132-133) AC XIV is based on Romans 10:15. Our Lutheran fathers also cited the following texts as teaching the necessity of the call into the Ministry of the Word: Acts 14:23; 20:28; Ephesians 4:11; 1 Timothy 4:14; 2 Timothy 1:6; 2:2; and Titus 1:5. These texts refer to men who publicly preach the gospel and administer the sacraments. None of these texts refer to the activities of women. None of these texts refer to schoolteachers.

The word that is translated “preach” in Romans 10:15 is used consistently throughout the New Testament to refer to the public preaching of men. When the apostle asks, “How can they preach unless they are sent?” the word he uses for “are sent” is the verbal form of the word “apostle.” The preaching of Romans 10:15 is the public preaching of the apostles and those men who were called by God through the church to preach the apostolic gospel. The Scriptures do not use this word to refer to the teaching of children by a schoolteacher.

Sometimes we use words in a wider than literal sense. There is nothing wrong with that. We may speak of Christians “preaching” the gospel to one another when we aren’t talking about literal public preaching. But we base our doctrine on the plain sense of the biblical text. What do the Scriptures say? We don’t ask what this word might mean in another context or if this word may be used in a wider or metaphorical sense. We ask: what does this word mean here in the text where we find it? We must take Romans 10:15 as it reads without imposing our modern practices on the text in order to find biblical justification for them. The text as it reads refers to the preaching of men who, like the apostles, were sent by God to preach the gospel publicly to the whole church. It does not refer to the teaching of children in a parochial school.

AC XIV is based on Romans 10:15. AC XIV has always been used in the Lutheran Church to refer to the call of pastors into the pastoral office. The teaching mentioned in AC XIV is the teaching/preaching of the pastor. This is made clear by a comparison of the Latin and German texts. The Latin uses the word “teach” to encompass both teaching and preaching. Furthermore, the “regular call” of AC XIV includes the rite of ordination. The fact that this was the original intent is established by the fact that the Roman Catholic Church, in its Confutation of the Augsburg Confession, approved of Article XIV. It stipulated that the ordinations would have to be canonically approved and the Lutherans refused to go along, but both the Lutherans and the Roman Catholics of the time understood that AC XIV entailed ordination.

The call of a parochial school teacher is unknown in the Scriptures and the Lutheran Confessions. What is neither commanded nor forbidden by God must remain a matter of Christian freedom.

Nevertheless, there is nothing in the Scriptures to forbid the current practice of ELS congregations extending “divine calls” to Christian day school teachers. It is wrong to mandate such a practice on the basis of God word because God’s word does not require it. It is appropriate to speak of a call for a parochial school teacher in order to say that the teacher is serving both God and God’s children with God’s word. While there is nothing given to the CDS teacher to do that God does not first give to the fathers and mothers of the children to do, the CDS teacher is a minister of the church because the church has put him into the office he holds. He assists both pastors and parents in their divinely ordained duties. Therefore, while Romans 10 and AC XIV do not address the office or call of the CDS teacher, we may call parochial school teachers in accordance with the pattern established for pastors in Romans 10 and AC XIV. Preachers must be called. God’s word requires it. It is therefore a good church custom to call people to offices of churchly origin that assist the preaching office in the teaching of God’s word. The Circuit 8 Revision of the PCM Theses does not advocate changing this custom.

Divine Right and Human Right

We must always distinguish between what is by divine right and what is by human right. The pastoral office is divinely instituted. Offices of churchly origin are not divinely instituted. The written word of God determines for us what is and what is not a divine institution. A divine institution has the command and promise of God. It is wrong to teach that what the church in her divinely given freedom may do or leave undone is an institution of God. God, not the church, determines these things, and He tells us what He has determined in the clear words of the Holy Scriptures.

The PCM Theses teach that the pastoral office is commanded. But when it speaks of what is divinely instituted it includes offices that are established by human right. How can what God commands and what God does not command both be divine institutions? The divinely granted freedom to establish an office is not the same thing as the divine institution of an office. It is wrong to assert that something is a divine institution without any biblical support for the assertion. It is wrong even when tradition says it is right. Where does the Bible teach us that when one Christian does certain things “on behalf of” other Christians this is a

divine arrangement? That this is a popular tradition cannot be denied. This does not make it biblical doctrine. After the PCM Theses claim that the divinely instituted public ministry of the word includes both a narrower and a wider sense (lines 53-56), it cites a number of Bible passages. Every single one of them refers to the ministry in the narrow sense! The ministry in a wider sense is not divinely instituted.

It is one thing to teach that the church is free to establish offices that God has neither commanded nor forbidden. On that we all agree. But what is neither commanded nor forbidden is not by divine right! Parochial school teachers, Sunday school teachers, and others who serve God's children with the word of God in offices of churchly origin do divinely ordained work. This we can and should confess. What makes their work divine is that God commanded that it should be done. It is not divine simply because it is done on behalf of Christians.

The PCM Theses fail to distinguish rightly between what is by divine right and what is by human right. The ministry "of the word" is Lutheran shorthand for "the ministry of teaching the gospel and administering the sacraments." (AC V) This is the office that God instituted and that is necessary for the church of all times. The ministry in a wider sense must be sharply distinguished from the ministry of teaching the gospel and administering the sacraments. The office of deacon (which belongs to the ministry in the wider sense) was first established so that the apostles would be able to devote themselves "to prayer and to the ministry of the word." (Acts 6:4) The church may establish offices to assist the divinely instituted ministry of the word, but these offices are neither commanded nor forbidden by God. Divine institutions must have God's command. In this way we distinguish between what is by divine right and what is by human right. Walther refers to churchly created offices as "sacred ecclesiastical offices." Incumbents of such offices do sacred work but they do not hold the office of divine institution. The office they hold is by human right.

The Office of Synod President and the Pastoral Office

On line 106 of the PCM Theses we read that the synod president is an incumbent of the pastoral office. If one who holds the office of synod president is thereby an incumbent of the pastoral office then the office of synod president must require duties essential to the pastoral office. The document does well in setting forth what those duties are. It quotes from the Treatise on the Power and Primacy of the Pope (lines 74-79):

“The Gospel requires of those who preside over the churches that they preach the Gospel, remit sins, administer the sacraments, and, in addition, exercise jurisdiction, that is, excommunicate those who are guilty of notorious crimes and absolve those who repent...[T]his power belongs by divine right to all who preside over the churches, whether they are called pastors, presbyters or bishops” (Treatise 60-61).

These are the duties of those who preside over the churches. But where are these duties given to a synod president? The PCM Theses suggest that because he “supervises doctrine in the church” the synod president is an incumbent of the pastoral office. This is false. According to the Lutheran Confessions, doctrinal oversight consists by divine right in the actual teaching of God’s word. There is no episcopal authority apart from the activity of teaching/preaching the word of God. The only authority any pastor has by divine right is the authority to preach the gospel and administer the sacraments and so all pastors have equal authority (Treatise, paragraphs 7-11). The fact that one pastor is chosen to exercise oversight over many pastors is by human right, not divine right. (Treatise, paragraphs 60-65) Years ago synodical presidents served as pastors of congregations. It was unheard of to suggest that a synodical president had a divine call to serve as a synodical president. He had a divine call to serve as a pastor! The office and oversight of a synodical president is solely by human right. When a synod takes a man out of the pastoral office to exercise such oversight, the office thereby established is solely by human right. Unless the duties of the office of synod president are to preach, teach, or administer the sacraments it is false to say that this office is the office to which preaching, teaching, and administering the sacraments is entrusted.

It is true that only pastors are eligible to be elected to the office of synod president. When a pastor is elected to this office he is still ordained and fit to serve in the pastoral office. He may serve as a guest preacher in congregations of the synod. The fact remains that when the church creates an office that does not require its incumbents to do what is essential to the pastoral office to do this is an office of churchly creation and not the pastoral office of divine institution. To teach that a synodical president, solely on account of his supervisory doctrinal authority over others, holds an office of divine institution is a papistic argument. It is not necessary that a pastor regularly carry out all the duties of the office. Called and ordained missionaries, theological professors, and chaplains may not do all the duties of the office on a regular basis. They are nevertheless incumbents of the office. But, as his office is presently defined among us, a

synod president is not obligated to preach, teach, or administer the sacraments. If we want to define the office of synod president as the divinely instituted pastoral office we must assign to this office duties that are essential to the pastoral office. Otherwise we are once more confusing human right with divine right.

Defining the office of synod president as the pastoral office also raises questions about the doctrine of the call. A pastor may not be removed from office unless circumstances or the word of God require it but the synod president may be removed from office after four years when neither circumstances nor God's word requires it. If the office of synod president is the pastoral office we are extending four year "calls" that may be revoked by the bare will of 50% plus one of voters in attendance at a synodical convention. Is it right to remove a pastor from office when he is not guilty of false doctrine, scandalous life, or is unwilling or unable to carry out his duties? When we define the office of synod president as the pastoral office we undermine our Lutheran insistence on the permanence of the call into the pastoral office.

Conclusion and Recommendation

The central weakness of the PCM theses is that they fail to distinguish properly between what is by divine right and what is by human right. Several pastors of the ELS have worked together to revise the PCM theses further in order to make this distinction clear. This document is known as the Circuit 8 Revision of the PCM Theses, though pastors all across the synod have helped in its production. It stays close to the PCM Theses for the most part, but makes the necessary distinction between what is by divine right and what is by human right. It will be offered to our synod for adoption in a memorial submitted to the convention in June. Please compare the two documents to see which one best distinguishes between what is by divine right and what is by human right. While we are heirs of a wonderful tradition, we must never assert our own tradition as doctrine if it is not clearly taught in the written Word of God. As you compare the two documents, study the citations from the Scriptures. The Scriptures alone establish doctrine for the church.

Clarifying the Issues in the ELS Ministry Debate:

A Response to President John Moldstad and Professor Erling Teigen

By Pastor Rolf Preus

December 6, 2005

In documents dated October 10 and 11 2005 Professor Erling Teigen and President John Moldstad responded to the Circuit 8 Revision as well as to certain documents I have written. I would like to distinguish the Circuit 8 Revision from my personal writings, but both President Moldstad and Professor Teigen have chosen to incorporate into their response to the Circuit 8 Revision certain criticisms of what I wrote in my "Open Letter to the ELS" as well as in my paper, "[Does the Bible Teach a Limited Public Use of the Keys?](#)" The Circuit 8 Revision was a collaborative effort on the part of about a dozen ELS pastors. Those interested in understanding the rationale for the changes to the PCM document that we made should read [Pastor Joe Abrahamson's comparison document](#) on this website. That was also a collaborative effort, as Pastor Abrahamson sought the advice of several pastors as he was preparing it.

This response to President Moldstad and Professor Teigen is written in order to clarify what the point of controversy is. When people don't agree on what the argument is they will often argue past each other. One man will assign to another a position he does not hold and then proceed to refute it. Arguing against a straw man does not advance mutual understanding, clarity, or the resolution of the controversy. President Moldstad and Professor Teigen misrepresent my teaching and the teaching of the Circuit 8 Revision with respect to the private use of the keys and the pastoral office.

The Private Use of the Keys

Both President Moldstad and Professor Teigen criticize the Circuit 8 Revision for changing the language used with respect to the private use of the keys. Both suggest that we are denying to the laity certain powers that belong to them. President Moldstad writes:

The omission of the Office of the Keys as being given to and utilized not only publicly by the church but also individually in the realm of the Universal Priesthood is not in accordance with sound doctrine (p 3).

Professor Teigen writes:

To deny that the individual Christian has the power not only to forgive, but also to retain sins is serious (p 2).

And again, he writes:

To deny that the individual Christians have the right, authority, and power not only to loose, but to retain sins is a serious matter (p 3).

And again, he writes:

In any case, to deny that the believers have not only the right, but also the actual power of both the loosing key and the binding key is as wrong as it is to deny God's institution of a pastoral/presbyteral/episcopal office (p 3, emphasis in the original).

No one among us is denying that every individual Christian has the full power of the keys. My position on this matter is public and clear. In "The Office of Prophetess in the New Testament" (available on this website) I write:

The ministry belongs immediately to the church, not only collectively, but also specifically to every individual member of the church. Whoever has the Holy Spirit has the ministry. Every single believer has the Holy Spirit and so every single believer has the power to forgive sins or to retain sins.

We who altered the PCM document to produce the Circuit 8 Revision of the PCM document changed the language used on the private use of the keys in order to conform more closely to the language of the Catechism and the Confessions. Since the Confessions use the word "keys" with reference to what is official (AC XXVIII par 5) and the term "mutual conversation and consolation of brethren" (SA III IV) to refer to what is private, we thought it good to conform to that language. We affirm and do not deny the authority of every individual Christian to exercise the power of the keys. The Circuit 8 Revision does not deny what Professor Teigen suggests it denies. The issue is not what any Christian can do or may do. It is not a question of power or authority. It is rather a question of vocation. The PCM document addresses the matter of how the keys *are actually used*. This is why we, in our revision, speak of what individual Christians *actually do*. When we do so, we deliberately stay with the confessional language.

We teach that whenever anyone – pastor or layperson – speaks the law and the gospel to anyone, it has the inherent power of Almighty God. We have always rejected any suggestion that the power of God's word is contingent upon the office of the one who speaks it. We deny that those who hold the public preaching office have any authority that does not reside immediately with the church as church. We define the church as those who are justified by faith alone, that is, as the believers. But even as we must define the church as believers we may not so identify the church for the simple reason that we cannot identify faith. We identify the church by the marks of the church, and the marks

of the church are the gospel and sacraments that are *publicly* preached and administered. Our Lutheran Confessions insist that the church be identified – not by the faith of those who belong to her – but by the purely preached gospel and the rightly administered sacraments. It is the oral, external, outward, official, public proclamation of the gospel and administration of the sacraments by which the church on earth is recognized.

We reject every form of sacerdotalism. Every individual Christian has the means of grace and their efficacy inheres in them as means of grace regardless of who administers them. We altered the language of the PCM document on the matter of the private use of the keys in order to speak according to the pattern of sound words to which we are bound in the Lutheran Confessions. The confessional subscription to the Book of Concord includes subscription to the Preface which states:

Therefore, we also determined not to depart even a finger's breadth either from the subjects themselves, **or from the phrases that are found in them.** But, the Spirit of the Lord aiding us, we intend to persevere constantly, with the greatest harmony, in this godly agreement (Preface to the Book of Concord, par 23, emphasis added).

Note the words emphasized. When the Confessions speak of the means of grace as used by the laity as the people of God they do not identify them as the keys but as the mutual conversation and consolation of brethren. We are determined to stay with the language of the Lutheran Confessions. A theological tradition will move, evolve, develop, and change. This is why confessional Lutherans refuse to be bound by theological traditions. We are bound by texts that cannot change.

We agree entirely with all of the Luther citations provided by President Moldstad and Professor Teigen that show the keys belonging to all of the baptized. It is not apparent, however, that Luther ever intended to develop the kind of distinction between the public and the private use of the keys that is developed in the PCM document. Consider, for example, a citation from Luther that President Moldstad cites:

Here we take our stand: There is no other Word of God than that which is given all Christians to proclaim. There is no other Baptism than the one which any Christian can bestow. There is no other remembrance of the Lord's Supper than that which any Christian can observe and which Christ has instituted. There is no other kind of sin than that which any Christian can bind or loose," (LW 40:34-35, "The Keys," 1530).

What is Luther here saying? That there is a public use that is done on behalf of the church and a private use that is not done on behalf of the church? To the contrary, he is saying that there is only one use. There is no other Word or sacrament than that which Christ instituted and which belongs to every Christian. God's word, sacrament, and keys are never unofficial!

President Moldstad speaks of individual binding and loosing that is done on behalf of Christ but not on behalf of the church. How can this be? Christ does not act apart from His church. When the Treatise speaks of a layman absolving another layman it says that when he does so he "becomes the minister and pastor of another" (Treatise, par 67). This is as official as if a called and ordained pastor does it. President Moldstad writes of a layman saying to another layman: "I bind your sins against you" as the "first step of church discipline." But Jesus speaks of binding sins as the third and final step of church discipline, not the first. Those whose sins are bound are not to be treated as brothers, but as heathen and tax collectors. Yet the brother who is rebuked in verse 15 is treated as a brother in verse 16. The first step of Matthew 18 is to show the brother his fault, not to bind his sins against him. As Martin Chemnitz writes:

. . .the sinner first be privately reminded of his wickedness and the judgment of God and called to repentance. Then the same admonition should be repeated with some witnesses drawn in. But if this course leads to no effect, let it be told to the church, and let the binding key be used against such a person in the name of the whole church (Mt 18:15-17; 1 Co 5:1-5) Enchiridion, page 134.

One could argue that any preachment of the law is in effect the binding of sins, and it is true that when one hardens his heart in defiance of God's word that word of God – regardless of who spoke it or in what form it was spoken – will condemn the unbeliever. But we don't ordinarily speak of laymen going around binding sins. We don't speak of parochial school teachers doing it either. President Moldstad claims that a female parochial school teacher may bind the sin of a recalcitrant child "in her position in the public ministry of that congregation." We don't call parochial schoolteachers to do that. We don't call women to do that. We call men to the divinely instituted pastoral office to do that.

A Limited Public Use of the Keys: Defining the Office of Divine Institution

This brings us to the matter of the alleged divine institution of a limited public use of the keys. The issue is simple and goes to the heart of the controversy. It is a question of definition. How do we define the office of divine institution? What, specifically, did the Lord Jesus Christ establish in and for His church on earth so

that the gospel and the sacraments would be publicly preached and administered? Or did He establish any office at all?

There are two competing and irreconcilable opinions on this. The one opinion is that Jesus established, instituted, formed, fashioned, and gave to His church on earth an office which, if it is entrusted to a man, that man has the duty to preach the gospel, administer the sacraments, and forgive and retain sins as the minister of Christ and Christ's church. Various titles are used to identify such ministers, both in the Scriptures and in the writings of the church. They include: pastor, presbyter, priest, minister, teacher, preacher, bishop, angel, and ambassador. The most commonly used title among us is the title "pastor" but the debate is not about the use or nonuse of this particular title. The debate is about what God instituted. Was it a specific office? Read the Augsburg Confession and compare articles five, fourteen, and twenty-eight. Does the Augsburg Confession define the office of divine institution as I define it above? Is it an office which, if it is entrusted to a man, that man has the duty to preach the gospel, administer the sacraments, and forgive and retain sins? Then read the Treatise on the Power and Primacy of the Pope, Chemnitz' Examination of the Council of Trent (Part II, pp 677-714) and his Loci Theologici (Volume II, pp 698-719). How does Chemnitz define the office of divine institution? For a succinct summary of Chemnitz' position read his Ministry, Word, and Sacraments: An Enchiridion (pp 26-38). Read Walther's Theses on Church and Ministry. The unanimous testimony of the Lutheran dogmatic tradition up until the 20th Century identified the office of divine institution with that office which we today refer to as the "pastoral office," that is, the office of preaching the gospel and administering the sacraments. From within our own tradition, read the 1862 "Theses on Lay Preaching," adopted by the Norwegian Synod (from which the ELS was born) and note that the divinely instituted "public ministerial office" is the only office that God has instituted "for the public edification of the Christians" and that incumbents of this office are pastors. I hold to this traditional definition of the office of divine institution.

The other opinion is that the public or official ministry of the church exists by means of a delegation of the private authority of every individual Christian to preach the gospel, administer the sacraments, and forgive and retain sins. We may call this the "representative ministry" definition, because it claims that whenever one Christian uses God's word or sacraments "on behalf of" other Christians this is the divinely instituted public ministry of the word. According to this opinion, every time one person exercises the keys (or uses the means of grace, or teaches the word – the language varies) on behalf of believers, this is the divinely instituted public ministry of the word, whether it is a "full use" of the keys or a "limited use" of the keys. In either case it is representative ministry and that is what is divinely instituted, according to this opinion.

The two opinions are clearly in conflict and cannot be reconciled to each other.

The traditional opinion has God establishing a specific office with specific duties that are given by divine right to all to whom the office is entrusted. Jesus forms the office and assigns the duties to the office as He sends out the first incumbents of the office (that is, the apostles, see Matthew 28:18-20, Mark 16:15-16, and John 20:21-23) to do what the office gives one to do. According to this traditional view, the call of the church in the here and now is the call to the office established then and there by Jesus. The Bible, not the church, determines what is divinely established or instituted.

The new opinion does not have God establishing a specific office, but rather establishing representative ministry. Whenever the church (or calling body) assigns to an individual either “a full public use of the keys” (such as belongs to the pastoral office) or “a limited public use of the keys” (such as belongs to the office of parochial schoolteacher) the fact that that individual is using the means of grace on behalf of Christians is what makes the office and call divine.

The PCM document attempts to synthesize these two mutually exclusive definitions of the divinely instituted public ministry of the word. It does so by making a distinction between what is divinely instituted and what is divinely commanded. It defines the office of divine institution as representative ministry, that is, any use of the keys (whether “full” or “limited”) on behalf of believers. Then, within this divinely instituted representative ministry, the church has the command to appoint ministers qualified for a “full” use of the keys. This is the “presiding” office or “pastoral office.” With this attempted synthesis of the two mutually exclusive definitions, we are now confronted with a divine institution (limited use offices such as the office of parochial school teacher) for which there is no divine command. This has caused quite a bit of confusion. Supporters of the PCM document disagree among themselves on whether or not it teaches the divine institution of the “limited use” offices.

Lutherans have always identified a divine institution with what has the divine command and promise. It should not surprise us to find confusion and disagreement among us in the ELS over what the PCM document actually means to say. For example, President Moldstad and Professor Teigen, both of whom support this document, take different positions with respect to what this document says about the divine institution of a limited public use of the keys. President Moldstad defends the document for teaching the divine institution of limited use offices while Professor Teigen denies that the document teaches the divine institution of such offices.

In his response to the Circuit 8 Revision President John Moldstad repeatedly defines the divinely instituted public ministry of the word as any teaching of God's word on behalf of the church. Consider the following citations from his essay:

It is true that individual Christians in the realm of the Universal Priesthood of All Believers do not **exercise the keys "on behalf of the church" (an expression signifying public ministry)** but they do indeed forgive and retain sins "on behalf of Christ" (p 2).

These offices (deacons, teachers, evangelists, etc.) included certain spiritual duties **that involved public ministry (e.g., using the Word to minister to souls on behalf of the church; 1 Timothy 3:8f)** (p 5).

This means, for example, that when a call is extended to a Lutheran elementary school teacher to **instruct children in the Word of God on behalf of the church**, this call indicates that **the person is serving in the Public Ministry** and truly possesses a divine call (p 7).

One must be called in order **to teach the Word on behalf of the church and in the name and stead of Christ**. If one has a divine call to teach the Word, that person is in the public ministry. There is no divine call but the divine call to the public ministry. It is unscriptural and unconfessional **to teach the Word of God on behalf of a group of believers** without having received a divine call to do so (p 9).

How can there *not* be a divine call for anyone who is put in the place of **publicly teaching the Word of God on behalf of the congregation?** AC XIV itself states, "No one should publicly teach in the Church or administer the sacraments unless he is rightfully called." How can a confessional Lutheran be willing to permit someone **to teach God's Word regularly in the church** without being rightfully called by God to do so, through the mediation of the church (p 10)?

Romans 10 and Article XIV speak only of the public ministry of our Lord where **one uses the Means of Grace in the name and stead of Christ and on behalf of the church. There is no other public ministry of the Word** (p 11) (Bold italics are used for added emphasis; underlined emphasis is in the original.).

President Moldstad interprets the PCM document to be teaching that the public ministry of the word is by definition any use of the means of grace (that is, any use of the keys or the word of God) on behalf of the church. What is divine about the "limited use" offices according to the PCM document is that God's word is

taught on behalf of Christians. President Moldstad quotes from the PCM document and adds the emphasis:

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.**

Note what is by divine right. It is that “one exercises that work on behalf of the Christians through whom the call has come.” The PCM document teaches the divine institution of all offices in which the word of God is taught on behalf of the church. President Moldstad takes issue with our claim that only that which is divinely commanded is divinely instituted. He writes:

The revision document of Circuit #8 uses the logic that, since God has not *commanded* such offices with a limited public use of the keys, therefore none of these “allowed or permitted” offices can be classified as *instituted* or *established* by God. This reasoning does not follow (p 6).

To repeat: Our adopted statement rejects the false notion that, since God has not commanded a particular office with a limited public use of the keys [“offices that the church, in her freedom, may establish”– citation from “The Public Ministry of the Word], therefore none of these offices can be/are instituted or established by God (p 7).

I maintain that if there is no divine command there is no divine institution and that this is the historic teaching of the Evangelical Lutheran Church. President Moldstad disagrees. My position is stated in these words from “A Statement of Opposition to the PCM Document, ‘The Public Ministry of the Word’ that was presented to the October 2005 General Pastoral Conference of the ELS by over twenty pastors of our synod:

We believe, teach and confess that the Office of the Public Ministry, is not just any public use of the keys to this or that extent by other offices established in freedom by the church, but is the concrete office of preaching the Gospel and administering the Sacraments (i.e., the pastoral office). We have no objection to other offices being established (Acts 6:1-6). However, these other offices stand along side of and assist the one divinely instituted Public Ministry of the Word. What God institutes is clearly commanded in the Holy Scriptures. We must make a clear distinction between a divine institution and an adiaphoron. The pastoral office is a divine institution. “Limited use” offices are adiaphora.

If God nowhere in Scripture commands it, is it a divine institution? President Moldstad argues that whenever believers delegate to someone the authority to

teach God's word on their behalf – whether this is the full use of the keys by a called and ordained pastor or the limited use of the keys by a Christian schoolteacher – that delegation is by divine right and the office thereby established is divinely instituted. True, with respect to the limited use offices it is by human right that it assumed a particular form, but the divinely instituted office is by definition any use of the means of grace on behalf of the church.

But where does the Bible teach that when one Christian teaches God's word on behalf of other Christians this is divinely instituted? The theological rationale is easy to understand, but the biblical foundation for it is lacking. I understand the concept of using the means of grace on behalf of the church. I don't object to it. But where is the biblical support for this definition of the public ministry of the word? Where does the Bible teach that the public ministry of the word is any teaching of God's word on behalf of the church?

We can find in the Bible the divine institution of the pastoral office. Read "Did Jesus Institute the Pastoral Office" and "The Office of Prophetess in the New Testament" on this website to see the biblical basis for the divine institution of the pastoral office and the divine mandate to confer this office on men. Read Acts 14:23, Acts 20:28, Romans 10:15, 1 Timothy 4:14, 2 Timothy 1:6, 2 Timothy 2:2, and Titus 1:5. All of these texts address the entrusting of the preaching office to men. None of these texts refers to what God gives a woman to do. None of these texts refers to what is done in a private classroom. None of these texts refers to a "preaching" that is not public, authoritative, directed to the entire assembly of Christians.

Where does the Bible teach the entrusting of any portion of the preaching office to a woman? Nowhere! Yet the PCM document appeals to Romans 10:15 as the basis for giving a woman a divine call to "preach" to children in a classroom. In defense of this novel notion, President Moldstad argues that the word for "preach" in Romans 10 is "a more general use of the term" and that this is also how it is used in Mark 16:15. Apparently preach doesn't mean preach and preacher doesn't mean preacher. There is nothing whatsoever in the biblical text to suggest that the word for "preach" should be taken in anything less than a literal sense whether in Romans 10 or in Mark 16. There is only the ever-evolving tradition that says that when one person teaches God's word on behalf of believers he or she must receive a divine call to do so. This is why "preach" no longer means preach. If it did, we would have women preachers!

The Bible clearly teaches that the call of the church to a man to be a pastor is the call from the Holy Spirit. But where does the Bible teach that whenever one person teaches God's word on behalf of other Christians this constitutes some kind of divine arrangement necessitating a "divine call"? The only passage defenders of this new definition of the ministry can find is a passage they are

required to interpret in a metaphorical fashion because this is the only way they can get it to teach what they want it to teach. Preach means preach! We don't have the right to impose our practice on the biblical text and change the meaning of God's word in the process.

No one will argue against accountability. A parochial school teacher should be held accountable to those who put him in office to do that which is given him to do. But this doesn't require a "divine call." Anyone doing any job anywhere is accountable to someone. There is nothing in the written word of God that requires us to extend "divine calls" to parochial school teachers. To insist that this be done is legalistic. It is perfectly appropriate for church schools to hire teachers without providing tenure. There is nothing contrary to God's word in treating a parochial schoolteacher as an at will employee of the congregation.

Moldstad and Teigen Disagree on Divine Institution of Limited Use Offices

While President Moldstad defends the proposition that the limited use offices are divinely instituted, Professor Teigen denies that the PCM document teaches the divine institution of limited use offices. He writes:

A major criticism offered by proponents of the Circuit 8 revision has been that the PCM document teaches that God has instituted also a limited use of the keys. "An Open Letter" states: "The PCM Theses assert that the divinely instituted public ministry of the word includes both the pastoral office and offices of churchly origin." That accusation is incorrect. That is neither what the PCM statement says, nor intends to say. It may be that "*includes* a wide sense...and a narrower sense..." has been misunderstood. However, it certainly does not intend to say, nor can it legitimately be read to say, that there are two offices, one wide and one narrow, both of which are instituted by God (p 1).

Nobody has accused the PCM document of teaching "that there are two offices, one wide and one narrow, both of which are instituted by God."

Later on in his critique Professor Teigen asserts:

While the teacher exercises the keys in a public way, it is in a limited way, having a part of the office, not the whole of it. Does this mean that God has instituted a "part of the office," or "a limited use of the keys"? It does not, and to assert that the PCM statement teaches that is to speak falsely (p 11).

Again, he argues against a straw man. Nobody has said that the PCM document teaches that God has instituted a “part of the office.” We don’t say that the PCM document teaches that there are two offices, both instituted by God and we don’t say that the PCM document teaches that God instituted a part of an office. We do say that the PCM document teaches that “the divinely instituted public ministry of the word includes both the pastoral office and offices of churchly origin.” Here is what it says:

The Lord has instituted the Public Ministry of the Word. This *divinely instituted Public Ministry of the Word includes* both a narrower sense 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 (my emphasis).*

Does the PCM document teach that the Public ministry of the Word in its wider sense is divinely instituted? Yes. Does this wider sense include offices having a limited public use of the keys? Yes. When the PCM document defines the public ministry of the word it says: “This public use of the keys is the Public Ministry of the Word.” What then is the office of divine institution? It is the public use of the keys. When the keys are used publicly – whether in a so called “full use” or in a so called “limited use” – this is, by definition, the divinely instituted public ministry of the word, according to the PCM document. In its first footnote the PCM document defines the public or official use of the keys as “the duty and authority of those who are called to act on behalf of Christ and His believers.” This is the “representative ministry” definition defined above. The PCM document teaches the divine institution of any and every office in which someone teaches God’s word on behalf of the church. That teaching of God’s word may be the teaching of a pastor who is authorized to carry out a full use of the keys or it may be the teaching of a parochial schoolteacher who is authorized to teach God’s word to the children but may not preside over the assembly or administer the sacraments. The PCM document teaches the divine institution of representative ministry in whatever form it may take. Professor Teigen may not like the fact that this is what the document teaches, but he can hardly deny it without contradicting President Moldstad as well as the plain sense of the document itself. As I have shown above, President Moldstad not only agrees that the PCM document teaches the divine institution of limited use offices, he defends this teaching while freely admitting that there is no divine command that such “divinely instituted” offices be established.

To be fair, President Moldstad does try to make a biblical case for the claim that these limited use offices are divinely instituted. When he addresses the biblical texts that allegedly pertain to a limited public use of the keys (page 5), he says

such things as “this implies strongly,” “this testing appears to have been,” and “while implying at the same time.” This is not a solid foundation for doctrinal assertions. If there is no command from God there is no divine institution. Nowhere in the Bible does the church appoint someone to teach God’s word without entrusting to him the concrete office of preaching the gospel and administering the sacraments. If there is such an instance, let President Moldstad, Professor Teigen, or anyone else who supports the PCM document lay it before us. I do not deny that the deacons in the New Testament taught God’s word on behalf of the church. Perhaps they did. I don’t know. Neither does President Moldstad. The Bible doesn’t say one way or another. Professor Teigen claims (p 8) that the deacons of 1Timothy 3 presided over the churches and President Moldstad takes this paragraph almost verbatim into his paper. If they did (which is hardly likely and for which there is no biblical evidence), they held the presiding office, not a “limited use” office.

No one involved in this debate denies that the church may establish offices such as Sunday school teacher and parochial school teacher. No one denies that such teachers teach God’s word to the children on behalf of the church. But the Bible does not address this and where the Bible is silent, God is silent. We may not say that God said it unless we can show from the Bible that God said it.

What does the Bible say? President Moldstad and others who support the PCM document cite texts in the New Testament where God gives a variety of gifts. They cite Ephesians 4 where apostles, prophets, evangelists, pastors and teachers are spoken of as gifts of the ascended Lord Jesus to His Church. They claim that since the word “pastor” is included as one title in a list of titles this constitutes proof that the pastoral office is not the only divinely instituted office in the church. This argument fails in two essential ways. First of all, the title “pastor” is not at issue among us. The Bible usually calls the minister of word and sacrament an elder (*presbyteros*) or a bishop (*episkopos*). No one is contending for titles. Secondly, we are not talking about what God may or may not do in divine freedom. God is God. He can send apostles, prophets, miracle workers, and every other kind of gift He chooses. The issue is not what God did or can do. It is what God tells His church to do. We are talking about an office that is conferred by God **through the church**. That is the critical point that President Moldstad and other supporters of the PCM document consistently fail to address. We are talking about the mediate call by God **through the church**. What does the Bible teach us about this? Which office is transmitted? It is the office of preaching the gospel and administering the sacraments. It is the office that we in our day call the “pastoral” office, but the title we use is not the issue.

President Moldstad appeals to Chemnitz in support of the divine institution of a limited public use of the keys. He cites Chemnitz' opinion that the teachers mentioned in Ephesians 4:11 were those

to whom the chief governance or oversight of the church was not entrusted but who only set the doctrine before the people in a simple manner, such as catechists were later: thus Paul (Rom. 2:20) speaks of 'a teacher of children,' and the word 'teach' is expressly used in this sense in Hebrews 5:12 (Chemnitz, *Examen*, Part 2, p. 684).

President Moldstad neglects to cite these words from Chemnitz that immediately follow:

All these ranks the apostles include under the terms "presbytery" and "episcopacy." Sometimes they also call those to whom the ministry of Word and sacrament has been committed by the term "minister" ("servant").

Chemnitz is not identifying these teachers as incumbents of "limited use" offices who are not qualified to exercise a "full use of the keys." He says that they are among those "to whom the ministry of Word *and sacrament* has been committed." He is including them under the terms "presbytery" and "episcopacy." They are what we in our day would call pastors, that is, ministers of word and sacrament who happen to be serving in the specialized field of catechizing the people. I encourage the reader to study this portion of the Examination within its larger context. This particular Chemnitz quote is repeatedly cited in our circles by those seeking support among the Lutheran fathers for the novel notion that the extent to which one is authorized by the call to use the keys publicly is the extent to which one is "in" the public ministry of the word. Such a notion is entirely foreign to Chemnitz' thinking and, indeed, contrary to the main argument Chemnitz makes in this section of the Examination. It is anachronistic to appeal to Chemnitz in support of the representative ministry model popularized in the 20th Century. Chemnitz is arguing here that there is only one office of teaching the gospel and administering the sacraments, and that all to whom this office is entrusted have the divinely given responsibility of teaching the gospel and administering the sacraments, and that it is by human right that an incumbent of this one and only office of teaching the gospel and administering the sacraments will specialize in this or that essential duty belonging to the office. By divine right all ministers are equal because they all have the very same authority: to preach the gospel and administer the sacraments of Christ. This is Chemnitz' teaching.

This is Luther's teaching as well. Luther says:

If the office of teaching be entrusted to anyone, then everything accomplished by the Word in the church is entrusted, that is, the office of baptizing, consecrating, binding, loosing, praying, and judging doctrine (LW, 40, page 36).

This is precisely what the PCM document does not teach! According to the PCM document, the divinely instituted ministry of the word may not be identified with that office which, if a man is entrusted with it, it is his divinely given duty to preach the gospel and administer the sacraments of Christ. The PCM document does not identify the divinely instituted office with any specific office. Even when it attempts to say that the pastoral office is “indispensable for the church” it does not quite succeed. It does not say that “the presiding office” or that “this presiding office” is indispensable, but that “a presiding office” is indispensable. It cannot point to a species of office and say that this is specifically what God Himself has formed, fashioned, established, and instituted for His church. Instead, it teaches that what is divinely instituted are all offices in which the means of grace are used on behalf of the church. It fails to support this definition of the divinely instituted ministry of the word from the Holy Scriptures because the Holy Scriptures nowhere teach this definition. When the PCM document cites texts to teach the divine institution of the public ministry of the word (in both the narrower and wider senses) the texts cited refer exclusively to the ministry in the narrower sense, that is, to the office that we call the pastoral office.

More Straw Men

Most of Professor Teigen’s Critique of the Circuit 8 Revision is devoted to arguing the Wisconsin Synod argument against the Missouri Synod doctrine of the ministry. He assigns to me and to the Circuit 8 Revision the Missouri side of that debate and sets out to refute it and thereby to refute us. He suggests that the Circuit 8 Revision brings into the ELS a teaching that originated in the Missouri Synod after Walther’s time and which is at odds with the general consensus within the ELS since the forties and fifties. We allegedly misidentify the “preaching office” with the “pastoral office.” Professor Teigen argues that the two are not the same and that to identify them is to depart from Walther’s teaching. He writes:

At the root of the Circuit 8 critique and revision is the assumption that the Office of the Public Ministry and the Pastoral office are identical. This belongs to an older view adopted in Missouri Synod circles *after* Walther’s time, that *Predigtamt* and *Pfarramt* mean or refer to the same office. . . .In the ELS, this matter was discussed extensively in the 1940s and early 50s. At the end of that discussion, there was a general, but not

unanimous, consensus, that *Predigtamt* and *Pfarramt* were not identical. Many in our synod who had been trained in the Missouri Synod rejected what they had learned on that point — that the only one really holding the *Predigtamt* is the pastor of a local congregation, which was the way *Pfarramt* had come to be understood in Missouri after 1900 (p 5).

Professor Teigen is wrong, both with respect to Walther's teaching on the subject and with respect to the teaching of the Circuit 8 Revision. The Circuit 8 Revision does not teach "that the only one really holding the *Predigtamt* is the pastor of a local congregation." To the contrary, with reference to the pastoral office the Circuit 8 Revision says:

While every incumbent of this office must be qualified to do what the office requires, it is not necessary that every incumbent of the office regularly carry out all of its duties. Incumbents of this office may be serving as missionaries, assistant pastors, professors of theology, chaplains, etc.

8. We reject the teaching that the public ministry of the Word is limited to the ministry of the parish pastor.

The Circuit 8 Revision says in its first footnote:

Usually the term "pastoral office" refers to the pastorate of the local congregation, but incumbents of this office may be serving in specialized fields of labor in which they do not regularly carry out all the duties of the office.

The Circuit 8 Revision deliberately avoids identifying the pastoral office exclusively with the parish pastorate. It defines the pastoral office as I have defined it above. Again, from the first footnote of the Circuit 8 Revision:

The office to which God has entrusted the preaching of the gospel and the administration of the sacraments is called the pastoral office.

Note the difference between our definition of the pastoral office and the definition of the PCM document. The PCM document speaks of "a presiding office" as one that entails "a ministry of pastoral oversight." What does that mean? As we shall see, it is broad enough to include manmade offices whose incumbents are not obligated to do anything essential to the pastoral office.

But the incumbents of this divinely instituted office are given by God the duty of preaching the gospel and administering the sacraments. If, by human right, a pastor focuses in on this or that essential duty of the pastoral office, he

nevertheless, by divine right, holds the one and only office of divine institution: the office of teaching the gospel and administering the sacraments.

The Circuit 8 Revision makes this perfectly clear. The PCM document does not.

It is true that some Missourians have defined the pastoral office a bit rigidly, limiting it solely to parish pastors. One need not so limit it to affirm the truth that the office of divine institution is a real office whose incumbents are given by God the duty to preach the gospel and administer the sacraments. The office is not one person teaching God's word to this or that extent on behalf of other people with the added caveat that within this representative ministry there must be men qualified to exercise a full use of the keys. The Bible teaches no such thing. It is not as if the office exists by means of its duties being assembled together by the church in the here and now. Jesus Christ Himself instituted the pastoral office when He sent out the apostles as the first pastors of the church. In sending them out and assigning to them their duties He thereby determined the duties of this office until the end of time. This Christological and apostolic foundation of the pastoral office runs counter to the American spirit of democracy from which the representative ministry model adopted by the PCM document derives. Instead of running away from our Lutheran confession on this crucial matter we should be confessing it with crystal clarity!

One is not "in" the public ministry of the word to this or that "extent" as if it is the church's to do with as she pleases. One either has the office or one does not. Certainly the church has freedom to arrange matters so that an incumbent of the office focuses on this or that essential duty of the office. This is what is done, for example, with called and ordained theological professors who are training men to become pastors. They are carrying out a focused but essential duty of the divinely instituted office (2 Timothy 2:2). That a minister of word and sacrament will focus his work on an essential duty of the office and not carry out all the duties that belong to the office is perfectly acceptable. But this is arranged by human right by the church in Christian freedom. By divine right all ministers are the same. They have the same duties: to preach the gospel and to administer the sacraments. They have the same authority: the authority of God's word.

The issue is not whether or not incumbents of the divinely instituted office of teaching the gospel and administering the sacraments must be serving as pastors of specific local congregations. They usually are. That shouldn't surprise us since that's where the people are. But the office of divine institution is what it is regardless of where the incumbent of the office is serving. God has instituted an office which, if one holds it, he is entrusted by God with the responsibility of teaching the gospel and administering the sacraments. We call

such a man a pastor and we call the office of preaching the gospel and administering the sacraments the pastoral office. This is the one and only office of divine institution.

This is Walther's teaching and the Circuit 8 Revision reflects Walther's teaching. Walther identifies the office of divine institution with the pastoral office. So does Adolf Hoenecke of the Wisconsin Synod and Herman Amberg Preus of the Norwegian Synod. True, these men may have used the term "preaching office" when considering the office in the abstract and the term "pastoral office" when considering the office concretely. But whether considered abstractly or concretely it is the same thing being considered. Walther consistently identifies the preaching office with the pastoral office. He uses the two terms interchangeably to refer to the same thing. In his first two Theses on the Ministry he identifies the preaching office with the pastoral office.

Professor Teigen insists on framing this issue in Wisconsin Synod terms. He tries to pigeonhole the Circuit 8 Revision within the anti-Wisconsin post-Walther Missouri tradition. It does not quite fit, as we have seen. He also imposes the 20th Century Wisconsin / Missouri debate back onto the 19th Century. The result is confusion.

Teigen writes:

What can be gleaned from all of this is that, for Walther, the office of the school teacher stems from the *Predigtamt*, not from the *Pfarramt*, in the sense of the local pastor. The office of the teacher is not an assistant to the local pastor, but to the ministry of Word and Sacrament (p 11).

Teigen is quite wrong about this. Walther highly commended an essay written by C. A. T. Selle in 1869 in which Selle said:

When someone is given the instruction of the children in God's Word, he has a teaching office and therefore teaches publicly and administers herein a part of the public preaching office. Proof from God's Word: That which brings us to this conclusion is the following: The public teaching of the word of God is a matter of the preaching office in the narrow sense (the pastor's office); the teaching of the word of God on the part of a school teacher is public since it is part of his office.

Selle identifies the public preaching office in the narrow sense with the office of pastor. He then derives the office of parochial school teacher from the pastoral office. This is in agreement with Walther and the old Synodical Conference tradition in the 19th Century. For Selle to speak of a "part of" the public preaching office is for him to speak of a "part of" the pastoral office. The disconnect between the preaching office and the pastoral office that Teigen spends most of

his Critique attempting to establish was simply unknown to Walther, Selle, Preus, Hoenecke, and the other 19th Century Synodical Conference theologians. Teigen attributes to me (and by implication to the Circuit 8 Revision) an erroneous identification of the preaching office with the pastoral office and claims that this error is based on a mistranslation of Walther by John Theodore Mueller. That translation was done in 1962. Walther identified the preaching office with the pastoral office over a hundred years earlier.

That the fathers could and did use terms in a variety of ways – sometimes more literally and sometimes more metaphorically – need not concern us. Nor are distinctions between abstract and concrete and the various nuances of meaning in German words particularly pertinent to our discussion. The issue before us is really very simple: Did Jesus institute (that is, establish, create, form, set down, invent, construct) an office (a position, a job) in and for His church on earth which, if one is entrusted with it, that is, placed into it, it is his duty to preach the gospel, forgive and retain sins, and administer the sacraments? Did He or did He not? I say He did. So does the Circuit 8 Revision, the Augsburg Confession, the Treatise, Luther, Chemnitz, and the entire Lutheran theological tradition down to the 20th Century. But the PCM document doesn't say this. It comes close, but it doesn't say this. It doesn't say this because it is devoted to the representative ministry model invented in the 20th Century, a model that breaks with the clear teaching of God's Word and the pattern of sound words set forth in the Lutheran Confessions.

A Divine Office without Divinely Ordained Duties

As we have seen, the PCM document does not define the office of divine institution as a specific concrete office, but as representative ministry in which one person uses the keys to this or that extent on behalf of Christians. This isn't what Jesus instituted. Jesus instituted an office, not representative ministry. And if it is an office, then when the office is entrusted to a man that man is obligated to do what the office gives one to do. The office gives one to preach the gospel and administer the sacraments of Christ. This entails teaching God's word to people. That is, the incumbent of this office must speak God's words to people who are present to hear them. This is the duty given to incumbents of the pastoral office.

The PCM document says:

While every incumbent of [the pastoral office] must be qualified for a full use of the keys, not every incumbent must be responsible for full use of the keys. Missionary, assistant pastor, professor of theology, synod

president (who supervises doctrine in the church), and chaplain are some examples of this.

Note that it places the synod president as synod president in the divinely instituted pastoral office. It appears to say that he is an incumbent of the pastoral office on account of the fact that he “supervises doctrine in the church.” This is in direct conflict with the teaching of the Treatise on the Power and Primacy of the Pope as I have shown in my paper, “Does the Bible Teach a Limited Public Use of the Keys?” In response to my comments in that paper about the office of synod president Professor Teigen says:

For one thing, it is asserted that in the office of synodical president the office holder isn't teaching. He isn't? The paper doesn't offer any proof from Scripture or the confessions that this picture of a synodical president is correct.

I don't say that the synodical president isn't teaching. I say that he isn't obligated to teach. There is a difference. A pastor is obligated to teach the word of God to people, not just theoretically or potentially but in actual fact. Once upon a time synod presidents had altars and pulpits. They had divine calls. They held the office of divine institution. This was so whether they were called bishops, superintendents, or presidents. They were first of all pastors. The office of fulltime synod president with no altar, or pulpit, or classroom is a 20th Century invention. But when we have adopted the representative ministry model the office is whatever the church says it is. This is how a human invention becomes the divinely instituted office!

All ministers are equal. (Treatise, par. 7-11) Why? Because the only authority of the divinely instituted office is the authority of God's word! This is fundamental. An office in which one pastor supervises the teaching of other pastors is an office established solely by human authority. Here is how Bjug Harstad put it at the convention of the little Norwegian Synod held at Our Savior's Lutheran Church in Albert Lea, Minnesota from May 29 to June 4, 1919:

If one of the equal brethren is elected to be president, then everyone must know that he has only received a human appointment to the office of servant, which everyone also otherwise actually has according to the Master's example to wash the disciples' feet and to dry them with the insight, knowledge and experience with which he can be equipped. At all times, however, he is only an advisor, and as other Christians, is in duty bound to point to what is written.

This was the teaching of the ELS in her beginnings before the teaching of the divine institution specifically of the concrete pastoral office gave way to the new

teaching of representative ministry. A synod president has only a human appointment, not a divine call. The false notion that a synod president has a divine call to be a synod president cheapens the doctrine of the divine call. Professor Teigen claims that I make “no argument, cogent or otherwise” for my insistence that a divine call is a permanent call. I must confess that I did not think any argument was necessary. The permanence of a divine call should be self-evident. Surely if God is the one who puts a man into office it must be God who removes that man from office. This is how Martin Chemnitz puts it:

For just as God calls ministers of the church, so He also removes them through legitimate means. But as the procedure of a call is to follow the instruction of the Lord of the harvest, so also if one is to be removed from the ministry, the church must show that that also is done by the command and will of the Lord (Enchiridion, page 37).

If a synod president has a divine call to be a synod president and this divine call may be withdrawn without cause, that is, without demonstrating that the Scriptures require it, then the will of a majority of voters at a convention has replaced God’s word as the authority in the church. If a convention majority may withdraw the “divine call” of a synod president without biblical grounds we have redefined the divine call. It is only a matter of time before the arbitrary will of a majority of voters in a congregation will be regarded as sufficient grounds for the removal of a pastor. This is what happens in the church when human inventions are touted as divine institutions.

I Cannot Accept the PCM Document

This failure to distinguish between what is divine and what is human confuses the Spirit with the flesh. This is why I cannot accept the PCM document. I will not permit it to be a standard for my teaching and I do not acknowledge it as having any authority over me whatsoever. It confuses what God says with what man says. It takes human inventions and calls them divine. What it says about the divine institution of a limited public use of the keys is unscriptural. When it talks about being “in” the office of divine institution to this or that “extent” it is not presenting the biblical and confessional doctrine, but the “representative ministry” notion for which there isn’t any support in the Scriptures or the Lutheran Confessions. It falsely claims that a synod president by virtue of being a synod president is an incumbent of the pastoral office. It does not make a clear confession of our historic biblical and confessional teaching. It is written in such a way that it can be interpreted to be teaching mutually exclusive things. It is poorly conceived and poorly written. It wasn’t sufficiently debated prior to adoption. It represents a departure from the historic teaching of the Norwegian Synod.

Conclusion

I accept Walther's Theses on Church and Ministry, the 1862 Theses on Lay Preaching of the Norwegian Synod, the writings on church and ministry of Norwegian Synod President H. A. Preus, and the "We Believe, Teach, and Confess" document adopted by our synod. I accept without any reservation the teaching of the Lutheran Confessions because it agrees with God's Word.

Our current debate about the PCM document notwithstanding, we in the ELS enjoy great consensus on the topic of the ministry of the word and sacraments. We all agree that the gospel and sacraments are inherently efficacious. We agree that the preaching office belongs immediately to the church and therefore to every single Christian. We agree that we must have pastors who preach the gospel and administer the sacraments of Christ by the authority of Christ and in the name of His church. We agree that every individual Christian should teach God's word to his family and neighbors and in his daily vocation give testimony to the same truth that the pastors preach publicly. We agree that the teaching of God's word to the young is a holy vocation that should be honored by all. With such a great consensus among us we ought to be able to find a way to put into plain English a confession on which we will genuinely agree. This will require all of us to resist the temptation to elevate theological opinion to the level of church doctrine. A new document should be produced that is shorter, clearer, and that stays with the pattern of sound words to which we voluntarily bind ourselves in our confessional subscription.

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