

Called to Common Mission

Grand Illusion or Fabulous Fraud?

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Foreword

The following critical assessment of *Called to Common Mission* (CCM) represents the completion of a work in progress which began in the Winter of 1999. At that time from my vantage point in North Wales in the United Kingdom, I thought it necessary to critique CCM in light of certain historical and ecclesiological aspects of Anglicanism which would probably not be well known to most people in the Evangelical Lutheran Church in America (ELCA). As a pastor ordained in the Lutheran Church in Great Britain and as an often enlisted supply preacher for a number of the "nonconformist" (non-Anglican) denominations in England and Wales, it was almost impossible for me to fathom why the ELCA would agree to implement an episcopal structure and ordination practice whose foundation in its present form had been laid by the seventeenth-century religious intolerance characteristic of the restoration of the English church and monarchy in the early 1660's.

The impetus for a second revision to the original draft came chiefly from the fruits of further research into the matter of apostolic or historic episcopal succession as it was understood at the time of the Lutheran Reformation in Germany. Whereas it is often claimed that episcopal succession is a tradition which reaches back to the earliest days of the church, in fact this tradition is much younger. The present, common understanding of apostolic or historic episcopal succession developed primarily as a result of the Roman Church's Counter-Reformation efforts. While the developing Church of England adopted and adapted this recently "rediscovered" tradition for its own purposes and for its own self-legitimization, the Continental Reformers rejected it. However, in order to establish common ground with the Anglican understanding and practice of historic episcopal succession for full-communion, CCM seeks unashamedly to misconstrue the Lutheran rejection of episcopal succession to the point of claiming falsely that the Lutheran confessional writings actually refer to this tradition.

This present revision became necessary in light of the way in which CCM was advanced by both the ELCA

and the Episcopal Church in the USA in order to get CCM adopted by their respective legislative bodies. That both churches felt obliged to portray CCM to their respective memberships in sharply incongruous ways indicates not only that CCM is an agreement of disagreements but also that if given the truth neither church would have adopted this “concordat.” CCM embodies both a disparagement of theological and intellectual integrity and a crisis of ethics in ecumenism. At this point in time, over 70% of the membership of the ELCA knows little or nothing of CCM. It is hoped that this study of CCM will address this deficit in knowledge and understanding, not only amongst members of the ELCA but also amongst those in the wider church who may perceive CCM as a commendable means of ecumenical rapprochement.

Mark D. Menacher, November 2001

Introduction

“Full-communion” between churches: What is it? When do we have it? How do we know that we have it? Although the *Concordat of Agreement*, a proposal for full-communion between the Evangelical Lutheran Church in America (ELCA) and the Episcopal Church in the USA, failed to be adopted by the ELCA’s 1997 Churchwide Assembly, its defeat was not accepted by ELCA proponents of “full-communion” between these two churches. Instead, the ELCA Churchwide Assembly requested a revision of the *Concordat*, one which would supposedly enable full-communion with the Episcopal Church and also address the concerns of those who opposed the original agreement. In due course, a revision was produced and was entitled *Called to Common Mission* (CCM). Unfortunately, CCM retained the *Concordat’s* most controversial element, namely the obligation that the ELCA adopt the tradition of “historic episcopacy” or historic episcopal succession in order for full-communion with the Episcopal Church to be achieved. Thus, from this perspective CCM would prove for all intents and purposes to be no less controversial than the original *Concordat*.

CCM is controversial not only because it requires the ELCA’s adoption of “historic episcopacy” but also because it is by design perfidious. What CCM says and what it does not say, is a labyrinth of ecumenical intrigue inaccessible to the uninitiated, which unfortunately seems to include almost all theologians, clergy, and lay persons in both churches. In CCM, the words, the phraseology, and their meanings say one thing to people in their common usage and often quite another in their ecumenical usage. In the time leading up to the ELCA’s 1999 Churchwide Assembly, these two different usages of language were played against one another successfully enough to create sufficient confusion in the ELCA to achieve CCM’s passage. However, despite adoption of CCM by both churches, this agreement still remains controversial, confusing, and divisive - particularly within the ELCA.

Therefore, a clear and concise critical assessment of CCM is necessary not only to shed light on the nature of CCM itself but also to help members of the ELCA, of the Episcopal Church, and of the wider ecumenical community to understand why confessional Lutherans in the ELCA cannot in good conscience accept CCM’s conditions for full-communion with the Episcopal Church. A critical assessment is simply that - critical, and for some Lutherans and some Anglicans, especially those unfamiliar with either tradition, critical will at times mean uncomfortable. Nevertheless, the radical nature of the message of the Christ who calls himself “the way and the truth and the life” impels one to examine CCM in a way which takes fully into account who and what we are, namely sinful human beings. By our nature we as sinners fail time and again to be reconciled to God in Christ, and thus we fail to be reconciled to one another in our churches. Perhaps the most neglected aspect of all ecumenical dialogues to date has been the topic of sin. Paradoxically, human sin is the only facet of human life in which all human beings and all churches are truly one, and it is at the same time precisely this same sin which divides Christians into so many different and complex factions.

In the past thirty to forty years, great progress has been made in various ecumenical dialogues between many denominations. These dialogues have, on the one hand, brought divided ecclesial communities into unprecedented contact and discussion with one another. On the other hand, they have brought few new insights into the nature of what actually divides churches. Ecclesial communities are characterized by their distinct sets of beliefs. Although Christians across the ecumenical spectrum share much in common, that which divides often arises from what any given ecclesial community does not share in belief in the same way with the other communities.

At present, the ecumenical movement has become stagnant. In order to move forward, ecumenically minded churches have basically two choices. The first option is for churches in full acknowledgement of their sinful nature to accept other churches for full-communion relationships despite complete agreement in matters of faith, doctrine, and order. The second option involves churches actualizing their sinful nature by obliging other churches to compromise their distinctive set of beliefs in order for them to conform to a given tradition's intolerance of certain differences. CCM represents a case of the latter. Because Anglicans do not accept non-historic episcopally ordered churches as being equal to their own, those churches which do not opt not to become "episcopalian" in structure and ordination practice will not be considered acceptable enough by Anglicans for full-communion relationships.

Compromising an ecclesial set of beliefs entails more than concern for denominational identity. Ecclesial beliefs represent ecclesial theologies. For example, Lutherans maintain that unbelief in God as the transgression of the First Commandment goes to the root of human sin. From this existential predicament stem all misdeeds which are commonly called sins. Furthermore, Lutherans also teach that all deeds not done in faith, no matter how good they may appear to human standards, are considered before God to be sinful. This simple, Lutheran hermeneutical understanding of sin brings one rather quickly to the crux of the problem in CCM. Whereas Anglicans consider historic episcopal succession to be of divine institution, Lutherans do not. At best, Lutherans consider episcopal succession to be nothing more than a human tradition. Therefore, since CCM obliges Lutherans to accept and to practice a tradition in which they do not believe, no matter how good the "unity" prescribed by CCM might appear, CCM itself raises the question whether these conditions for unity actually cause Lutherans to commit sin. Similarly, because Lutherans do not believe in historic episcopal succession as a sacramental rite, Anglicans must ask also themselves whether the ecumenical triumph of CCM can ever represent anything other than being yoked with "unbelievers," which some Anglicans would consider to be equally sinful.

To gain clear and fruitful answers, such questions must be placed in their proper context. Therefore, the following discussion will begin with a review of some of the rudimentary aspects of how Anglican (Episcopalian) and Lutheran churches understand what constitutes the basic, and perhaps non-negotiable, elements required for unity amongst Christian churches.

1. Areas of Agreement and Difference

Historically, both Lutherans and later too Anglicans have sought ecumenical relationships. For Lutherans, this is evident in one of its primary confessional documents, the *Augsburg Confession* (1530). The *Augsburg Confession* represents an early and foundational attempt by the Lutheran Reformers in the context of the Holy Roman Empire to explain and to justify their theological and ecclesial positions over against but in relation to the medieval Roman church. Within the *Augsburg Confession's* XXVIII articles, Article VII sets out for Lutherans the few areas of agreement necessary for true unity in the church. For Episcopalians, and subsequently for all Anglicans, the principles of the Chicago-Lambeth Quadrilateral (1886/1888) designate the essential marks of the church catholic which are considered necessary for reunion amongst Christendom's divided branches.

Although the guiding principles in these two ecumenical formularies have many congruent aspects, the Episcopal Church's requirement of an historic episcopate for church unity, contrary to its own intentions,¹ is

recognized even by some Anglicans to be divisive in relation to Protestant churches.² Because CCM is based on the Chicago-Lambeth Quadrilateral rather than on Article VII of the *Augsburg Confession*,³ it should, therefore, come as no surprise to anyone that CCM has caused and is causing so many divisions and so much strife within the ELCA. Even though the passage of CCM by both the ELCA in 1999 and by the Episcopal Church in 2000 may now give some reason to seek greater understanding and peace, the nature of CCM itself and the way in which its passage was achieved⁴ has prompted others in both churches to continue to expose what they consider to be a most dubious venture.

At this point, a comparative reading of the relevant aspects of the texts of these two important formularies is necessary to lay the groundwork for understanding the gravity of this issues at hand. The following two column format is constitutive of and will be continued below for the formal analysis of the text of CCM itself.

The *Augsburg Confession* (1530)

Chicago-Lambeth Quadrilateral (1886/1888)

[VII. Concerning the Church]

It is also taught that all time there must be and remain one holy, Christian church. It is the assembly of all believers among whom the gospel is purely preached and the holy sacraments are administered according to the gospel.

For this is enough for the true unity of the Christian church that there the gospel is preached harmoniously according to a pure understanding and the sacraments are administered in conformity with the divine Word. It is not necessary for the true unity of the Christian church that uniform ceremonies, instituted by human beings, be observed everywhere.

As Paul says in Ephesians 4[:4-5]: "There is one body and one Spirit, just as you were called to the one hope of your calling, one Lord, one faith, one baptism."⁵

...therefore as essential to the restoration of unity ..., we account the following wit:

1. The Holy Scriptures of the Old and New Testaments as the revealed Word of God,
2. The Nicene Creed as the sufficient statement of the Christian faith,
3. The two Sacraments, - Baptism and the Supper of the Lord, - ministered with un failing use of Christ's words of institution and of the elements ordained by him,
4. The Historic Episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of His Church.⁶

Contrary to the apparent accusation of being "a kind of ecclesiastical check-list,"⁷ the Quadrilateral represents for Anglicans "the substantial deposit of Christian Faith and Order committed by Christ and his Apostles to the Church unto the end of the world."⁸ Clearly, then, as part of the apostolic tradition of the church, Anglicans hold not only matters of faith but also matters of ecclesial structure and governance, that is the historic episcopate, to be of divine origin and thus to be essential to church unity. In contrast, Lutherans consider all ecclesial forms of polity, including episcopal governance, "to be a matter of human law and not of divine law."⁹ Hence for Lutherans, as is rendered respectively by the German and Latin translations of Article VII of the *Augsburg Confession*, historic episcopacy is classed as one of the "uniform ceremonies" or the "human traditions, rites, or ceremonies" instituted by human beings which is not necessary for the true unity of the church.

Although agreement in the doctrine of faith between Anglicans and Lutherans has been widely achieved,¹⁰ the matter of church structure has been and remains the point of controversy. Even though neither church's self-understanding should serve as the measure or standard of the other,¹¹ precisely this is happening in many ecumenical agreements between Anglicans and Lutherans with respect to historic episcopacy, with far reaching implications. To illustrate how this key difference manifests itself in the life of each church some general

observations can be made.

1. Anglicans maintain a threefold ordering of ministers ordained as deacons, priests (presbyters), and bishops. Lutherans hold that there is one ordered ministry of Word and Sacrament (pastors).
2. Anglicans maintain that the authentic authority for the ordained ministry must be transmitted through bishops in an historic episcopate. Lutherans hold that the Word of God incarnate in Jesus Christ alone confers the authority to proclaim the gospel, to administer the sacraments, and thereby to forgive sins as the means of grace which ordain (or order) ministry.
3. Anglicans maintain that ordination bestows sacramental authority on the ordinand for life and that progressive ordinations confer to those successively ordained as deacons, priests, and bishops the grace needed to exercise each of these respective ministries.¹² Lutherans understand ordination as the confirmation of a call to the office of pastor. American Lutherans have always held that their officers of *episkopé* (sometimes called bishops) are and remain pastors who have been elected to exercise certain supra-parish administrative responsibilities for a fixed term of office. Thus, Anglicans maintain that ministry is an authority conferred upon an individual, while Lutherans hold that ministry is an office or duty which is entrusted to an individual.¹³
4. Consequently, Anglicans maintain that the fullness of ministry rests with the bishop and that the bishop's diocese is the basic unit of the church. Lutherans hold that the fullness of ministry resides in the gospel of Jesus Christ and that the local church (congregation) is the basic unit of the church.

From this brief overview of both traditions it should be obvious that Anglicans and Lutherans have very different understandings of the nature of ministry in relation to the gospel, and thus different understandings of the nature of the church as the way in which the gospel is present in the world. Given these considerable differences, how could CCM have been passed by both the ELCA and the Episcopal Church as an agreement for church unity? As the following analysis of the text of CCM will hopefully demonstrate, the question must be asked more pointedly. Is *Called to Common Mission* a grand illusion or a fabulous fraud?

Critical Assessment of Called to Common Mission

In order to undertake an analysis of the text of CCM in a way which is respectful of the distinctiveness and diversity found in both the Anglican and Lutheran traditions, the title, the introduction, and the text of CCM will be critically assessed in the following commentary. After a brief analysis of its title, the text of CCM will be examined paragraph by paragraph in a parallel, two column format. In this format, the text of CCM will be placed on the left, and the corresponding commentary to the underlined portions of the text of CCM will be found on the right.

I. The Title: *Called to Common Mission*

When the failed *Concordat of Agreement* was revised, the ELCA insisted on changing the name of the revised text to *Called to Common Mission*.¹⁴ Despite this name change, even a superficial analysis of a few key terms in CCM reveals that mission is not at the heart of this agreement. The tally of references for these few central terms is given as follows:

Key Term

Subtotal of References

Total References

1. Mission		17
2. Jesus	3}	
Jesus Christ	6}	
Christ	20}	
	(various forms of reference to Jesus) - <u>Combined Sub-Total</u>	29
3. God		31
	(mission/Jesus/God) - <u>Combined Total</u>	77
4. Bishop(s)	42}	
Episcopate	16}	
<i>Episkope</i>	5}	
Episcopal	3}	
(*) succession	13}	
	(various forms of reference to bishop) - <u>Combined Sub-Total</u>	79
5. Pastor(s)		10

Statically, these results indicate that *Called to Common Mission* has little to do with “mission” (17 references) and almost everything to do with “bishops” (79 combined total references). Furthermore, in CCM bishops are more prominent than “God” (31 references) and “Jesus Christ” (29 combined total references) which together receive a combined total of 60 references. When “God,” “Jesus Christ,” and “mission” are tallied, their sum of 77 references still falls short of the 79 combined total references to bishop(s). In light of this, some have suggest that CCM would have been more appropriately entitled *Called to Common Ministry*.

With respect to the church’s actual mission of proclaiming the gospel and sharing the sacraments, CCM offers nothing which the ELCA and the Episcopal Church could do together which had not be done together before the passage of CCM. If the lack of a full-communion agreement between the ELCA and the Episcopal had not hindered mission, then why did the ELCA insist on a name change which would imply that CCM would enhance mission? Furthermore, why did the ELCA apply a new name to a document which for all intents and purposes was adopted in July, 2000, by the Episcopal Church’s 73rd General Convention as being essentially the same agreement as the original *Concordat of Agreement*?¹⁵ Yet, again, how could the Episcopal Church consider CCM to be essentially the same agreement as the *Concordat* when the ELCA’s 1997 Churchwide Assembly had specifically called for a new proposal for full-communion to be drafted which addressed the concerns raised by confessional Lutherans? The intertwined and confusing nature of these questions alone raises a more fundamental question; namely, were the content, nature, and ramifications of CCM presented clearly and factually to the respective memberships of the ELCA and of the Episcopal Church? In other words, if CCM were really such a fine agreement, then would it have been necessary for the leaders of both churches to have handled the matter with such apparent duplicity?

When Anglicans maintain that historic episcopacy is of divine nature, and Lutherans do not, and when the ELCA claimed that CCM was a new agreement while the Episcopal Church portrayed CCM as the previous agreement, then both Episcopalians and ELCA Lutherans need to examine carefully not only what CCM truly entails but also how the passage of CCM was achieved. The following critical assessment of CCM seeks to facilitate such a critical examination. Although a full analysis of every deficiency in CCM would be desirable,

such an undertaking would exceed the confines of the two column, study format. Therefore, attention will only be drawn only to the most obvious errors and inaccuracies in CCM, of which there is no shortage. Again, the commentary in the right column seeks to analyse the underlined portions of CCM's text provided in the left column.

Introduction to *Called to Common Mission*

Our churches have discovered afresh our unity in the gospel and our commitment to the mission to which God calls the church of Jesus Christ in every generation. Unity and mission are organically linked in the Body of Christ, the church. All baptized people are called to lives of faithful witness and service in the name of Jesus.

II. Commentary to the "Introduction"

The Introduction to CCM requires clarification and elucidation on at least five points:

First, almost immediately CCM reveals a fundamental difference between the Anglican and Lutheran understandings of the church. The second sentence of the first paragraph of the Introduction describes the body of Christ as having "organic" qualities (of the flesh). Generally, Anglicans conceive of the church as Christ's body in a physiological fashion where the succession of bishops serves as the church's central "organ of unity and continuity" with the apostles.¹⁶ For Anglicans, Christ relates to the rest of the church through this "organ" which is made of bishops who have actually touched each other physically in a successive way down through the centuries (tactile succession). Although, this "organic" understanding of the body of Christ has no biblical foundation, nevertheless Anglicans give their understanding of episcopacy authority analogous to Scripture and the Creeds.¹⁷

However, for Lutherans the New Testament makes clear that the church as the body of the resurrected Christ is a spiritual entity, and those who participate in this body do so spiritually.¹⁸ Furthermore, Lutherans maintain that the church arises from and is maintained solely by the word of God. Lutherans understand God's word as having been made flesh in Jesus Christ who died "once for all" for all people (see Romans 6: 3-13). Thus, Lutherans believe that Christ himself relates directly to each believer through the proclaimed word and the individually administered sacraments. Consequently, Lutherans understand the body of Christ as being comprised of those who in successive generations believe in and confess Jesus Christ as God's word incarnate. For Lutherans, if "organic" participation in the "Lord's body" happens at all, it transpires through

Indeed, the baptized are nourished and sustained by Christ as encountered in Word and Sacrament. Our search for a fuller expression of visible unity is for the sake of living and sharing the gospel. Unity and mission are at the heart of the church's life, reflecting thereby an obedient response to the call of our Lord Jesus Christ.

Many years of thorough and conscientious dialogue have brought our churches to this moment. The history of how far our churches have already traveled together is significant. It guides us on a common path toward the unity for which Christ prayed.

The purpose of this *Concordat of Agreement* is to achieve full communion between the Evangelical Lutheran Church in America and The Episcopal Church. Our churches have set this goal in response to our Lord's prayer that all may be one. Our growing unity is urgently required so that our churches will be empowered to engage more fully and more faithfully the mission of God in the world.

I ask not only on behalf of these, but also on behalf of those who will believe in me through their word, that they may all be one. As you, Father, are in me and I am in you, may they also be in us, so that the world may believe that you have sent me (John 17:20-21).

The Concordat is the latest stage in a long history of ecumenical dialogue between the two churches. Although the issues that gave rise to the Protestant Reformation in England and on the European continent were dissimilar in some respects, Anglicans and Lutherans have long recognized something of themselves in each other, and our churches have

Christ's presence in the elements of Holy Communion¹⁹ and not through an organ of bishops.

Second, as shown above, Article VII of the *Augsburg Confession* states that for "the true unity of the church it is enough (*satis est*) to agree concerning the teaching of the Gospel and the administration of the sacraments." Although CCM similarly states that "the baptized are nourished and sustained by Christ as encountered in Word and Sacrament," CCM also mentions "[o]ur search for a fuller expression of visible unity." Clearly, this "fuller expression of visible unity" implies that the gospel and the sacraments of Christ are not enough for unity between the ELCA and the Episcopal Church. Instead, in accordance with the Chicago-Lambeth Quadrilateral CCM requires bishops in an "historic episcopate"²⁰ to achieve this "fuller expression" of unity. Plainly, this runs contrary to the "*satis est*" understanding, the sufficiency of the gospel and the sacraments, as described in Article VII of the *Augsburg Confession*. Thus, almost immediately CCM announces the ELCA's departure from the Lutheran Confessions.

Third, the phrase "that they may be one" is perhaps the most misconstrued and misunderstood biblical phrase in ecumenical discussions today. According to John's Gospel, there are two interpretations of unity in Jesus:

One, in chapter 11 the high priest that year, Caiaphas, prophesied "that Jesus should die for the nation, and not for the nation only, but to gather into one the children of God who are scattered abroad" (John 11: 51f). Thus, according to John's Gospel Jesus was to die for "religious unity."

Two, in John chapter 17 the unity which Jesus desires for his disciples is grounded in the reality and being of the Father's name (John 17: 11). Only God can protect the disciples from the disintegrating powers of the world. "Without divine preservation, the unity of the congregation of the disciples is placed in jeopardy."²¹ Moreover, when Jesus prays to his Father the whole phrase asks, "that they may be one, even as we are one" (John 17: 11, 22). Thus, according to John's Gospel, the unity of those who believe in Jesus takes place not according to priestly or worldly or "visible" standards and norms, but

never issued condemnations against one another. Liturgical and sacramental worship has always figured largely in the identity and character of each tradition. Moreover, the architects of reformation, both in England and on the continent, were concerned to uphold the catholic faith. Thus it is no surprise that official ecumenical conversations between Lutherans and Anglicans date back to the late nineteenth century.

The first official conversation in this century involving Anglicans and Lutherans in the U.S.A. took place in December 1935, between The Episcopal Church and The Augustana Evangelical Lutheran Church, a church with roots in Sweden. In 1969, the first of three rounds of Lutheran-Episcopal Dialogue began. Periodic reports were submitted to the Evangelical Lutheran Church in America and its predecessor bodies and to The Episcopal Church. Two final reports, *Implications of the Gospel* and "*Toward Full Communion*" and "*Concordat of Agreement*," were submitted in 1988 and 1991 respectively.

Lutheran-Episcopal Dialogue was coordinated through the Lutheran World Federation and the Anglican Consultative Council with the Anglican-Lutheran International Conversations, the European Regional Commission, and the other national and local dialogues. Consultations were held as well with other churches and traditions in dialogue with Lutherans and Anglicans.

In 1996, the Nordic and Baltic Lutheran and the British and Irish Anglican churches entered communion on the basis of agreement in The Porvoo Common Statement. Earlier, in 1988, the Evangelical Lutheran Church in Germany and the Church of England agreed on steps to closer relations on the basis of The Meissen Declaration. Anglican and Lutheran churches in Canada, in Southern and Eastern Africa, and in Asia have initiated dialogue and begun to share in mission. These actions, and those that follow, help to prepare us and, indeed, other churches committed to the ecumenical movement, to move from our present separation into

rather in accordance with the unity which exists between the Father and the Son. This unity is not merely patterned after the relationship between the Father and the Son but is fulfilled by being drawn into the relationship between the Father and the Son.²²

In contrast, CCM asks neither about the unity between the Father and the Son nor about how believers are to be brought into this divine relationship nor about how this divine relationship will determine the human relationships of believers with each other. Instead, CCM includes in its understanding of unity the requirement of an "historic episcopate" patterned after Anglican Holy Orders. Again, although Anglicans hold such episcopacy to be of divine origin, Lutherans do not. For Lutherans, then, CCM requires a form of unity which deviates from the biblical understanding of God's desire for a relationship with humanity which promises participation in the inner-Trinitarian relationship of the Godhead as revealed to humanity through God's word in Jesus Christ.

Fourth, in relation to the Porvoo Common Statement and the Meissen Agreement, the following six points are to be made:

One, unlike CCM the Porvoo agreement does not explicitly oblige any Lutheran church to conform to the principles of the Preface to the Ordination Rites as established by the 1662 Act of Uniformity of the English Parliament which all Anglican churches share (see CCM paragraph 16). The significance of this difference will be discussed intensively later in the commentary.

Two, unlike CCM the Porvoo agreement does not require any Lutheran church to adopt the

a relationship of full communion.

Anglican practice of a sacramental “historic episcopate.” (A sacramental “historic episcopate” is one which is believed to convey through physical touch the “grace needed” to ordain properly bishops, priests, and deacons to fulfill their ministries, such as a priest’s ability to consecrate duly the sacraments.)²³

Three, although some Nordic and Baltic Lutheran churches already have an “historic episcopate,” it was originally by nature administrative rather than sacramental. Further, an administrative “historic episcopate” may permit much greater flexibility when exercised or implemented than does the “historic episcopate” required by CCM with its demands for conformity with the principles of the Anglican ordination rites. Finally, since the Porvoo Lutheran churches are either state churches or former state churches, the existence or introduction of an “historic episcopate” has not occasioned the same vigorous theological discussion and discord which CCM has created in the ELCA because American Lutheran churches have historically sought to establish and maintain themselves free of such government-related control and restraints which affected the nature of the church.²⁴

Four, the Church of Denmark (Lutheran) resoundingly rejected the Porvoo agreement because the Danish Church did not agree with the understanding of episcopacy set out in the Porvoo agreement, a fact not publicized by ELCA advocates of CCM.

Five, it is of great importance to note that the Porvoo agreement completely bypassed the Lutheran Church in Great Britain (LCiGB), an LWF member church, because the LCiGB did not at that time have a bishop. This omission indicates that Anglicans are not interested in full communion with Lutherans *per se*. Rather, Anglicans by self-understanding desire full communion with other bishops and their churches (see CCM paragraph 25) or with churches which pledge to adopt bishops analogous to their own (see CCM paragraph 18). Again, this points to the fact that CCM advances a common ministry rather than a common mission.

Six, why the Meissen agreement between the Church of England and the Evangelical Lutheran Churches in Germany is mentioned in the

Introduction to CCM is anomalous. The Meißen agreement falls short of the understanding of “full communion” envisaged by CCM. For example, Meißen paragraph 17.B.vi states,

- (vi) that whenever in our churches the people of God assemble for eucharistic worship, the ordained ministers of our churches, in accordance with their rules, may share in the celebration of the eucharist in a way which advances beyond mutual eucharistic hospitality but which falls short of the full interchangeability of ministers...

Nevertheless, the Meißen agreement does show that a close working relationship between Anglicans and Lutherans for mission can be achieved without requiring Lutherans to adopt an “historic episcopate.”

Fifth, the last paragraph of the Introduction to CCM highlights another fundamental difference between the Anglican and Lutheran understandings of the church. The notion that the Anglican “historic episcopate” is a “free gift of God’s grace” cannot be verified from the biblical texts or by historical research.²⁵ Since no “historic episcopate” has any biblical foundation, the idea of it being a gift of God is viewed by Lutherans to be a matter of historical invention. Moreover, the nature of “historic episcopacy” as a “gift” is necessarily called into question when the “gift” proves to be a mandatory condition for full communion.²⁶ Conditional gifts are not true gifts.

From a Lutheran perspective, the Anglican attempt to link “historic episcopacy” with God represents what Martin Luther understood as the essence of humanity’s inability to fulfill the First Commandment, “You shall have no other god before me” (Deut. 5: 7). In relation to this commandment, Luther interprets that human beings can and will have anything but the one, true, living God as a “god.” As Luther explains in his Large Catechism, “That upon which you rest your heart and entrust it is actually your god.”²⁷ From a Lutheran perspective, then, believing that an “historic episcopate” is of God serves only to confirm how the projection of human, religious desires on to the being of God can, despite

The conviction that underlies this endeavor is that each of the two churches has received a gift, not of its own deserving and certainly not for its own possession, but as the free gift of God's grace. What each of the churches must now ask, as it considers this Concordat, is how it can receive the gift freely given the other for the good of Christ's church. Both the Anglican emphasis on the historic episcopate and an ordained ministry, and the Lutheran emphasis on a full understanding of the doctrine of the faith, need to be appreciated as gifts, given by God with the intention that the gift be shared with one another, and in order that the good news of God in Christ may be more truly proclaimed by word and example.

the best of intentions, actually lead people away from God's word alone and thereby create divisions in the church. Confessional Lutherans in the ELCA see precisely this happening in the ELCA in the wake of the passage of CCM.

In stark contrast to CCM, the Lutheran understanding of "gift" is that which comes freely from God through Christ alone. These gifts in Christ include the word alone, faith alone, grace alone, Scripture alone, and the cross alone. If Lutherans were to offer a gift to the Episcopal Church, then it would necessarily be the understanding of God's word as it comes to us in "law and gospel." Only the proper distinction between law and gospel can safeguard the Christian faith and the apostolicity of the church. Most importantly, however, this law-gospel hermeneutic has a firm biblical foundation. As St. Paul demonstrates, our righteousness comes not by the law but in the good news of Christ as the promise of God (Rom. 4: 13-16; Gal. 3:1-14).²⁸

In summary, Anglicans generally believe that "historic episcopacy" is of divine nature and sanctioned by the gospel. Lutherans, on the other hand, espouse none of these beliefs and characterize "historic episcopacy" to be not only of human origin but also of human invention. This should signal to the Anglicans that CCM offers no substantive unity in "historic episcopacy" as a sign of unity. Thus, by entering into an ecumenical agreement such as CCM, the Episcopal Church comprises its own ecclesial understanding and beliefs. This would seem to be a rather hollow victory for those who embrace the principles of the Chicago-Lambeth Quadrilateral.

Likewise, by accepting the Anglican understanding of the church set out in CCM, the ELCA forfeits not only its confessional heritage but more importantly the key Reformation principles which arise from the maxim of Christ alone (*solus Christus*). Similarly, by assenting to the Anglican demand to share an "historic episcopate" for full-communion, CCM obliges the ELCA to displace its own divine gift of evangelical freedom with a restrictive, legalistic, human tradition. Consequently, by putting the Anglican understanding of the church contained in CCM before both the gospel of Christ, the authority of Scripture, and the Lutheran

Confessions, the ELCA will for all intents and purposes move from being the “Evangelical” to becoming the “Episcopal Lutheran Church in America.” If all this can be surmised from the Introduction to *Called to Common Mission*, what does the text of this agreement have in store?

Called to Common Mission - The Text

1. The Lutheran-Episcopal Agreement of 1982 identified as its goal the establishment of "full communion (*communio in sacris*/altar and pulpit fellowship)" between The Episcopal Church and the churches that united to form the Evangelical Lutheran Church in America. As the meaning of full communion for purposes of this *Concordat of Agreement*, both churches endorse in principle the definitions agreed to by the (international) Anglican-Lutheran Joint Working Group at Cold Ash, Berkshire, England, in 1983, which they deem to be in full accord with their own definitions given in the Evangelical Lutheran Church in America's policy statement "Ecumenism: The Vision of the Evangelical Lutheran Church in America" (1991), and in the "Declaration on Unity" of The Episcopal Church (1979). [**Amendment: *This agreement describes the relationship between our two church bodies. It does not define the church, which is a gift of God's grace.***]

III. Commentary to the text of *Called to Common Mission*

1. The ecumenical dialogues and agreements mentioned in CCM paragraph 1 show that the Episcopal Church and the ELCA have found appreciable consensus in matters of the Christian faith, consonant with other Anglican-Lutheran dialogues. This should be welcomed by all concerned.

However, as already indicated above Anglicans and Lutherans do not agree completely about the nature of the church or its unity. Again, as the Chicago-Lambeth Quadrilateral shows, for Anglicans the marks of the church and its unity are identified somewhat statically by a certain set of criteria which reflect both the church's the faith and its structure. For Lutherans, the church and its true unity manifest themselves more dynamically as a communication-event in which Christ himself is present where the gospel is proclaimed in both word and sacrament. Therefore, by agreeing to comply with the principles of the Chicago-Lambeth Quadrilateral for full-communication with the Episcopal Church, the ELCA by default adopts a different and thus Episcopalian definition of the church.

For Lutherans, though, the matter is theologically more serious. By foregoing the principle of true church unity as represented in Article VII of the *Augsburg Confession*, the ELCA forsakes the sufficiency of Christ alone for its ecumenical relationship with the Episcopal Church. This calls Christ's lordship over the church into question, which Lutherans would rightly define as sin.

Therefore, by inserting an amendment into CCM's text stating that CCM does not define the church, the ELCA not only diverts attention from the considerable ecclesiastical issues at hand, but it also

2. We therefore understand full communion to be a relation between distinct churches in which each recognizes the other as a catholic and apostolic church holding the essentials of the Christian faith. Within this new relation, churches become interdependent while remaining autonomous. Full communion includes the establishment locally and nationally of recognized organs of regular consultation and communication, including episcopal collegiality, to express and strengthen the fellowship and enable common witness, life, and service. Diversity is preserved, but this diversity is not static. Neither church seeks to remake the other in its own image, but each is open to the gifts of the other as it seeks to be faithful to Christ and his mission. They are together committed to a visible unity in the church's mission to proclaim the Word and administer the Sacraments.

seeks to camouflage a grave theological and thus Lutheran ecclesiastical error. Similarly, by seeking to evade the consequential definition of the church contained in CCM, this amendment also discounts CCM's inherently Anglican understanding of the church as found in the Chicago-Lambeth Quadrilateral. Thus, this amendment denigrates the ecclesial traditions of both churches.

2. With respect to the ecclesial relationship mentioned in CCM paragraph 2, four points are to be made:

First, although the ELCA and the Episcopal Church recognize in the other the "catholic and apostolic essentials of the Christian faith," the Episcopal Church does not recognize in the ELCA the essentials of catholic and apostolic church order. By accepting an historic episcopate, the ELCA declares that at some level an "historic episcopate" is one of the "essentials" of what it means to be a catholic and apostolic church. Such thinking has no basis in the Lutheran Confessions.

Second, it is often claimed that becoming "interdependent while remaining autonomous" is not a merger. Technically, this may be true. However, when one reviews the expectations of the Episcopal Church for the intimate sharing of resources and personnel with the ELCA in all facets of church life, (such as Shared Leadership, Common Education, Chaplaincies, Parish Cooperation, Prayer and Worship, Ecumenical Strategy, Evangelization, Ethics and Social Issues, and a Joint Commission),²⁹ one is reminded of the pre-merger relationships between the church bodies which formed the ELCA. If CCM has a similar effect on the relationship between the ELCA and the Episcopal Church, then Prof. Walter Bouman might be correct in asserting that "once future generations get used to the churches being interchangeable they will start questioning why two bishops are needed for the same territory."³⁰ Obviously, some do envisage CCM eventually to result in a merger.

Third, since CCM requires all future ELCA pastors and bishops to have the equivalency of Anglican Holy Orders in order to serve in the ELCA, then contrary to the text of CCM "diversity" is not

being preserved, and the Episcopal Church is by and large “remaking” the ELCA in its own image.

Finally, CCM’s stated goal of “visible unity” cannot be reconciled with the concept of “true unity” as defined by Article VII of the *Augsburg Confession*. As such, CCM advocates a mistaken and retrograde departure from Article VII of the *Augsburg Confession*. Likewise, since the ELCA will neither believe nor teach “historic episcopacy” in its sacramental understanding, the Episcopal Church will not be able to deem the ordinations of ELCA pastors and bishops as wholly reconciled to its own ordinations. Given these seemingly unreconcilable differences, one must ask whether the goal of “visible unity” in CCM represents anything other than a “unity of appearances.”

3. The Episcopal Church agrees that in its General Convention, and the Evangelical Lutheran Church in America agrees that in its Churchwide Assembly, there shall be one vote to accept or reject, as a matter of verbal content as well as in principle, the full set of agreements to follow. If they are adopted by both churches, each church agrees to make those legislative, canonical, constitutional, and liturgical changes that are needed and appropriate for the full communion between the churches. [Amendment: *In adopting this document, the Evangelical Lutheran Church in America and The Episcopal Church specifically acknowledge and declare that it has been correctly interpreted by the resolution of the Conference of Bishops of the Evangelical Lutheran Church in America, adopted at Tucson, Arizona, March 8, 1999*] (footnote 1 in CCM is found in this document in Appendix A).

3. The amendment of CCM paragraph 3 by the ELCA’s Churchwide Assembly to include specific reference to the Tucson Resolution issued by the ELCA’s Conference of Bishops raises significant and complex concerns which cannot be addressed suitably within the confines of the present two column analysis of CCM. Consequently, discussion of this amendment is deferred to the end of this critical assessment where its complexities can be fully examined. Nevertheless, at this juncture, two points can be made:

First, when the *Concordat of Agreement* was defeated by the ELCA’s Churchwide Assembly in Philadelphia in 1997, the ELCA’s Church Council in November 1997 called for a “a revised and rewritten *Concordat of Agreement*, using clear, down-to-earth language and including the rationale for its conclusions and recommendations.”³¹ If CCM’s drafting team had fulfilled its task adequately, then the ELCA’s Conference of Bishops would not have found it necessary to issue a resolution containing 20 points of elucidation and interpretation of CCM.

Second, under “normal circumstances” neither the principle of an “historic episcopate” nor the changes required for its implementation would be acceptable to the majority of members of the ELCA. CCM represents an attempt to redefine the ELCA’s understanding of the church, not through internal necessity but through ecumenical expediency. Apart

A. Agreements

Agreement in the Doctrine of the Faith

4. The Evangelical Lutheran Church in America and The Episcopal Church recognize in each other the essentials of the one catholic and apostolic faith as it is witnessed in the unaltered *Augsburg Confession*, the *Small Catechism*, and *The Book of Common Prayer* of 1979 (including "Ordination Rites" and "An Outline of the Faith"), and also as it is summarized in part in *Implications of the Gospel* and "*Toward Full Communion*" and "*Concordat of Agreement*," (containing the reports of Lutheran-Episcopal Dialogue III), the papers and official conversations of Lutheran-Episcopal Dialogue III, and the statements formulated by Lutheran-Episcopal Dialogues I and II. Each church also promises to encourage its people to study each other's basic documents.

from the opinions of a few career ecumenists and a minority of clergy, there has been no demand in the ELCA for the introduction of an "historic episcopate."³² However, now that CCM has been ratified by both the ELCA and the Episcopal Church, the changes to ensue are poised to alter radically the nature, understanding, and unity of the ELCA. As the ELCA has never satisfactorily defined its own understanding of the ministry, the introduction and imposition of Anglican ecclesiology in the ELCA seriously threatens the terms of the merger which formed the ELCA a decade ago.

4. When CCM paragraph 4 refers to "the essentials of the one catholic and apostolic faith," Lutherans need to ask a number of questions. For example, why do only the *Augsburg Confession* and Luther's *Small Catechism* receive mention here as Lutheran confessional writings to the exclusion of all the other documents contained in the *Book of Concord*? Does this perhaps signal that the ELCA is prepared to discount substantial elements of its confessional heritage for full-communication with the Episcopal Church?

Furthermore, by affirming the Episcopalian documents and parts of the ecumenical agreements mentioned in CCM paragraph 4, which specify principles not contained in the *Book of Concord*, is the ELCA thereby altering its confessional status? For example, since when do Lutherans maintain that the "catholic and apostolic faith" includes the "Ordination Rites" and the understandings of ordained ministry as found in "An Outline of the Faith" in the Episcopal Church's *Book of Common Prayer*? It is important for Lutherans to note that many of the principles which underpin these documents and agreements are Anglican, or even Roman Catholic, in nature. Furthermore, many of these principles stand in contradiction to many articles of the *Augsburg Confession*, notably Articles V, VII, and XXVIII.

Episcopalians also need to pose a question or two. For example, if the Episcopal Church views the *Augsburg Confession* and Luther's *Small Catechism* as containing the essentials of the one catholic and

5. We endorse the international Anglican-Lutheran doctrinal consensus which was summarized in *The Niagara Report* (1989) as follows: "We accept the authority of the canonical Scriptures of the Old and New Testaments. We read the Scriptures liturgically in the course of the church's year. "We accept the Niceno-Constantinopolitan and Apostles' Creeds and confess the basic Trinitarian and Christological Dogmas to which these creeds testify. That is, we believe that Jesus of Nazareth is true God and true Man, and that God is authentically identified as Father, Son, and Holy Spirit. "Anglicans and Lutherans use very similar orders of service for the Eucharist, for the Prayer Offices, for the administration of Baptism, for the rites of Marriage, Burial, and Confession and Absolution. We acknowledge in the liturgy both a celebration of salvation through Christ and a significant factor in forming the *consensus fidelium* [the consensus of the faithful]. We have many hymns, canticles, and collects in common. "We believe that baptism with water in the name of the Triune God unites the one baptized with the death and resurrection of Jesus Christ, initiates into the one, holy, catholic and apostolic church, and confers the gracious gift of new life. "We believe that the Body and Blood of Christ are truly present, distributed, and received under the forms of bread and wine in the Lord's Supper. We also believe that the grace of divine forgiveness offered in the sacrament is received with the thankful offering of ourselves for God's service. "We believe and proclaim the gospel, that in Jesus Christ God loves and redeems the world. We share a common understanding of God's justifying grace, i.e. that we are accounted righteous and are made righteous before God only by grace through faith because of the merits of our Lord and Saviour Jesus Christ, and not on account of our works or merit. Both our traditions affirm that justification leads and must lead

apostolic faith, should it not also desire to adopt these Lutheran confessional writings as their own? That is, if the ELCA is freely to accept an "historic episcopate" as a gift and sign of unity with the Episcopal Church, should the Episcopal Church not also reciprocate and subscribe to these Lutheran confessional standards as a sign of unity?

5. It is to be welcomed that CCM paragraph 5 outlines the "doctrinal consensus" between Anglicans and Lutherans which has been established in *The Niagara Report* (1989). However, reference to *The Niagara Report* raises six points for discussion:

First, *The Niagara Report*, like CCM, is based on the ecumenical understanding of the Chicago-Lambeth Quadrilateral and not on the Lutheran Confessions. Likewise, *The Niagara Report* has also set a precedent for Anglicans to demand of Lutherans that they make changes in their understanding and structuring of the church in order to conform with Anglican episcopal polity.³³

Second, as already indicated above, these Anglican demands represent not only a retrograde departure from the Lutheran Confessions but also a radical departure from the Lutheran understanding of evangelical freedom which has guided the American Lutheran understanding of ministry since the first Lutherans arrived from Europe.

Third, it is important to note that CCM paragraph 5 equates the "ordained ministry" with the ministry of "Word and Sacrament." This runs contrary to Article V in the *Augsburg Confession*. As a footnote to Article V in the *Book of Concord* expressly states, "Luther did not understand the office of proclamation in a clerical sense."³⁴ For Lutherans, God has "ordained" the office of word and sacrament which can be fulfilled by persons who are called to fulfill this office's duties. This understanding of office is quite different from the Anglican concept of ordaining and thus endowing certain human beings with sacramental powers to serve exclusively as ministers of word and sacrament.

Fourth, it is important for Lutherans to read according to CCM paragraph 5 that "oversight" (*episkopé*) "is necessary to witness to and safeguard the unity and apostolicity of the church." The

to 'good works'; authentic faith issues in love.

"Anglicans and Lutherans believe that the church is not the creation of individual believers, but that it is constituted and sustained by the Triune God through God's saving action in Word and Sacraments. We believe that the church is sent into the world as sign, instrument, and foretaste of the kingdom of God. But we also recognize that the church stands in constant need of reform and renewal. "We believe that all members of the church are called to participate in its apostolic mission. They are therefore given various ministries by the Holy Spirit. Within the community of the church the ordained ministry exists to serve the ministry of the whole people of God. We hold the ordained ministry of Word and Sacrament to be a gift of God to his church and therefore an office of divine institution. "We believe that a ministry of pastoral oversight (*episkope*), exercised in personal, collegial, and communal ways, is necessary to witness to and safeguard the unity and apostolicity of the church. "We share a common hope in the final consummation of the kingdom of God and believe that we are compelled to work for the establishment of justice and peace. The obligations of the kingdom are to govern our life in the church and our concern for the world. The Christian faith is that God has made peace through Jesus 'by the blood of his cross' (Colossians 1:20) so establishing the one valid center for the unity of the whole human family."

Lutheran Reformers did value *episkopé*, but such "oversight" was not confined to the office of bishop. For the Reformers, oversight took chiefly the form of visitation of local churches by duly authorized persons to ensure proper teaching and preaching.³⁵ Lutherans have traditionally held that the unity and apostolicity of the church is maintained only in Christ through the Holy Scriptures by the work of the Holy Spirit. For Lutherans, apostolicity "happens" when the letter of the biblical text is enlivened by the Spirit in the proclamation of the gospel. By allowing CCM's episcopalian understanding of *episkopé* to usurp its confessional understanding of unity and apostolicity, the ELCA abandons not only the Reformation principle of *sola scriptura* (Scripture alone)³⁶ but thereby also the more fundamental-theological principle of Christ alone.

Fifth, the concept of *episkope* (oversight) in CCM is not clearly differentiated or demarcated from a particular and narrow understanding of "historic episcopacy." Biblically, the Greek word "*episkope*" does not refer in any way to the concept of an episcopal office being transmitted by a ritual of laying-on-of-hands as the primary way in which grace is mediated in the church (see CCM paragraph 12). Furthermore, Lutherans do not maintain that *episkopé* is reserved for a supra-congregational office of bishop. In his *Exhortation to All Clergy Assembled at Augsburg for the Diet of 1530*, Luther instead posits the function of "episkope" in the office of the proclamation of the Word. "If it were left up to the endowment bishops and suffragan (*sic*) bishops, the church would long since have perished a hundred thousand times... The bishop's office will, I daresay, remain with the pastors and preachers."³⁷

For Lutherans, then, Christ alone as the head of the church can and will ensure that the "unity and apostolicity of the church" are witnessed to and safeguarded when preachers, who make the proper distinction between law and gospel, proclaim the word of God. From a Lutheran perspective, CCM itself in both its text and intention (letter and spirit) represents a failure to maintain the proper this distinction between law and gospel.

Sixth, Anglicanism is gratefully indebted for its existence to the restoration of the English

monarchy in 1660-1662. The subsequent measures taken by the English Crown and Parliament to restore and to safeguard episcopalianism in the Church of England at the time of the Restoration unfortunately serve as the source today of the ecumenical difficulties between the Episcopal Church and many Protestants in the United States. To overcome these difficulties, the ELCA through CCM will necessarily distance itself from the Lutheran doctrine of “two kingdoms” before God in favour of the Anglican “one kingdom” doctrine established under the English Crown.

This move by the ELCA raises not only weighty theological issues for Lutherans but also serious ethical questions for ecumenism. Anglicanism as a church of the English Restoration owes its definite existence to the religious intolerance of the enforced episcopalianism dictated by the 1662 Act of Uniformity. So, on one hand according to CCM paragraph 5, Lutherans and Episcopalians view themselves as “compelled to work for the establishment of justice and peace” in anticipation of “the final consummation of the kingdom of God.” Paradoxically, on the other hand, to achieve full-communion under the Anglican “one kingdom” doctrine in CCM, the ELCA has agreed to the Episcopal Church’s demand for it to share and to practice against its own clergy aspects of this historic Anglican religious intolerance. The recreation of the strife-ridden history of Anglican enforced episcopalianism within the ELCA³⁸ questions not only both churches’ desire to establish justice and peace but also their understanding of the very nature of the kingdom of God.³⁹

Agreement in Ministry

6. The ministry of the whole people of God forms the context for what is said here about all forms of ministry. We together affirm that all members of Christ’s church are commissioned for ministry through baptism. All are called to represent Christ and his church; to bear witness to him wherever they may be; to carry on Christ’s work of reconciliation in the world; and to participate in the life, worship, and governance of the church. We give thanks for a renewed discovery of the centrality of the ministry of all the baptized in both our churches. Our witness to the gospel and pursuit of peace, justice, and

6. At first glance, CCM paragraph 6 appears to contain nothing disagreeable. However, what is not mentioned here creates cause for concern for both Anglicans and Lutherans.

For Anglicans, “the ministry of all the baptized” is not the same as the Lutheran notion of priesthood of all believers. For Anglicans, the institutionalized forms of ordained ministry, the being “set apart,” represent “another realm of the gift of the Spirit” which “is not an extension of the common Christian priesthood.”⁴⁰ Within the

reconciliation in the world have been immeasurably strengthened. Because both our churches affirm this ministry which has already been treated in our previous dialogues, it is not here extensively addressed. Both churches need more adequately to realize the ministry of the baptized through discernment of gifts, education, equipping the saints for ministry, and seeking and serving Christ in all persons.

7. We acknowledge that one another's ordained ministries are and have been given by God to be instruments of God's grace in the service of God's people, and possess not only the inward call of the Spirit, but also Christ's commission through his body, the church. We acknowledge that personal, collegial, and communal oversight is embodied and exercised in both our churches in a diversity of forms, in fidelity to the teaching and mission of the apostles. We agree that ordained ministers are called and set apart for the one ministry of Word and Sacrament, and that they do not cease thereby to share in the priesthood of all believers. They fulfill their particular ministries within the community of the faithful and not apart from it. The concept of the priesthood of all believers affirms the need for ordained ministry, while at the same time setting ministry in proper relationship to the laity. The Anglican tradition uses the terms "presbyter" and "priest" and the Lutheran tradition in America characteristically uses the term "pastor" for the same ordained ministry.

threefold ordering of deacons, priests, and bishops, Anglicans hold that through ordination ministers have been endowed with extra grace and are ontologically changed, in the case of priests to confect the sacraments.⁴¹ The Episcopal Church with its three ordained ministries thus values and honours its ordained priesthood as being distinctly separate from or superior to the laity. By allowing non-episcopally ordained Lutheran pastors to preside at its Eucharist (see CCM paragraphs 14 and 15), the Episcopal Church must necessarily question the efficaciousness of these sacraments, especially the Eucharist.

For Lutherans, this demarcation between clergy and the laity devalues the central role of baptism through which the "priesthood of all believers" is created. As Luther states, "Whatever has crawled out of the waters of baptism can boast to have been consecrated priest, bishop, and pope, although everyone may not be suited to exercise such an office."⁴² Thus, CCM rents asunder the Lutheran understanding of the priesthood of all believers.

7. To CCM paragraph 7, three points need to be made:

First, the statement that "one another's ordained ministries are and have been given by God" obscures the Lutheran understanding of ministry set out in Article V of the *Augsburg Confession*. Contrary to Article V, CCM shifts the Lutheran understanding of ministry away from God's action in word and sacrament and places it primarily with the actions of clergy, at the expense of the laity.

In the Lutheran understanding of ministry, ordained persons are not "set apart for the one ministry of Word and Sacrament." Instead, they are set "within" God's ministry of proclaiming the gospel in word and sacrament. As Article V in the *Augsburg Confession* makes no mention of an "ordained ministry" it is hard to see how and why the "priesthood of all believers affirms the need for ordained ministry," as CCM understands it. Again, this represents the subordination of the Lutheran understanding of ministry to the Anglican understanding of the church.

Second, that CCM speaks here of a ministry

of “oversight” in “fidelity to the teaching and mission of the apostles” is not Lutheran. Instead, Lutherans confess fidelity to Christ alone and thereby fidelity to the teachings contained in Scripture alone. For Lutherans, this fidelity is not a human action but is effected only by the Holy Spirit. As Lutherans confess concordant with the third article of the Apostles’ Creed,

I believe that I cannot by my own understanding or strength believe in Jesus Christ my Lord or come to him, but instead the Holy Spirit has called me through the gospel, enlightened me with his gifts, made me holy, and kept me in the true faith, just as he calls, gathers, enlightens, and makes holy the whole Christian church on earth and keeps it with Jesus Christ in the one common, true faith.⁴³

Thus, the notion of the “ordained ministry” in CCM dilutes and restricts the Lutheran understanding of the person and the work of God the Holy Spirit.

Third, the attempt in CCM paragraph 7 to equate Lutheran pastors with the order of priest in the Episcopal Church runs contrary to the historical development of the Lutheran Reformation. When the Lutheran Reformers started to ordain pastors regularly in 1535, candidates for the ministry were ordained to the office of pastor as bishops.⁴⁴ Thus, ELCA pastors who support CCM advance only their own demotion and relegation to the lesser position of “presbyter.” In relation to the developments of the Lutheran understanding of ministry since the Reformation, CCM again represents a deliberate and retrograde step.

8. In order to give witness to the faith we share (see paragraphs 4 and 5 above), we agree that the one ordained ministry will be shared between the two churches in a common pattern for the sake of common mission. In the past, each church has sought and found ways to exercise the ordained ministry in faithfulness to the apostolic message and mission. Each has developed structures of oversight that serve the continuity of this ministry under God's Word. Within the future common pattern, the ministry of

8. Three points are to be made in relation to CCM paragraph 8:

First, through its imprecise use of the term “apostolic” this paragraph contains many misleading statements which disguise the fact that here again the Chicago-Lambeth Quadrilateral takes precedence over the Lutheran Confessions. Whereas CCM talks about “the one ordained ministry,” in actual fact the Episcopal Church has three ordained ministries

pastors/priests will be shared from the outset (see paragraph 16 below). Some functions of ordained deacons in The Episcopal Church and consecrated diaconal ministers and deaconesses in the Evangelical Lutheran Church in America can be shared insofar as they are called to be agents of the church in meeting needs, hopes, and concerns within church and society. The churches will over time come to share in the ministry of bishops in an evangelical, historic succession (see paragraph 19 below). This succession also is manifest in the churches' use of the apostolic scriptures, the confession of the ancient creeds, and the celebration of the sacraments instituted by our Lord. As our churches live in full communion, our ordained ministries will still be regulated by the constitutional framework of each church.

(deacon, priest, bishop). Moreover, until the passage of CCM the ELCA has had only the one ordained office of pastor which is not recognized by the Episcopal Church as being ontologically equal to any of its ordained ministries.⁴⁵

Second, by conforming to the threefold pattern of Anglican Holy Orders of ministry for unity, the ELCA will denigrate its one office of pastor by establishing an elevated episcopate. This will create a two-tier structure of clergy in the ELCA. If the ordination of deacons is also introduced into the ELCA, a three tier ordained ministry will result. Thus, in order to attain equality and thus unity with Anglican Holy Orders, the ELCA must create heretofore unknown inequality and disunity within its own ordained ministry.

Third, while Anglicans hold that “historic episcopacy” is “apostolic” and thus part of the gospel, Lutherans do not share this belief. Therefore, the term “evangelical, historic succession” appears to have been coined solely for the purpose of leading the membership of the ELCA into thinking that Anglican insistence upon “historic episcopacy” for unity can somehow be made Protestant. However, Lutherans consider such “historic succession” to be neither evangelical (gospel-based) nor biblical nor even Lutheran, regardless of the claim that some Lutheran churches have an “historic episcopate.” Viewed theologically from a Lutheran law-gospel perspective, the Anglican demand for the adoption of an historic episcopate for unity is pure “law.” Consequently, such obliged reception is not and cannot be termed gospel (evangelical).

In the Lutheran church, the “evangelical” succession occurs in world history through the purely proclaimed Word and through the rightly administered sacraments (see Article VII of the *Augsburg Confession*). A true “evangelical succession” in history does not depend upon any particular, institutionalized office of ordained ministry. From the Lutheran standpoint, because each Christian has been set free by God through the gospel, each Christian as a member of the priesthood of all believers shares equally in the “evangelical, historic succession.”

Furthermore, Lutherans believe that each

Christian through faith is free in all things and is thereby ultimately accountable only to God. This is why Luther could engage in his struggles to try to reform the church. Likewise, all Lutheran pastors (and bishops as pastors) are called by the gospel to be free and to remain free of anything which is not of Christ. As the Bible states,

For to this you have been called, because Christ also suffered for you, leaving you an example, so that you should follow in his steps. "He committed no sin, and no deceit was found in his mouth." When he was abused, he did not return abuse; when he suffered, he did not threaten; but he entrusted himself to the one who judges justly. He himself bore our sins in his body on the cross, so that, free from sins, we might live for righteousness; by his wounds you have been healed. For you were going astray like sheep, but now you have returned to the shepherd and bishop of your souls (I Peter 2:21-25).

9. Important expectations of each church for a shared ordained ministry will be realized at the beginning of our new relation: an immediate recognition by The Episcopal Church of presently existing ordained ministers within the Evangelical Lutheran Church in America and a commitment by the Evangelical Lutheran Church in America to receive and adapt an episcopate that will be shared. Both churches acknowledge that the diaconate, including its place within the threefold ministerial office and its relationship with all other ministries, is in need of continuing exploration, renewal, and reform, which they pledge themselves to undertake in consultation with one another. The ordination of deacons, deaconesses, or diaconal ministers by the Evangelical Lutheran Church in America is not required by this Concordat.

9. CCM paragraph 9 leaves undefined what "sharing" an ordained ministry means generally, and what sharing an episcopate means specifically. However, it is clear is that at present the Episcopal Church considers ELCA pastors/bishops to be deficiently ordained. As a result of this divisive attitude and spirit of superiority by the Episcopal Church, it has been noted that many ELCA clergy have already suffered tremendously.⁴⁶

As indicated above, Anglican insistence upon its understanding of episcopal succession and ordination has proven itself historically to be a form of religious intolerance. It was precisely this spirit of intolerance which drove the Pilgrims to come to the New World on the Mayflower. The Pilgrims were simply "no longer prepared to submit to the episcopal governance and Romish teachings (as they saw it) of the established Church of England. They were going to America to pursue religious freedom, as a Christian body."⁴⁷ In England, the refusal to conform to the episcopalianism of the Church of England resulted not only in emotional and spiritual suffering but also in financial and physical suffering through

heavy penalties, confiscation of land, beatings, and imprisonment where the horrendous conditions often led to death.⁴⁸

This spirit of religious intolerance which accompanies the Anglican historic episcopate has now been constitutionally mandated in the ELCA. Henceforth, except in “unusual circumstances”⁴⁹ it will be constitutionally illegal for new ordinands or newly elected bishops to refuse participation in an “historic episcopate.”

Even this cursory description of the history of “enforced episcopalianism” should indicate that there are no justifiable, theological, or ethical grounds for the ELCA “to share” in this type of restrictive and oppressive form of church governance. By adopting an historic episcopate to satisfy Episcopalian demands, the ELCA renounces Luther’s theology of the cross to take up position amongst those historically more inclined to do the crucifying. In so doing, the ELCA forfeits its moral and ethical standing to speak on behalf of oppressed or persecuted peoples.

10. The New Testament describes a laying-on-of-hands to set persons apart for a variety of ministries. In the history of the church, many and various terms have been used to describe the rite by which a person becomes a bishop. In the English language these terms include: confecting, consecrating, constituting, installing, making, ordaining, ordering. Both our traditions have used the term "consecration of bishops" for this same rite at some times. Today the Evangelical Lutheran Church in America uses the term "installation" while The Episcopal Church uses the word "ordination" for the rite by which a person becomes a bishop. What is involved in each case is the setting apart within the one ministry of Word and Sacrament of a person elected and called for the exercise of oversight (episkope) wider than the local congregation in the service of the gospel.

10. CCM paragraph 10 contains two significant misconceptions which need to be addressed:

First, although it is true that the New Testament “describes a laying-on-of-hands to set persons apart for a variety of ministries,” contrary to the impression given by CCM paragraph 10 the New Testament makes no mention of bishops being set apart or being commissioned in this way. Furthermore, the New Testament understands *episcopoi* (often translated as bishops) to be nothing more than “overseers,” as the Greek word implies. Also, the New Testament lacks any understanding of an institutionalized office in the church, must less the notion of an “historic episcopate” with its three ordained expressions. Any other impression given by the wording in this paragraph to the contrary is erroneous and consequently misleading.

Second, it is also erroneous and misleading to equate the ordination of an Anglican priest to the ministry of bishop as a mere “rite” of entry. Whereas this may adequately describe the installation of a Lutheran pastor to the administrative position of “bishop,” much more is involved when an Anglican

priest is made a bishop. Thus, by effectively equating the Anglican ordination to bishop with the Lutheran installation of a pastor to function as a bishop, Anglicans denigrate their own ecclesial, apostolic tradition.

11. "Historic succession" refers to a tradition which goes back to the ancient church, in which bishops already in the succession install newly elected bishops with prayer and the laying-on-of-hands. At present The Episcopal Church has bishops in this historic succession, as do all the churches of the Anglican Communion, and the Evangelical Lutheran Church in America at present does not, although some member churches of the Lutheran World Federation do. The Chicago- Lambeth Quadrilateral of 1886/1888, the ecumenical policy of The Episcopal Church, refers to this tradition as "the historic episcopate." In the Lutheran Confessions, Article 14 of the *Apology* refers to this episcopal pattern by the phrase, "the ecclesiastical and canonical polity" which it is "our deep desire to maintain."

11. The attempt in CCM paragraph 11 to correlate episcopal "historic succession" with the Anglican "historic episcopate" and with "the ecclesiastical and canonical polity" mentioned in Article XIV of the *Apology* of the *Augsburg Confession* creates significant problems for both Anglicans and Lutherans. Consider the following five points:

First, CCM itself does not make clear whence the term "historic succession" originates or how it differs from an "historic episcopate." However, the term "historic succession" is similar to the term "apostolic succession," a concept which the Roman Catholic Church traditionally reserves for the Pope and his bishops. Because of the way the English Reformation unfolded, the Roman Catholic Church considers Anglicanism to have broken with the tradition of "apostolic succession." Subsequently, in 1896 in the Bull *Apostolicae Curae* Pope Leo XIII declared all Anglican ordinations carried out since 1550 to be "absolutely null and utterly void."⁵⁰

Thus, from a Roman Catholic (and Orthodox) perspective, an "historic succession" which is not truly "apostolic succession" cannot by its very nature be fully a sign of unity in the church catholic. Because of this, the Anglican "historic episcopate" inherently seeks unity with the sacramental understanding of church order and practice under the Roman Pontiff.

So, when CCM paragraph 11 reduces the sacramental understanding of "apostolic succession" to being merely an "episcopal pattern" mechanistically administered through successive manual applications, then "historic episcopacy" has been disembowelled of its very essence. Furthermore, as Lutherans do not subscribe to a sacramental understanding of "historic episcopacy," Anglicans need to consider seriously whether full-communion with Lutherans on such terms has any meaning whatsoever.

Second, the attempt in CCM paragraph 11 to equate "historic episcopacy" or episcopal "historic

succession” with “the ecclesiastical and canonical polity” mentioned in Article XIV of the *Apology* to the *Augsburg Confession* is historically groundless.

When the *Apology* to the *Augsburg Confession* (1530-31) describes the Lutheran Reformers as desiring to maintain a certain “ecclesiastical and canonical polity,” the historical circumstances at the time dictate that the only polity to which the Lutheran Reformers could have been referring was that of the medieval Roman church of the Pope. In other words, it is historically impossible to equate the structures described in Article 14 of the *Apology* with the episcopal structure and tradition established in Henry VIII’s Church of England and subsequently transmitted to its Anglican daughter churches, such as the Episcopal Church.

Third, in 1530-31 when Philip Melancthon drafted the *Apology* to the *Augsburg Confession*, the notion of “episcopal succession” in any form was not operational. Instead, this concept was in a sense “rediscovered” by certain Roman theologians between 1538-1540, partly as a means to counter the Reformation and partly as a means to reform the Roman church from within.⁵¹ Therefore, to assert in any way that “episcopal succession” is the “ecclesiastical and canonical polity” to which Article 14 of the *Apology* refers is historical fabrication.

Fourth, when the concept of “episcopal succession” began to gain currency in 1538-40, the Lutheran Reformers could not have been more clear in their rejection of it. For example, when addressing this topic, Philip Melancthon in 1539 wrote,

This testimony is cited by one, so that it will be thought firstly what the church might be, and the spirit is separated from the carnal opinions, which imagine the church to be a state of bishops and bind it to the orderly succession of bishops, as the empires consist of the orderly succession of princes. But the church maintains itself differently. Actually, it is a union not bound to the orderly succession but to the Word of God.⁵²

Similarly, in 1541 Luther himself stated,

In the church, the succession of bishops does not make a bishop, but the Lord alone is our bishop (*WA* 53: 74⁵³).

Clearly, then, the claim in CCM paragraph 11 that Article 14 of the *Apology* refers to the “episcopal pattern” of “historic succession” is refuted by historical evidence. Furthermore, as one of the members of the ELCA’s CCM drafting team, Michael Root, has been aware of this historical evidence since 1995,⁵⁴ CCM paragraph 11 was knowingly written with complete disregard to historical reality. Thus, contrary to the false impression given in CCM paragraph 11, there are no historical or Lutheran confessional grounds to support the introduction of “historic episcopacy” into the ELCA. In fact, the Reformers’ position on “episcopal succession” suggests quite the contrary.

Fifth, as important as their Confessions are to Lutherans, the Confessions serve chiefly as an exposition of Scripture. The biblical texts remain the primary authority for Lutherans. Thus, concurring with the sentiments of the Reformers about the supremacy of Christ and Scripture, in recent times the eminent New Testament scholar, Ernst Käsemann, has stated,

The apostolic succession of the episcopal office is quite simply ... one of many Christian fictions. There is only one apostolic succession which allows itself undoubtedly to be proven historically, namely the discipleship of Christ.⁵⁵

Again, the terms for unity as dictated by CCM signal that the ELCA no longer adheres to the Reformation principle of *sola scriptura*. This development calls the Lutheran credentials of the ELCA into question.

In short, perhaps like no other section of this ecumenical “agreement,” CCM paragraph 11 demonstrates how tenuous the unity between the Episcopal Church and the ELCA shall be. In the first instance, the apostolic understanding of the Anglican “historic episcopate” has been reduced to an ecclesial pattern transmitted through episcopal slight of hand. In the second instance, Lutherans have abandoned

12. Commitment and Definition. As a result of their agreement in faith and in testimony of their full communion with one another, both churches now make the following commitment to share an episcopal succession that is both evangelical and historic. They promise to include regularly one or more bishops of the other church to participate in the laying-on-of-hands at the ordinations/installations of their own bishops as a sign, though not a guarantee, of the unity and apostolic continuity of the whole church. With the laying-on-of-hands by other bishops, such ordinations/installations will involve prayer for the gift of the Holy Spirit. Both churches value and maintain a ministry of *episkope* as one of the ways [Amendment: ***in the context of ordained ministries and of the whole people of God,***] in which the apostolic succession of the church is visibly expressed and personally symbolized in fidelity to the gospel through the ages. By such a liturgical statement the churches recognize that the bishop serves the diocese or synod through ties of collegiality and consultation that strengthen its links with the universal church. It is also a liturgical expression of the full communion initiated by this Concordat, calling for mutual planning and common mission in each place. We agree that when persons duly called and elected are ordained/installed in this way, they are understood to join bishops already in this succession and thus to enter the historic episcopate.

their rigorous tradition of theological and intellectual integrity for a form of unity built on fiction and supported by pseudo-historical fabrication. Thus, by adopting CCM the ELCA has forgone unity through discipleship in Christ alone for ministerial uniformity based on the mythology of bishops in historic succession.

12. Based on the preceding discussion, the notion in CCM paragraph 12 that both churches will “share an episcopal succession that is both evangelical and historic” is hardly credible since neither church shares the same historical and evangelical definitions of episcopacy. Four points to this paragraph are in order:

First, whereas Anglicans consider their episcopal ministry to be part of the gospel and thereby as a gift to be shared with other churches, Lutherans do not share these same sentiments. From a Lutheran perspective, Anglicanism could benefit immensely by receiving the Lutheran “gift” of the law-gospel hermeneutic. As already indicated, the Anglican “historic episcopate” is mandated by English parliamentary and Anglican canonical law. For Lutherans, then, this legalistic episcopate is not and cannot be of the gospel (evangelical). As St. Paul reminds us, the letter of the law leads to death and not to life,

Not that we are competent of ourselves to claim anything as coming from us; our competence is from God, who has made us competent to be ministers of a new covenant, not of letter but of spirit; for the letter kills, but the Spirit gives life (II Cor 3:5f).

Second, for Episcopalians the laying-on-of-hands by successive bishops is not merely a “sign” but is vital for the “being” of the church, although the nature of this “being” is debated amongst Anglicans.

In order for Lutherans to understand this way of thinking a rough explanation is in order. For some churches (mainly Anglican, Roman Catholic, and Orthodox), the historical distance between Christ’s ascension and the present poses the problem of how Christ can be made present in the elements of Holy

Communion. This 2000 year gap in time and space must somehow be overcome. For these churches, this gap is bridged primarily by bishops in some type of tactile succession. Through physical touch, these bishops serve as a conduit or “pipeline”⁵⁶ from Christ to the present. Thus, episcopal succession and ordination is necessary for priests to be endowed with the “grace needed” to make the bread and wine into the body and blood of Christ.⁵⁷ This helps to explain why such churches consider episcopal succession and ordination to be part of the gospel. (Interestingly, some Australian Anglicans who advocate lay presidency at Holy Communion assert that strict adherence to this “pipeline” theory is tantamount to “superstition.”⁵⁸ In much stronger terms, Luther would undoubtedly agree.⁵⁹)

By contrast, Article V of the *Augsburg Confession* reminds Lutherans that God's grace comes directly to human beings through the purely proclaimed gospel and the rightly administered sacraments. Christ himself is the only mediator or “middle man” between himself and human beings. When anyone presiding at Holy Communion says the words of institution (“In the night in which he was betrayed, ...”), then that person declares Christ's promise to be present in the bread and wine. Thus, from a Lutheran perspective an “historic episcopate” is a human institution or law which limits the scope of God's redemptive action in Jesus Christ.

Third, the assertion that the laying-on-of-hands is a “sign, though not guarantee” raises two problems, one for Anglicans and one for Lutherans:

One, the idea that the laying-on-of-hands is merely a “sign” runs contrary to classic Anglican thought which maintains that bishops in succession are a “guarantee” of the “true gospel.”⁶⁰ Also, as recently as 1988, Anglicans were still claiming that “the laying-on-of-hands of other bishops - not only guarantees the legitimacy of the Church's ministry but establishes the local church's unity, communion, and continuity with the universal Church.”⁶¹ Therefore, it would appear that for Anglicans CCM represents a dilution of its traditional understanding of the nature and efficacy of the “historic episcopate.”

Two, as Luther points out, a sign is less than the real thing which it signifies.⁶² For example, a

wedding ring represents a marriage, but a wedding ring is not the marriage itself. According to CCM, however, the requirement of an “historic episcopate” for full-communion is the same as saying that a wedding ring (sign) makes the marriage.

For Lutherans, this is nonsense. When Article VII of the *Augsburg Confession* speaks of “true unity” (real marriage), this unity is not dependent upon the sharing of “signs” of visible unity (wedding rings). Instead, “true unity” happens through the exchange of promises of fidelity which reflect God’s promise of love and forgiveness given to humanity through his son, Jesus Christ. So, for Lutherans “visible unity” is manifest where the promise takes place, in the sharing of the word and the sacraments. The required addition of an “historic episcopate” for unity between the Episcopal Church and the ELCA discounts the fullness of unity created by Christ’s presence in both the word and the sacraments.

Fourth, as mentioned above, for Lutherans the “apostolic succession” of the church is maintained by Christ through the Bible as expressed in the doctrine of *sola scriptura* (Scripture alone). The personal expression of “apostolic succession” comes not primarily through bishops or the ordained ministries or even the whole people of God. Instead, Christ alone makes himself personally present through his Holy Spirit via the Holy Scriptures to each person in the proclamation of the gospel and in the individually administered sacraments.

Unfortunately, by agreeing to accept an “historic episcopate” at Anglican behest, the ELCA states that it now fancies “visible unity” in the polity of bishops rather than “true unity” in the personal, real presence of Christ.

13. While our two churches will come to share in the historic institution of the episcopate in the church (as defined in paragraph 12 above), each remains free to explore its particular interpretations of the ministry of bishops in evangelical and historic succession. Whenever possible, this should be done in consultation with one another. The Episcopal Church is free to maintain that sharing in the historic catholic episcopate, while not necessary for salvation or for

13. In CCM paragraph 13, again, important theological issues are confused through the use of ambiguous and recently coined terminology. Three points are to be made:

First, the term “historic catholic episcopate” has not been previously defined and appears to have been created specifically for CCM. Furthermore, the Anglican “historic episcopate” is not “catholic” because it is not shared by the whole Christian

recognition of another church as a church, is nonetheless necessary when Anglicans enter the relationship of full communion in order to link the local churches for mutual responsibility in the communion of the larger church. The Evangelical Lutheran Church in America is free to maintain that this same episcopate, although pastorally desirable when exercised in personal, collegial, and communal ways, is nonetheless not necessary for the relationship of full communion. Such freedom is evidenced by its communion with such non-episcopal churches as the Reformed churches of *A Formula of Agreement* and most churches within the Lutheran World Federation.

church. As already indicated, it has been rejected by the Roman Catholic Church. It is also not recognized by the Orthodox churches. Therefore, being in full-communion with the Episcopal church means little for the ELCA with respect to the wider ecumenical context (see CCM paragraph 24).

Second, the claim that the “historic catholic episcopate” is not “necessary for salvation” seriously questions the Episcopal Church’s understanding of its ecclesiology. This is seen in two ways:

One, in the Episcopal Church’s 1996 ecclesiastical trial against Bishop Walter Righter (the Righter Trial), the judges (who were all bishops) declared that an “historic episcopate” is one of the Core Doctrines of the Episcopal Church. According to their ruling, Core Doctrines are “necessary for salvation,” “binding on all who are baptized,” “unchangeable,” and “supplying a basis for reckoning a Church to be a true Church.”⁶³

Two, the application of simple logic affords the following: (1) if for Anglicans an “historic episcopate” is necessary to confect the sacraments, and (2) if the sacraments are “necessary to salvation,”⁶⁴ then (3) for Anglicans an “historic episcopate” is not only necessary but seemingly prerequisite for salvation.⁶⁵ Although Anglicans generally would not place this much significance upon their Holy Orders, it does indicate the importance played by the ordained in the salvific aspects of the church.

Therefore, by asserting that an “historic episcopate” is “not necessary for salvation,” CCM paragraph 13 not only contradicts the judgement of one of the Episcopal Church’s own ecclesiastical courts, but it also contradicts a logical conclusion which demonstrates the way in which an “historic episcopate” is part of the gospel.

Third, CCM paragraph 13 should cause alarm for Lutherans in two ways:

One, the Lutheran Reformation sought to set apart any human creations which diminish Christ’s lordship and which make salvation reliant upon human traditions, ceremonies, and rites.⁶⁶ Therefore, regardless of how the ELCA may relate to its other ecumenical partners, that does not diminish the fact that to be in full-communion with the

Episcopal Church the ELCA must necessarily share in the tradition, rite, and structure of a form of church governance which is implicated in being necessary for salvation.

Two, the requirement to accept the tradition and ceremony of “historic episcopacy” for unity with the Episcopal Church necessarily means that the ELCA will become “episcopalian” in practice and structure. Once again, CCM paragraph 13 demonstrates how the Chicago-Lambeth Quadrilateral takes precedence over Article VII of the *Augsburg Confession*, which states that for true unity, “It is not necessary that human traditions or rites and ceremonies, instituted by men, should be alike everywhere.”

Thus, by accepting the “Core Doctrine” of “historic episcopacy” for unity with the Episcopal Church, the ELCA attenuates core doctrines of its confessional heritage. As a result of CCM, the ELCA will effectively become an episcopalian church.

14. The two churches will acknowledge immediately the full authenticity of each other's ordained ministries (bishops, priests, and deacons in The Episcopal Church and pastors in the Evangelical Lutheran Church in America). The creation of a common and fully interchangeable ministry of bishops in full communion will occur with the incorporation of all active bishops in the historic episcopal succession and the continuing process of collegial consultation in matters of Christian faith and life. For both churches, the relationship of full communion begins when both churches adopt this Concordat. For the Evangelical Lutheran Church in America, the characteristics of the goal of full communion defined in its 1991 policy statement, "Ecumenism: The Vision of the Evangelical Lutheran Church in America" will be realized at this time. For The Episcopal Church, full communion, although begun at the same time, will not be fully realized until both churches determine that in the context of a common life and mission there is a shared ministry of bishops in the historic episcopate. For both churches, life in full communion entails more than legislative decisions and shared ministries. The people of both

14. Although CCM paragraph 14 speaks of both churches acknowledging “immediately the full authenticity of each other’s ordained ministries,” CCM does not define what “authenticity” actually means. Three points require illumination:

First, as already discussed in the commentary and notes to CCM paragraph 8, because the ELCA has lacked an “historic episcopate” the Episcopal Church cannot really consider the ELCA’s ecclesial structures, its ordinations, or its sacraments to be equal to their own. If the ELCA’s ordained ministry is “fully authentic,” then for the Episcopal Church this must be true only within the ELCA. Otherwise, there would be no need for the ELCA to adopt an “historic episcopate” to achieve full-communion.

Second, the concept of “a common and fully interchangeable ministry of bishops” is for the ELCA constitutionally nondescript. At present, no substantive interchangeability exists in the ELCA between its own bishops, let alone between its own bishops and those of another church. Furthermore, the only aspect of interchangeability open to the ELCA’s synodical bishops is that to be introduced by the constitutional amendments required by CCM, and

churches have to receive and share this relationship as they grow together in full communion.

this interchangeability seems to exist solely for the purposes of episcopal ordination.⁶⁷ Additionally, as the Episcopal Church also reserves for the ministry of bishops the exclusive power to confirm, it would also follow that the ELCA must eventually adopt this practice. Otherwise, no full interchangeability of bishops with the Episcopal Church will exist.⁶⁸

Third, CCM paragraph 14 clearly shows that the implementation of CCM is a two stage process. “Phase Two” is not hidden. At some unknown point in the future, the Episcopal Church will be prepared to declare the ELCA to be in full-communion with itself. That unknown point is whenever and however it has been determined that “there is a shared ministry of bishops in the historic episcopate” between both churches. Again, for the Episcopal Church “the ministry of bishops in the historic episcopate” ... “properly includes within itself all three” orders of deacon, priest, and bishop.⁶⁹ For confessional Lutherans (and some Anglicans) sharing the “ministry of bishops” as signified by a mandatory ritual of successive laying-on-of-hands means that “in the context of a common life and mission” the ELCA’s ordained ministry must gradually be built upon and structured around a “fiction” or “superstition.” How such a common foundation and framework can serve Christ’s mission in the highly secularized world of the 21st century is as unclear as the details as to when the ELCA will be declared “episcopalian” enough to be in full-communion with the Episcopal Church.

B. Actions of The Episcopal Church

15. The Episcopal Church by this Concordat recognizes the ministers ordained in the Evangelical Lutheran Church in America or its predecessor bodies as fully authentic. The Episcopal Church acknowledges that the pastors and bishops of the Evangelical Lutheran Church in America minister as pastors/priests within the Evangelical Lutheran Church in America and that the bishops of the Evangelical Lutheran Church in America are pastors/priests exercising a ministry of oversight (*episkope*) within its synods. Further, The Episcopal Church agrees that all bishops of the Evangelical Lutheran Church in America who are chosen after both churches pass this Concordat and installed

15. Similar to the previous paragraph, CCM paragraph 15 does not define what “fully authentic” really means in relation to the ELCA’s ordained ministers. Three points are raised:

First, according to point six of the Episcopal Church’s “Mind of the House” resolution (see Appendix B), “Rostered ELCA pastors who were not ordained in the ELCA or its predecessor bodies will not be interchangeable under the provisions of CCM.” What is the Episcopal Church saying? How can a non-episcopally ordained Lutheran pastor ordained in the ELCA or one of its many predecessor bodies be somehow more acceptable than a rostered ELCA pastor who was also non-episcopally ordained

within the ministry of the historic episcopate will be understood by The Episcopal Church as having been ordained into this ministry (see paragraph 18 below).

but in another Lutheran church? How can this emphasis on “touch,” pedigree, and national boundaries outweigh the theological and pastoral competence of pastors. Viewed from the interpretation of the “Mind of the House” resolution, it should be clear to ELCA pastors that being “recognized” by the Episcopal Church is not the same as being “reconciled” to the ministry of the Episcopal Church.

Second, what does it mean when CCM states that future ELCA bishops “installed within the ministry of the historic episcopate will be understood by The Episcopal Church as having been ordained into this ministry”? Will the ELCA’s future bishops be changed ontologically (ordination) or not (installation)? Either the Episcopal Church or the ELCA is being deceived about the future nature of ELCA bishops. However, since the ELCA’s new “installation” rite for bishops takes the form of an ordination rite, it would appear that the ELCA is seeking to deceive primarily its own members.

Third, although it is often claimed by proponents of CCM that an “historic episcopate” can be adopted by the ELCA because it is a “matter of indifference” or *adiaphoron*, the Lutheran Confessions disagree. In relation to *adiaphora*, Article X of the *Solid Declaration* states,

Nor are such ceremonies matters of indifference when they are intended to create the illusion (or are demanded or accepted with that intention), as if such action brought the two contradictory religions into agreement and made them one body...⁷⁰

From CCM paragraph 15 it is plain that the same ceremony of laying-on-of-hands is to be interpreted in two fundamentally different ways by the ELCA and by the Episcopal Church. Thus, accepting an “historic episcopate” as mandated by CCM is not a matter of indifference. CCM’s “visible unity” is in reality only the “illusion of unity.” As such, CCM should have been rejected by the leaders of the ELCA out of hand.

Deception, double standards, and double talk pose the question whether the ELCA stands in the

16. To enable the full communion that is coming into being by means of this Concordat, The Episcopal Church pledges to continue the process for enacting a temporary suspension, in this case only, of the seventeenth-century restriction that "no persons are allowed to exercise the offices of bishop, priest, or deacon in this Church unless they are so ordained, or have already received such ordination with the laying-on-of-hands by bishops who are themselves duly qualified to confer Holy Orders" ("Preface to the Ordination Rites," *The Book of Common Prayer*, p. 510). The purpose of this action, to declare this restriction inapplicable to the Evangelical Lutheran Church in America, will be to permit the full interchangeability and reciprocity of all its pastors as priests or presbyters within The Episcopal Church, without any further ordination or re-ordination or supplemental ordination whatsoever, subject always to canonically or constitutionally approved invitation. The purpose of temporarily suspending this restriction, which has been a constant requirement in Anglican polity since the Ordinal of 1662, is precisely in order to secure the future implementation of the ordinals' same principle in the sharing of ordained ministries. It is for this reason that The Episcopal Church can feel confident in taking this unprecedented step with regard to the Evangelical Lutheran Church in America.

service of the Christ who claims to be "the way and the truth and the life" (John 14:6) or whether the ELCA would prefer to stand in the servitude of the human tradition of bishops in historic succession.

16. When CCM paragraph 16 mentions that the Episcopal Church is willing "to enact a temporary suspension" of the restrictions established by the 1662 Preface to its Ordination Rites (Ordinal), most Lutherans will have no understanding what this means.

As already indicated above, Anglicanism has grown out of the Church of England which came into its own distinct existence as a result of Henry VIII's failed bid to have his marriage to Catherine of Aragon annulled by the Pope between 1527 and 1534. During the English Reformation many competing ideas for the reformation of the English Church existed. In keeping with medieval tradition, the English monarchy and parliament sought, often brutally, to enforce a single, episcopal form of government in the Church of England.

Present Anglican polity and ordination practice owe their existence not so much "to a tradition which goes back to the ancient church" (CCM paragraph 11) but to the 1662 Act of Uniformity. The 1662 Act of Uniformity sought to eradicate from England and Wales all non-episcopal forms of Christian expression. "By the Act of Uniformity the ministry of the Church of England was confined to persons having fulfilled three conditions: (1) ordination at the hands of a bishop, (2) unfeigned assent to everything in the new Prayer Book, and (3) subscription to a doctrine of non-resistance... Much was therefore asked of candidates for Anglican Orders, and much was undertaken by aspirants thereto. But the Act had certain more immediate and more easily-assessed consequences; for by its terms a large number of beneficed clergy were automatically dispossessed if they failed to conform [to episcopalianism] by St. Bartholomew's Day. A reliable estimate is that about 2,000 men, or about a fifth part of all beneficed clergy, were deprived [of their livings] during the weeks immediately following the 24th of August 1662."⁷¹

All Anglican churches today still share the same restrictive principles as dictated by the 1662 Act of Uniformity in the Prefaces to their Ordination Rites. So, too, the Episcopal Church is rooted in and is characterized by this 17th Act of religious intolerance. Furthermore, when apprised of this history and of its direct relevance for the nature of the unity prescribed by CCM, ELCA leaders were dismissive.⁷² Therefore, by adopting CCM the ELCA has knowingly agreed to accept and in a staged way to implement and to administer against its own future pastors and bishops this same spirit of religious intolerance.

17. The Episcopal Church acknowledges and seeks to receive the gifts of the Lutheran tradition which has consistently emphasized the primacy of the Word. The Episcopal Church therefore endorses the Lutheran affirmation that the historic catholic episcopate under the Word of God must always serve the gospel, and that the ultimate authority under which bishops preach and teach is the gospel itself (see *Augsburg Confession* 28. 21-23). In testimony and implementation thereof, The Episcopal Church agrees to establish and welcome, either by itself or jointly with the Evangelical Lutheran Church in America, structures for collegial and periodic review of the ministry exercised by bishops with a view to evaluation, adaptation, improvement, and continual reform in the service of the gospel.

17. In light of the preceding commentary, when CCM paragraph 17 states “that the historic catholic episcopate under the Word of God must always serve the gospel,” Lutherans cannot help but wonder whose “word,” whose “gospel,” and which “god” underpin this agreement.

In the Anglican understanding of the church, not only do bishops in succession stand apart from biblical tradition, but as the Chicago-Lambeth Quadrilateral shows, they are also given similar status to the Bible, the Nicene Creed, and the sacraments. In fact, as already indicated Anglican Holy Orders are considered to be so tightly bound to the gospel as to make their differentiation from it nigh on indistinguishable (see commentary to CCM paragraph 13).

If the Episcopal Church earnestly sought “to receive the gifts of the Lutheran tradition” and its emphasis on “the primacy of the Word,” then the Episcopal Church would seek to adopt the Lutheran hermeneutic of the Word of God as expressed in law and gospel. However, when this hermeneutic is applied to the Episcopal Church, its “historic catholic episcopate” is shown to conform not to the gospel but to the law of the 17th century English parliamentary and to the law of various canonical authorities. If the Episcopal Church really desired to accept the Lutheran tradition’s most treasured gifts, it would dispense with the legalistic requirement of an “historic episcopate” as a condition for full-communion with other churches.

C. Actions of the Evangelical Lutheran Church in America

18. The Evangelical Lutheran Church in America agrees that all its bishops chosen after both churches

pass this Concordat will be installed for pastoral service of the gospel with this church's intention to enter the ministry of the historic episcopate. They will be understood by The Episcopal Church as having been ordained into this ministry, even though tenure in office of the Presiding Bishop and synodical bishops may be terminated by retirement, resignation, disciplinary action, or conclusion of term. Any subsequent installation of a bishop so installed [Amendment: ~~should not repeat~~ **includes a** the prayer for the gift of the Holy Spirit ~~and the~~ **without** laying-on-of-hands. The Evangelical Lutheran Church in America further agrees to revise its rite for the "Installation of a Bishop" to reflect this understanding. A distinction between episcopal and pastoral ministries within the one office of Word and Sacrament is neither commanded nor forbidden by divine law (see *Apology of the Augsburg Confession* 14.1 and the *Treatise on the Power and Primacy of the Pope* 63). By thus freely accepting the historic episcopate, the Evangelical Lutheran Church in America does not thereby affirm that it is necessary for the unity of the church (*Augsburg Confession* 7.3).

18. The phrasing in CCM paragraph 18 is ambiguous and confusing, perhaps intentionally so. Six points are offered for discussion:

First, the genitive construction "the ministry of the historic episcopate" is grammatically unclear. Whereas one might assume a subjective genitive formulation in which case the "historic episcopate" is to be a form of ministry in the ELCA, the nature of CCM itself seems to indicate the use of an objective genitive in which case the ministry will exist to serve the "historic episcopate."

Second, the New Testament does not know of a rite whereby bishops were made or commissioned through the invocation of the Holy Spirit and the laying-on-of-hands (see commentary to CCM paragraph 10).

Third, the referenced material from the Lutheran Confessions mentioned in CCM paragraph 18 is taken out of context and is thus misleading. To clarify this, four points are to be made:

One, whereas CCM associates the giving of the Holy Spirit with the laying-on-of-hands, again Article V of the *Augsburg Confession* states that the Holy Spirit is given "through the Word and the sacraments as through instruments."⁷³ Similarly, Article XXVIII of the *Augsburg Confession* says,

According to the gospel the power of keys or of the bishops is a power and command of God to preach the gospel, to forgive or retain sins, and to administer and distribute the sacraments.⁷⁴

Thus, for Lutherans there is no exclusive association between bishops, the giving of the Holy Spirit, and the laying-on-of-hands. It should also be noted that the ministry of bishops is same as that of pastors, namely the proclamation of Christ and his gospel. Once again, CCM entails an understanding of the Holy Spirit inconsistent with Lutheran teaching.

Two, although the *Apology* to Article XIV of the *Augsburg Confession* might indicate that "a distinction between episcopal and pastoral ministries within the one office of Word and Sacrament is neither commanded nor forbidden by divine law," Article XXVIII of the *Augsburg Confession* tells us

that then, as now, “it is also debated whether bishops have the power to establish ceremonies in the church as well as regulations concerning ... the different orders of clergy.”⁷⁵ By constitutionally giving bishops the sole power to ordain clergy (see Appendix C), CCM does, in effect, establish different orders of clergy in the ELCA.

Three, in contrast to CCM’s claim that the “ordered” or “ordained” ministry has been given by God (see CCM paragraphs 5 and 7), the *Apology* to Article XIV of the *Augsburg Confession* states that “ecclesiastical polity and ranks in the church ... were made by human authority.”⁷⁶ Again, CCM seeks to make clergy and its various orders found in some traditions into something divine not envisaged or defined by the Lutheran Confessions.

Four, contrary to the human tradition of an “historic episcopate” which now prohibits pastors to ordain in the ELCA except in “unusual circumstances,” the *Treatise on the Power and Primary of the Pope* (65) considers it a “divine right” for pastors to ordain in their own congregations.⁷⁷ Thus, CCM in this respect again contravenes the Lutheran Confessions.

Fourth, although the Confessions may not prohibit a distinction of orders of clergy, the ELCA at its 1993 Churchwide Assembly did just that when it rejected the study report *Together for Ministry* which called for the ordination of deacons. Thus, CCM effectively overturns this decision in the other direction by introducing into the ELCA “ordained bishops,” ordained at least from the Episcopal Church’s viewpoint.

Fifth, amending CCM’s text to retain a prayer for the Holy Spirit but continuing to omit any laying-on-of-hands at subsequent “installations” of ELCA bishops, cannot disguise the fact that CCM introduces into the ELCA the practice of “ordaining” bishops to a separate office of ministry (see commentary to CCM para 15). This, again, highlights the duplicitous nature of CCM.

Finally, it is a contradiction in terms to state that the ELCA will “freely accept” the condition⁷⁸ of an “historic episcopate” to establish full-communion with the Episcopal Church.⁷⁹ No “historic episcopate” means no agreement. CCM thereby

subverts the Lutheran concept of evangelical freedom.

From the preceding extensive discussion regarding CCM paragraph 18, it should be clear that with respect to the nature and understanding of “historic episcopacy” no fundamental agreement exists between the ELCA and the Episcopal Church. Furthermore, by adopting CCM and the necessary constitutional changes for its implementation, the ELCA brings its constitution into conflict with its own confessional documents. This signifies, again, that CCM will lead the ELCA out of a confessional understanding of the Lutheran church.

19. In order to receive the historic episcopate, the Evangelical Lutheran Church in America pledges that, following the adoption of this Concordat and in keeping with the collegiality and continuity of ordained ministry attested as early as Canon 4 of the First Ecumenical Council (Nicaea I, A.D. 325), at least three bishops already sharing in the sign of the episcopal succession will be invited to participate in the installation of its next Presiding Bishop through prayer for the gift of the Holy Spirit and with the laying-on-of-hands. These participating bishops will be invited from churches of the Lutheran communion which share in the historic episcopate. In addition, a bishop or bishops will be invited from The Episcopal Church to participate in the same way as a symbol of the full communion now shared. Synodical bishops elected and awaiting installation may be similarly installed at the same service, if they wish. Further, all other installations of bishops in the Evangelical Lutheran Church in America will be through prayer for the gift of the Holy Spirit and with the laying-on-of-hands by other bishops, at least three of whom are to be in the historic succession (see paragraph 12 above). Its liturgical rites will reflect these provisions.

19. CCM paragraph 19 contains a number of statements which misrepresent historical fact and which thereby establish a false foundation for the introduction and practice of “historic episcopacy” in the ELCA as required by CCM. Three points need to be made:

First, by mentioning the First Ecumenical Council in AD 325, CCM could give the impression that an “historic episcopate” goes back “to the earliest days of the church.” However, in its earliest forms of governance the “church” was basically congregational in nature without bishops. Then, even after an office of bishop had developed, the practice of bishops being brought into “apostolic succession” through the laying-on-of-hands was initially not a concept.⁸⁰ Viewed historically, the ELCA’s original form of organization and governance is more akin to earliest forms of Christianity than is the Episcopal Church with its “historic episcopate.”

Second, by mentioning Canon 4 from the First Ecumenical Council, CCM could give the impression that an “historic episcopate” was legitimized from at least AD 325 onwards. However, the actual reading of Canon 4 does not support the notion of “historic episcopacy” as envisaged by CCM. Canon 4 states:

It is by all means desirable that a bishop should be appointed by all the bishops of the province. But if this is difficult because of some pressing necessity or the length of the journey involved, let at least three come

together and perform the ordination, but only after the absent bishops have taken part in the vote and given their written consent. But in each province the right of confirming the proceedings belongs to the metropolitan bishop.⁸¹

From this arise five points:

One, in 325 the word “ecumenical” from the Greek word *oikoumene* meant “the inhabited Earth,” “humanity,” and the “Roman empire.” Thus, an “ecumenical council” pertained to a council of the whole church of the Roman empire. It did not refer, as today, to mending relations in the modern, secularized world between churches once separated due to ecclesial and political differences at the time of the Reformation. As CCM apparently seeks to restore Christianity to a form analogous to that found in the Roman empire, CCM’s usefulness as a vehicle to enhance mission in the 21st century is very questionable.

Two, according to Canon 4 a bishop was to be elected and ordained (confirmed in office) by all the bishops in a province. In emergency situations, only the ordination (or the liturgical rite of confirming an election) could be performed by a minimum number of three bishops. In the ELCA, however, bishops are not elected by other bishops but instead by the voting members at synodical and churchwide assemblies. As such, no bishops in the ELCA are elected in a canonically legal way. Therefore, the canonically correct confirmation of illegally elected bishops is a moot point.

Three, according to Canon 4, veteran bishops in a single province ordained (or confirmed the election of) a new bishop as a liturgical way to welcome a new colleague in their midst. In contrast to CCM, Canon 4 did not envisage importing only “ontologically modified” bishops from other synods or denominations or countries in order to “modify ontologically” a new bishop as is purported to happen at the “laying-on-of-hands” in “historic episcopacy.”

Four, according to Canon 4, the decisive factor in the election of a new bishop was again not the “laying-on-of-hands” but the confirmation of the whole selection process by a metropolitan (bishop of

20. In accord with the historic practice whereby the bishop is representative of the wider church, the Evangelical Lutheran Church in America agrees to make constitutional and liturgical provision that bishops shall [Amendment: *regularly*] preside and participate in the laying-on-of-hands at the ordination of all clergy. Pastors shall continue to participate with the bishop in the laying-on-of-hands at all ordinations of pastors. Such offices are to be exercised as servant ministry, and not for domination or arbitrary control. All the people of God have a true equality, dignity, and authority for building up the body of Christ.

the province). Therefore, in sharp contrast to the intention of this canonical practice CCM takes the laying-on-of-hands as least important aspect of Canon 4 and makes it the decisive criterion by which a new bishop is defined and made. In so doing, the liturgical rite of confirming the election of a new bishop becomes something akin to magic.

Five, contrary to the impression given in the text of CCM and in the Liturgical Changes to the ELCA's service for the "installation/ordination" of a new bishop,⁸² whatever role a rite of "laying-on-of-hands" might have played as part of the canonical confirmation of a newly elected bishop, this rite was not significant enough to be mentioned in Canon 4.

These points clearly demonstrate that CCM's reference to Canon 4 of the First Ecumenical Council at Nicaea is factually and historically meaningless. Furthermore, the discussion above should also make it plain that contrary to any impressions given by CCM paragraph 19, the ordination practice in CCM is derived first and foremost from the principles of the English Parliament's 1662 Act of Uniformity as reflected in CCM paragraph 16.

20. In relation to the matter of ELCA bishops being given exclusive power to ordain clergy as described in CCM paragraph 20, three points are raised:

First, when CCM reserves for bishops the sole power to ordain, this signals the demise in the ELCA of the priesthood of all believers whose right it is as the church to ordain. As the *Treatise on the Power and Primacy of the Pope* states,

For wherever the church (read congregation) exists, there also is the right to administer the gospel. Therefore, it is necessary for the church to retain the right to call, choose, and ordain ministers... Therefore, where the true church is, there must also be the right of choosing and ordaining ministers, just as in an emergency even a layperson grants absolution and becomes the minister or pastor of another... Pertinent here are the words of Christ that assert that the keys were given to the church, not just to particular persons... These words apply to the true church, which,

since it alone possesses the priesthood, certainly has the right of choosing and ordaining ministers.⁸³

By removing the divine right of ordination from congregations (see commentary to CCM, para. 18), CCM contravenes the Lutheran Confessions. Although CCM states that “all the people of God have a true equality,” henceforth in the ELCA some 66 bishops will be “more equal” than its nearly 11,000 congregations.

Second, the insertion of the word “regularly” into the text of CCM paragraph 20 is deceptive. Contrary to the possible impression given at the ELCA 1999 Churchwide Assembly, the term “regularly” allowed confessional objectors little hope of “wiggle room” to escape the episcopal ordinations mandated by CCM. In fact, the converse applies.

The term “regularly” comes from the Latin word *regula* which means “rule.” According to the amendments stipulated by CCM,⁸⁴ the “rule” or “ordinal” of episcopal ordinations now applies constitutionally in the ELCA. Thus, the presence of the word “regularly” in the text of CCM serves not to ease but to confirm the reality of the introduction of 17th century “episcopalianism” into the ELCA.

Finally, the bylaw added by the ELCA’s 2001 Churchwide Assembly⁸⁵ to allow pastors to be ordained by pastors rather than bishops in an “historic episcopate” does little to change the fact that Anglican religious intolerance is now constitutionally part of the ELCA. Five further points are necessary:

One, this bylaw change only arose due to the outcry over the “episcopalianization” of the ELCA due to CCM. This indicates that the ELCA is still deeply split over the issue of CCM which further demonstrates the illusion of unity to be created by CCM.

Two, the bylaw change further indicates that the addition of “regularly” to the text of CCM paragraph 20 was little more than an attempt to mislead voting members of the ELCA’s 1999 Churchwide Assembly into believing that there might be some “wiggle room” in CCM for some in the ELCA to be ordained in a Lutheran manner.

Three, the bylaw change still leaves the fate

21. The Evangelical Lutheran Church in America by this Concordat recognizes the bishops, priests, and deacons ordained in The Episcopal Church as fully authentic ministers in their respective orders within The Episcopal Church and the bishops of The Episcopal Church as chief pastors in the historic succession exercising a ministry of oversight (*episkope*) within its dioceses.

D. Actions of Both Churches

Interchangeability of Clergy: Occasional Ministry, Extended Service, Transfer

22. In this Concordat, the two churches declare that

of those to be ordained in the hands of bishops who will decide whether a candidate for ordination will be allowed to be ordained outside an “historic episcopate” and only in “unusual circumstances.” Therefore, the bylaw change does nothing to return the right of ordination to the congregation.

Four, since the bylaw change was passed ELCA officials have repeatedly stressed that such exceptions in “unusual circumstances” will be few.

Five, the bylaw indicates that ordinations in “unusual circumstances” are to be allowed “for pastoral reasons.” Pastoral reasons not supported by biblical, Lutheran confessional, or theological reasons are in reality not pastoral but political. This indicates that ELCA officials refuse to acknowledge or to consider the theological and ecclesiological problems in CCM. A Lutheran church which no longer operates biblically, confessionally, or theologically is arguably no longer a Lutheran church.

21. With respect to the nature of Anglican Orders from the perspective of the ELCA, two points are of note:

First, again the phrase “fully authentic ministers” lacks clarity and precision. However, contrary to the confusing wording in CCM paragraphs 14 and 15, CCM paragraph 21 identifies where the Episcopal Church’s orders are “fully authentic,” and that is “within The Episcopal Church.” This wording would seem to confirm that conversely the Episcopal Church only deems ELCA ministers to be “fully authentic” within the ELCA. This signals again that ordinations in the ELCA and in its predecessor bodies are not equal to Episcopal ordinations. Again, recognition of ministries is not the same as reconciliation of ministries.

Second, while the ELCA can accept the whole of the Episcopal Church’s three orders of clergy as “fully authentic” from the onset (justification by grace), the Episcopal Church will not accept the ministries of the ELCA as being equal to their own until ELCA ministers are wholly ordered and ordained like ministers in the Episcopal Church (works righteousness). Again, this attests to the

each believes the other to hold all the essentials of the Christian faith, although this does not require from either church acceptance of all doctrinal formulations of the other. Ordained ministers serving occasionally or for an extended period in the ministry of the other church will be expected to undergo the appropriate acceptance procedures of that church respecting always the internal discipline of each church. For the Evangelical Lutheran Church in America, such ministers will be expected to preach, teach, and administer the sacraments in a manner that is consistent with its "Confession of Faith" as written in chapter two of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. For The Episcopal Church, such ministers will be expected to teach and act in a manner that is consistent with the doctrine, discipline, and worship of The Episcopal Church. Ordained ministers from either church seeking long-term ministry with primary responsibility in the other will be expected to apply for clergy transfer and to agree to the installation vow or declaration of conformity in the church to which she or he is applying to minister permanently.

predominance in CCM of the Anglican understanding of the church over the Lutheran understanding of ministry.

22. In relation to the doctrines of faith outlined in CCM paragraph 22 which the ministers of each church are to observe while serving in the other's church, four points are raised:

First, although each church considers "the other to hold the essentials of the Christian faith," from a Lutheran perspective CCM lends the impression that both churches have chosen to meet each other in the human tradition of a mandated "historic episcopate" rather than in the mutual forgiveness, acceptance, and reconciliation manifest in Jesus Christ. Despite CCM's many references to the Christian faith, as a document CCM suffers from what some might describe as "methodological atheism."⁸⁶ This means that CCM has been conceived and drafted as if the God revealed in Jesus Christ does not exist. To demonstrate this point further, Edger Trexler, former editor of *The Lutheran* magazine and a leading proponent of CCM, once commented, "I see no purpose in speculating about Jesus and the historic episcopate."⁸⁷ Nothing could demonstrate more clearly to the Episcopal Church that despite adopting an "historic episcopate" for the sake of unity, no true reconciliation of ministries and thus no truly full-communion can be expected with the ELCA. Through CCM, it appears that the ELCA will make a mockery of Anglican Holy Orders.

Second, if CCM is stripped of its religious language, this Concordat could be a quasi-merger agreement between any two societal groups; be they two tennis clubs, two girl scout troops, or two law firms. From a Lutheran standpoint, CCM does not ask about biblical authority for "historic episcopacy."

CCM does not try to discern whether Jesus Christ would desire or require "historic episcopacy" for unity in his church. Furthermore, CCM and its required "historic episcopacy" is neither built upon nor interpreted through the doctrine of justification, which Lutherans claim to be the doctrine by which the church stands or falls.

Instead, CCM only stipulates that the Episcopal Church share a kind of ritualistic

uniformity of “historic episcopacy” with the ELCA. For Lutherans, even this ritualistic uniformity is wholly a human affair. Lutherans confess that “Christ alone” is enough for unity with any church, including the Episcopal Church. Despite adopting CCM, the ELCA must continue to maintain this founding principle of the Lutheran Reformation in order to remain an orthodox Lutheran Church. Therefore, it is both unreasonable and uncharitable for the ELCA to expect Episcopalian clergy to serve in an ecclesial tradition which by its founding confession of faith in Christ calls the Chicago-Lambeth Quadrilateral and thus nature and self-understanding of Anglican clergy into question.

Third, as Lutherans do not share the doctrine or worship related aspects of “historic episcopacy” with Anglicans, then the Episcopal Church must ask itself whether it would be advisable or even justifiable to allow Lutheran clergy to serve in the Episcopal Church.

Fourth, when CCM paragraph 22 stipulates that the “interchangeability of clergy” is subject to “the appropriate acceptance procedures,” this precludes the free exchange of clergy between both churches. Persons seeking transfer to the opposite church’s roster of ministers will be thoroughly and rigorously examined. In other words, full-communication does not promise, imply, or presuppose that clergy from one church will be “fully acceptable” to the other church. As such an examination process would determine most Lutheran clergy to hold ecclesial unacceptable positions *vis-a-vis* the Anglican understanding of the church, the Episcopal Church should question whether allowing such Lutheran clergy to serve in its midst is acceptable, even on a short term basis.

23. The exact parameters of the Joint Commission mentioned in CCM paragraph 23 are unclear and are a matter of considerable speculation. Either the Joint Commission will eventually be made redundant, or it will lead to the full “episcopalization” of the ELCA. These two outcomes will be determined largely by the reasons for CCM’s inception. If, as some suspect, the Episcopal Church has been used by the ELCA as a vehicle to acquire an “historic episcopate” to fulfill

Joint Commission

23. To assist in joint planning for mission, both churches authorize the establishment of a joint commission, fully accountable to the decision-making bodies of the two churches. Its purpose will be consultative, to facilitate mutual support and advice as well as common decision making through appropriate channels in fundamental matters that the churches may face together in the future. The joint commission will work with the appropriate boards, committees, commissions, and staff of the two churches concerning such ecumenical, doctrinal, pastoral, and liturgical matters as may arise, always subject to approval by the appropriate decision-making bodies of the two churches.

Wider Context

24. In thus moving to establish, in geographically overlapping episcopates in collegial consultation, one ordained ministry open to women as well as to men, to married persons as well as to single persons, both churches agree that the historic catholic episcopate can be locally adapted and reformed in the service of the gospel. In this spirit they offer this Concordat and growth toward full communion for serious consideration among the churches of the Reformation as well as among the Orthodox and Roman Catholic churches. They pledge widespread consultation during the process at all stages. Each church promises to issue no official commentary on this text that has not been accepted by the joint commission as a legitimate interpretation thereof.

narrowly defined ecumenical ambitions, such as eventual reunion with the Roman Catholic Church, then the Joint Commission will fade into oblivion. If the Joint Commission should prove powerful, it will be made such only to expedite the repatriation of the ELCA under the papacy. In either case, CCM and it required “historic episcopate” make the Episcopal Church a means to another end (see CCM paragraph 24).

24. The contradictory and unrealistic hopes for the future of the “historic catholic episcopate” as described in CCM paragraph 24 demonstrate plainly the vacuous nature of CCM both as an agreement itself and as a means to further ecumenical accords. Four points are of interest:

First, although the “one ordained ministry” under the Anglican “historic episcopate” does not discriminate along the lines of gender and marriage, and one would also assume along the lines of age, colour, and sexual orientation, as has been shown it does discriminate against non-episcopally ordained Christians and their ecclesial traditions. This is affirmed by the Episcopal Church’s “Mind of the House” resolution.⁸⁸

Second, if the Anglican “historic catholic episcopate” needs to be “reformed in the service of the gospel,” then CCM itself confesses that this “historic episcopate” does not have an authentic foundation in the gospel. Moreover, if the Anglican “historic episcopate” were open to being reformed, then those who tried for centuries in Britain to effect such reforms would not have been persecuted, banished, and killed. Luther and the other Reformers dispensed with this tradition for the simple reason that it could not be reformed.⁸⁹

Third, as indicated by the wording in CCM paragraph 24 the desire for a reformed “historic catholic episcopate” is expressed in relation to the Roman Catholic and Orthodox churches. For example, in March 1998, the ELCA ecumenical theologian, Robert W. Jenson, in an address at Saint John’s University in Collegeville, Minnesota, is reported to have described Protestants as pounding on the door of the Roman Catholic Church saying, “Let us in! Let us in! We want to reform you!”⁹⁰ To

imagine that either the Roman Catholic Church or the Orthodox churches are going to admit a hand full of “defectively ordained” Lutheran and Anglican theologians to reform it is nothing short of absurd. As should be amply clear by now, CCM will not lead to the reformation of these churches. Instead, it will lead only to the deformation of both the ELCA and the Episcopal Church as distinctly valuable ecclesial, reforming traditions.

Finally, contrary to CCM paragraph 24 by issuing their own separate and contradictory bishops’ resolutions (the ELCA with its Tucson Resolution and the Episcopal Church with its “Mind of the House” resolution) both churches contravened CCM before it was approved by both churches. Furthermore, as neither of these official commentaries seeks to assess CCM critically, the memberships of both churches were misled about the nature of CCM and about the nature of its implementation in both churches.

Existing Relationships

25. Each church agrees that the other church will continue to live in communion with all the churches with whom the latter is now in communion. The Evangelical Lutheran Church in America continues to be in full communion (pulpit and altar fellowship) with all member churches of the Lutheran World Federation and with three of the Reformed family of churches (Presbyterian Church [U.S.A.], Reformed Church in America, and United Church of Christ). This Concordat does not imply or inaugurate any automatic communion between The Episcopal Church and those churches with whom the Evangelical Lutheran Church in America is in full communion. The Episcopal Church continues to be in full communion with all the Provinces of the Anglican Communion, with the Old Catholic Churches of Europe, with the united churches of the Indian subcontinent, with the Mar Thoma Church, and with the Philippine Independent Church. This Concordat does not imply or inaugurate any automatic communion between the Evangelical Lutheran Church in America and those churches with whom The Episcopal Church is in full communion.

Other Dialogues

26. Both churches agree that each will continue to engage in dialogue with other churches and

25. With respect to the “existing relationships” of both churches mentioned in CCM paragraph 25, two points should be made:

First, it seems apparent from its existing relationships that the Episcopal Church will be in “full communion” with any Christian tradition provided that this tradition has an “historic episcopate” consisting of three orders of clergy. This should indicate to the ELCA that the very same will be expected of it regardless of what the ELCA and its Tucson Resolution state.

Second, the claim that this “Concordat does not imply or inaugurate any automatic communion between the Evangelical Lutheran Church in America and those churches with whom The Episcopal Church is in full communion” should be queried. At the very least, the Episcopal Church expects to invite ELCA bishops to participate in the Lambeth Conference, and the Episcopal Church expects its bishops to participate in LWF assemblies.⁹¹ Again, CCM does not tell the whole truth. In fact, it is questionable whether CCM contains any wholly truthful statements at all.

traditions. Both churches agree to take each other and this Concordat into account at every stage in their dialogues with other churches and traditions. Where appropriate, both churches will seek to engage in joint dialogues. On the basis of this Concordat, both churches pledge that they will not enter into formal agreements with other churches and traditions without prior consultation with each other. At the same time both churches pledge that they will not impede the development of relationships and agreements with other churches and traditions with whom they have been in dialogue.

E. Conclusion

27. Recognizing each other as churches in which the gospel is truly preached and the holy sacraments duly administered, we receive with thanksgiving the gift of unity which is already given in Christ.

He is the image of the invisible God, the firstborn of all creation; for in him all things in heaven and on earth were created, things visible and invisible, whether thrones or dominions or rulers or powers all things have been created through him and for him. He himself is before all things, and in him all things hold together.

He is the head of the body, the church; he is the beginning, the firstborn from the dead, so that he might come to have first place in everything. For in him all the fullness of God was pleased to dwell, and through him God was pleased to reconcile to himself all things, whether on earth or in heaven, by making peace through the blood of his cross (Colossians 1:15-20).

26. On the basis of the pledges given in CCM paragraph 26, it would appear that the relationship of interdependence and autonomy between the ELCA and the Episcopal Church (see CCM paragraph 2) lacks both definition and clarity.

27. In relation to “gift of unity” mentioned CCM paragraph 27, three comments are needed:

First, the inclusion of wording similar to that of Article VII of the *Augsburg Confession* (“churches in which the gospel is truly preached and the holy sacraments duly administered”) cannot disguise the fact that CCM is really built upon the Chicago-Lambeth Quadrilateral.

Second, if this agreement were truly based upon “the gift of unity which is already given in Christ,” then there would be no need to require the ELCA to adopt an “historic episcopate,” especially as both churches do not agree that this tradition is of Christ. As St. Paul testifies in I Cor 13:5, “Love does not insist on its own way;...” In contrast to this biblical understanding of love, the Episcopal Church has demanded and got its own way by requiring the ELCA to adopt an “historic episcopate” or to forego “full-communion.”

If in Christ there is neither Jew nor Greek, neither slave nor free, neither male nor female (Gal. 3:28), then in Christ there is neither an “historic episcopate” nor the absence thereof. Although CCM may enact a form of church unity, Lutherans would maintain that it is not unity under Christ as the head of the church. Instead, for Lutherans it is uniformity

constitutionally mandated by bishops in “historic superstition.” The Lutheran Confessions expressly reject this. As Article X of the *Solid Declaration* states,

Such coercion or commandment obscure and pervert the truth of the gospel, because either these opponents will publicly demand such indifferent things as a confirmation of false teaching, superstition, and idolatry and for the purpose of suppressing pure teaching and Christian freedom, or they will misuse them and as a result falsely reinstitute them.⁹²

As intimated earlier, in order to establish full-communion with the Episcopal Church the ELCA is prepared to forego key elements of its confessional heritage. The bylaw change to permit ordinations of pastors outside an “historic episcopate” in “unusual circumstances” does nothing to address this contravention of the Lutheran Confessions because no exceptions apply to the ELCA’s bishops.

28. Repeatedly Christians have echoed the scriptural confession that the unity of the church is both Christ's own work and his gift. It is therefore our task as well as his gift. We must "make every effort to maintain the unity of the Spirit in the bond of peace" (Ephesians 4:3). We pray that we may rely upon, and willingly receive from one another, the gifts Christ gives through his Spirit "for building up the body of Christ" in love (Ephesians 4:16).

28. When CCM paragraph 28 refers to “unity” as “our task,” it would appear again that human beings are seeking to usurp divine prerogative. Unity comes in Christ alone. The history of Anglican “enforced episcopalianism” has marred the body of Christ, has hindered unity, and has repeatedly brought strife and conflict in its wake. It is fundamentally flawed to associate the unity in Christ with the “visible unity” dictated by the precepts of English parliamentary and canonical law whose enforcement has caused so much persecution, suffering, and death. Then, as now, “enforced episcopalianism” creates only dissension and bitterness. The present disunity in the ELCA over CCM only confirms that “enforced episcopalianism” has nothing to do with “unity of the Spirit in the bond of peace.”

29. We do not know to what new, recovered, or continuing tasks of mission this Concordat will lead our churches, but we give thanks to God for leading us to this point. We entrust ourselves to that leading in the future, confident that our full communion will be a witness to the gift and goal already present in Christ, "so that God may be all in all" (1 Corinthians 15:28). Entering full communion and thus removing limitations through mutual recognition of faith, sacraments, and ministries will bring new opportunities and levels of shared evangelism,

29. When CCM paragraph 29 portrays CCM as removing limitations for full-communion between the Episcopal Church and the ELCA, such wording is both disingenuous and misleading. Whereas the Episcopal Church is removing a limitation to full-communion by suspending the restrictions contained

witness, and service. It is the gift of Christ that we are sent as he has been sent (John 17:17-26), that our unity will be received and perceived as we participate together in the mission of the Son in obedience to the Father through the power and presence of the Holy Spirit.

Now to him who by the power at work within us is able to accomplish abundantly far more than all we can ask or imagine, to him be glory in the church and in Christ Jesus to all generations, forever and ever. Amen (Ephesians 3:20-21).

in the Preface to its Ordination Rites, the enactment of such a suspension is done on a temporary basis. Once the ELCA has sufficiently and permanently conformed with the limitations of the Preface to the Ordinal, the suspension will be revoked.

Thus, CCM ordains not only the predominance of the Anglican Chicago-Lambeth Quadrilateral over the Lutheran Confessions but also demands that ELCA comply with the ordination structure and practice of a different ecclesial tradition. By placing these considerable limitations on itself and on the most central tenets of its confessional heritage, the ELCA effectively becomes a different church. That is to say, by agreeing to enact and to administer the divisive and legalistic restrictions mandated by CCM, the ELCA compromises the nature and integrity of its reason for being, namely the freedom granted by the gospel for mission in the freedom of the gospel.

Finally, the attempt in CCM paragraph 29 to disguise these obligatory limitations of uniformity in Trinitarian language of unity for mission is nothing short of pseudo-theological subterfuge. The dynamic nature of the God of love who has revealed himself in history as the Father, Son, and the Holy Spirit stands in stark contrast to the demands laid down in seventeenth-century laws of religious intolerance which seek to uphold a notion of apostolicity which itself has been grafted to the early church through means of historically dubious validity. In so doing, CCM denatures the eternal and historical economy of the Father, Son, and Holy Spirit into being something more akin to a triad of a scion obedient to despotic forefathers as enforced by the power of an historic episcopate.

The pseudo-theological nature of CCM arises from the fact that the living God witnessed in Scripture is conspicuously absent from CCM. As such, CCM gives the impression that perhaps the death of God theological fad of the 1960's did not die, but instead continues to live in an insidious way in certain quarters of the ecumenical movement. If CCM is to mean anything more than "Christ Ceases to Matter," then Anglicans and Lutherans must examine anew the biblical, historical, and theological foundations of historic episcopacy in relation to

Christ through whom God is reconciling the world to himself. At present, because most Anglicans maintain that historic episcopacy is of God and of the gospel while most Lutherans do not, CCM can at best be described as an agreement of disagreements in which true unity is and will continue to be an elusive goal. Consequently, CCM represents not so much an ecumenical breakthrough but instead a theological breakdown of positions cherished by both Anglicans and Lutherans.

The Passage of Called to Common Mission

As indicated in the commentary to CCM paragraph 3, the issues raised by the amendment to the text of CCM in CCM paragraph 3 are of such a nature and complexity that a full discussion of them necessitates a separate section devoted to this amendment and to the role it has played in the passage of CCM. To facilitate this discussion, the text of CCM paragraph 3 as amended is provided below for ease of reference. The full text of the ELCA's Tucson Resolution referenced by the amendment can be found in Appendix A, and where appropriate specific sections of it will be included in the discussion. Finally, as the amendment and portions of the Tucson Resolution relate to important parts of CCM, such relevant portions of the text of CCM will also be given in the discussion, again for ease of reference.

In this section, it will be shown in theses form that considerable discrepancies exist between the way CCM was presented by the leaders of the ELCA to its membership and the way in which the leaders of the Episcopal Church presented CCM to its members. The nature of these two presentations will be assessed primarily in relation to CCM paragraph 3 as amended. To conclude, questions concerning the way in which CCM was advanced for passage by the leaders of both churches will be offered for reflection.

CCM paragraph 3 as amended reads (bold original, underlining added):

3. The Episcopal Church agrees that in its General Convention, and the Evangelical Lutheran Church in America agrees that in its Churchwide Assembly, there shall be one vote to accept or reject, as a matter of verbal content as well as in principle, the full set of agreements to follow. If they are adopted by both churches, each church agrees to make those legislative, canonical, constitutional, and liturgical changes that are needed and appropriate for the full communion between the churches. [Amendment: ***In adopting this document, the Evangelical Lutheran Church in American and The Episcopal Church specifically acknowledge and declare that it has been correctly interpreted by the resolution of the Conference of Bishops of the Evangelical Lutheran Church in America, adopted at Tucson, Arizona, March 8, 1999***]
5. To introduce this discussion, it should be recalled that CCM paragraph 18 states that the ELCA will enter the ministry of the "historic episcopate."

Two points for discussion:

First, from the perspective of the Episcopal Church an "historic episcopate" necessarily consists of a threefold order of ministers ordained as deacon, priest/presbyter, and bishop. Therefore, in order for a church to be

in full-communion with the Episcopal Church, such a church entering an “historic episcopate” must necessarily and eventually incorporate a corresponding threefold ordering of ministers.

Second, as discussed at length above CCM paragraph 18 also states that the ELCA will “install” its future bishops into the historic episcopate, but these bishops will be considered by the Episcopal Church to be “ordained” into it. Without repeating the discussion in the commentary to CCM paragraph 18 it should suffice to say that either future ELCA bishops will be ordained or they will not be ordained into an “historic episcopate.” By way of analogy, one is either married or one is not. Therefore, it is plain that the Episcopal Church expects the ELCA to enter into a threefold ordering and ordaining of ministers for full-communion and that the ELCA from the start has sought to conceal from its membership the nature of its future participation in an “historic episcopate.”

6. When CCM paragraph 3 was amended by the 1999 ELCA Churchwide Assembly, specific reference was made in that amendment to the Tucson Resolution issued by the ELCA’s Conference of Bishops in March, 1999. According to CCM paragraph 3 as amended, both the ELCA and the Episcopal Church agree that the Tucson Resolution correctly interprets CCM.

Points one and four of the Tucson Resolution state (underlining added):

A. The Conference of Bishops understands that ‘Called to Common Mission’ contains:

1. no requirement that the Evangelical Lutheran Church in America must eventually adopt the three-fold order of ministry. Rather, ‘Called to Common Mission’ recognizes that the present understanding of one ordained ministry in the Evangelical Lutheran Church in America, including both pastors and bishops, may continue in effect;
4. no requirement that the Evangelical Lutheran Church in America establish the office of deacon, nor that they be ordained;

Two points for discussion:

First, by stating in the ELCA’s Tucson Resolution that CCM “contains no requirement that the Evangelical Lutheran Church in America must eventually adopt the threefold order of ministry,” the Tucson Resolution in its very first point contradicts the implications in CCM paragraph 18.

Second, consonant with CCM paragraph 9, the Tucson Resolution in point A.4 states that CCM contains “no requirement that the Evangelical Lutheran Church in America establish the office of deacon, nor that such deacons be ordained.” However, the order of ordained deacon is a necessary part of the historic episcopate, which CCM paragraph 18 requires the ELCA to adopt. Thus, the text of CCM itself is ambiguous and contradictory. Furthermore, in relation to the ELCA having an ordained diaconate, the ELCA’s Tucson Resolution confuses rather than clarifies CCM’s ambiguous and contradictory nature.

7. CCM paragraph 16 indicates that the ELCA will implement the “same principle” of the Preface to the Ordination Rites (Ordinal) of the Episcopal Church. This Preface was established by the English Parliament’s 1662 Act of Uniformity.

CCM paragraph 16 states (underlining added):

16. “To enable the full communion that is coming into being by means of this Concordat, The Episcopal Church pledges to continue the process for enacting a temporary suspension, in this case only, of the

seventeenth-century restriction that "no persons are allowed to exercise the offices of bishop, priest, or deacon in this Church unless they are so ordained, or have already received such ordination with the laying-on-of-hands by bishops who are themselves duly qualified to confer Holy Orders" ("Preface to the Ordination Rites," *The Book of Common Prayer*, p. 510)... The purpose of temporarily suspending this restriction, which has been a constant requirement in Anglican polity since the Ordinal of 1662, is precisely in order to secure the future implementation of the ordinals' same principle in the sharing of ordained ministries..."

Point six of the ELCA's Tucson Resolution states (underlining added):

A. The Conference of Bishops understands that "Called to Common Mission" contains:

6. no requirement that the Ordinal (rules) of The Episcopal Church will apply to the Evangelical Lutheran Church in America;

Two points for discussion:

First, with respect to CCM paragraph 16 the word "principle" means law. Thus, implementing the "ordinals' same principle" means implementing its law or rules. These rules prescribe a threefold ordering and ordaining of ministers. So, when ELCA's Tucson Resolution in point six states that CCM contains "no requirement that the Ordinal (rules) of The Episcopal Church will apply" to the ELCA, this again contradicts the implications of CCM.

Second, as indicated numerous times above by implementing the "same principle" of the Preface to the Episcopal Church's ordination rites, the ELCA will effectively comply with seventeenth-century English parliamentary law. This law was intended to eradicate all non-episcopalian forms of Christian expression in England and Wales. Thus, CCM creates uniformity due to religious intolerance and not true unity in Christ.

8. Although the ELCA's 1999 Churchwide Assembly added an amendment to CCM paragraph 3 stating that the ELCA and the Episcopal Church "specifically acknowledge and declare" that CCM has been correctly interpreted by the ELCA's Tucson Resolution, the Episcopal Church's House of Bishops on the 3rd of April, 2000, issued its own Mind of the House resolution. This resolution contradicts the ELCA's Tucson Resolution.

Points one and three of the Episcopal Church's Mind of the House resolution state (from Appendix B, underlining added):

1. The Episcopal Church agrees that each of the two churches has the right to interpret the same document according to its own standards, as the Evangelical Lutheran Church in America has already done for itself and referenced in CCM para. 3, so long as neither church contradicts the text or spirit of the document. In full communion, "churches become interdependent while remaining autonomous" (para. 2).

3. The Episcopal Church's recognition of the full authenticity of the ministers ordained in the ELCA or its predecessor bodies (CCM para. 15) is made in view of the voted intention of that church to enter the ministry of the historic episcopate (para. 18). According to catholic tradition of which The Episcopal Church is a part, the order of the historic episcopate properly includes within itself all three of these orders.

Three points for discussion:

First, in points one and three of its Mind of the House resolution, the Episcopal Church's House of Bishops indicates:

1. that there are more than one interpretation of CCM,
2. that the Episcopal Church interprets CCM differently from the ELCA,
 - a. that the ELCA is not supposed to contradict "the text or the spirit" of CCM (which the ELCA has nevertheless done at key points in its Tucson Resolution),
1. that the Episcopal Church expects the ELCA to adopt a threefold ordering and ordaining of ministers as a prerequisite for full communion with the Episcopal Church.

Second, contrary to the wording of CCM paragraph 3 as amended, by issuing its own resolution the Episcopal Church's House of Bishops indicates that the Episcopal Church does not agree with the ELCA's interpretation of CCM as contained in the Tucson Resolution. Therefore, the Episcopal Church's House of Bishops does not "specifically acknowledge and declare" that CCM has been correctly interpreted by the ELCA's Tucson Resolution.

Third, CCM paragraph 24 states, "Each church promises to issue no official commentary on this text that has not been accepted by the joint commission as a legitimate interpretation thereof." It would, therefore, appear that by issuing these two differing interpretations of CCM both churches had violated CCM before it was passed.

5. At the ELCA's 1999 Churchwide Assembly and at the Episcopal Church's 73rd General Convention in 2000, both churches offered their memberships contradictory interpretations of CCM. Thus, both churches' memberships were led to believe two different understandings of the nature, requirements, and thus implications of CCM.

In document published for the Episcopal Church in December, 1999, entitled *Questions Addressed on Called to Common Mission*, William A. Norgren writes (underlining added):

The Tucson Resolution (copy attached as information) was not voted on by the Churchwide Assembly and thus the national secretary of the ELCA has clarified that it is not part of the amendment to paragraph 3 of CCM and that the EC is not being asked to vote on it.

Similarly, on the 5th of April, 2000, in a statement issued on the electronic forum "Ecumenical Lutheranism", ELCA Secretary, Lowell G. Almen, declared that the Tucson Resolution was not an amendment to CCM and that the "recommendation of the Church Council that made reference to the resolution was submitted as an amendment to 'Called to Common Mission.'" According to Almen, by way of reference only the Tucson Resolution becomes binding in the ELCA only.

Furthermore, on the 8th of July, 2000, at the Episcopal Church's 73rd General Convention the Episcopal Church passed the following resolution (bold type original, underlining added):

Resolution A041: Enact Temporary Suspension of the Ordinal, Second Reading (A019a)

Resolved, the House of Deputies concurring, That ... the Evangelical Lutheran Church in America, having reached fundamental agreement in faith with the same church, and having agreed that the threefold ministry of Bishops, Presbyters, and Deacons in historic succession will be the future pattern of the one ordained ministry shared corporately within the two churches in full communion, this 73rd General Convention of the Episcopal Church hereby enacts a temporary suspension, in this case only, of the seventeenth-century restriction that "no persons are allowed to exercise the offices of Bishop, Priest, or Deacon in this Church unless they are so ordained, or have already received such ordination with the laying on of hands by

Bishops who are themselves duly qualified to confer Holy Orders," as set forth in the Preface to the Ordination Rites (Book of Common Prayer, p. 510);⁹³

Again, in its legislative session on the 13th and 14th of July, 2000, the Episcopal Church passed the following resolution (bold type original, underlining added):

Resolution B046: Ecumenism: Implementation of "Called to Common Ministry" (*sic*)

Resolved, the House of Deputies concurring, That this 73rd General Convention, for the sake of implementing full communion with the Evangelical Lutheran Church in America (ELCA), specifically acknowledges and declares that Called to Common Mission (CCM) has been correctly interpreted by the "Mind of the House" resolution adopted by the House of Bishops on April 3, 2000."⁹⁴

Four points for discussion:

First, according to the ELCA, because CCM paragraph 3 as amended includes the ELCA's Tucson Resolution by reference, the Tucson Resolution is binding in the ELCA. However, it is unclear how the Tucson Resolution can be binding when the ELCA later declared that its Churchwide Assembly never actually voted on this resolution.

Second, in contradictory fashion, the ELCA then informed the Episcopal Church that the Tucson Resolution was not part of the amendment to CCM paragraph 3. Thus, when the Episcopal Church presented CCM to its 73rd General Convention in July of 2000 for consideration, the Episcopal Church had removed the ELCA's Tucson Resolution as footnote 1 to CCM paragraph 3.

Third, then at its General Convention, the Episcopal Church's House of Deputies resolved to accept CCM because the ELCA had already "agreed" to share with the Episcopal Church a threefold ministry of bishops, presbyters, and deacons in historic succession. This resolution infers that the ELCA will comply with the 1662 Preface to the Episcopal Church's ordination rites. Thus, this resolution contradicts both the letter and spirit of the ELCA's Tucson Resolution.

Fourth, also at its General Convention, the Episcopal Church's House of Bishops adopted its own Mind of the House resolution as correctly interpreting CCM. As indicated above, this resolution contradicts the amendment to CCM paragraph 3 by which the Episcopal Church "specifically" acknowledges and declares that the ELCA's Tucson Resolution correctly interprets CCM.

6. In summary, at its 1999 Churchwide Assembly, the ELCA told its voting members that by virtue of the Tucson Resolution CCM would not require the ELCA to become "episcopalian." Nevertheless, at its 2000 General Convention, the Episcopal Church told its voting membership (despite the Tucson Resolution) that by adopting CCM the ELCA had already voted to become "episcopalian." What each church has told its membership cannot be reconciled.

These considerable discrepancies raise a number of important questions:

1. How is it possible that future bishops of the ELCA will be considered by the ELCA to be "installed" into the historic episcopate when the Episcopal Church will consider such ELCA bishops to be "ordained" into it? Are these not two very different understandings of the nature of being in the historic episcopate?
2. How could CCM, on one hand, be written to oblige the ELCA to adopt a threefold ordering and ordaining of ministers in historic succession (CCM paragraph 18) while, on the other hand, be written not to oblige the ELCA either explicitly to ordain its bishops or to adopt the order of ordained deacons (CCM paragraph

- 9)?
3. Similarly, how can the ELCA's Tucson Resolution discount the requirement of the ELCA to adopt a threefold ordering of ministers when this is this Episcopal Church's understanding of CCM paragraph 18?
 4. How can the ELCA and the Episcopal Church according to CCM paragraph 3 as amended "specifically acknowledge and declare" that CCM has been correctly interpreted by the ELCA's Tucson Resolution when neither church voted on the Tucson Resolution?
 5. Furthermore, how can the ELCA consider the Tucson Resolution to be enough of a part of CCM paragraph 3 as amended to make the Tucson Resolution binding in the ELCA while at the same time inform the Episcopal Church that the Tucson Resolution is not part of the amendment to CCM paragraph 3?
 6. How could the Episcopal Church resolve that the ELCA had already "agreed that the threefold ministry of bishops, presbyters, and deacons in historic succession will be the future pattern of the one ordained ministry shared corporately within the two churches in full communion" when such a resolution contradicts the texts both of CCM paragraph 9 and of the ELCA's Tucson Resolution?
 7. Finally, how could the Episcopal Church according to CCM paragraph 3 as amended "specifically acknowledge and declare" that CCM has been correctly interpreted by the ELCA's Tucson Resolution when the Episcopal Church later issued and then adopted its own and differing interpretation of CCM?
 8. Where is the agreement between the ELCA and the Episcopal Church regarding CCM?

Conclusion

As a brief final assessment of *Called to Common Mission*, it would be fair to say that CCM is both a grand illusion and a fabulous fraud. The unity prescribed in CCM gives only the illusion of being of Christ. A true sign of Christian unity is only that which emanates from Christ and which all Christians share. "Historic episcopacy" fulfills neither of these criteria. Also, CCM's relentless misinformation and half-truths and plain fallacies mean that CCM is a fabulous fraud on a scale not seen before in North American Christianity. Luther says that even one lie turns a church into an idolatrous, whore-church of the devil.⁹⁵ That being the case, then CCM turns the ELCA into a Beelzebul's brothel.

Appendix A

The ELCA's Conference of Bishops Resolution or Tucson Resolution, March 8, 1999

RESOLVED, that the Conference of Bishops affirm the following understandings of "Called to Common Mission":

A. The Conference of Bishops understands that "Called to Common Mission" contains:

1. no requirement that the Evangelical Lutheran Church in America must eventually adopt the three-fold order of ministry. Rather, "Called to Common Mission" recognizes that the present understanding of one ordained ministry in the Evangelical Lutheran Church in America, including both pastors and bishops, may continue in effect;
2. no requirement that ELCA bishops be elected to serve as synodical bishops for life. Rather, they will continue to be elected and installed for six-year terms, with eligibility for re-election, subject to term limits, where applicable;

3. no defined role for the presiding bishop or synodical bishops after their tenure in office is completed;
4. no requirement that the Evangelical Lutheran Church in America establish the office of deacon, nor that they be ordained;
5. no requirement that priests of The Episcopal Church will serve congregations of the Evangelical Lutheran Church in America without the congregation's consent;
6. no requirement that the Ordinal (rules) of The Episcopal Church will apply to the Evangelical Lutheran Church in America;
7. no commitment to additional constitutional amendments or liturgical revisions other than those presented to the 1999 ELCA Churchwide Assembly (ELCA constitutional provisions 8.72.10-16.; 9.21.02.; 9.90.-9.91.02.; 10.31.a.9.; 10.81.01., and parallel provisions in synodical and congregational constitutions); and further

B. The Conference of Bishops has the expectation that:

1. ordinations of pastors will continue to be held at synodical worship services and in congregations, as is the present pattern;
2. the Evangelical Lutheran Church in America will continue to receive onto the roster of ordained ministers, without re-ordination, pastors from other traditions, some of whom will not have been ordained by a bishop in the historic episcopate;
3. following the adoption of "Called to Common Mission," if someone who has been received onto the roster of ordained ministers of the Evangelical Lutheran Church in America who was not ordained into the pastoral office in the historic episcopate is elected bishop and installed, he or she will be understood to be a bishop in the historic episcopate;
4. lay persons may continue to be licensed by the synodical bishop in unusual circumstances to administer the Sacraments of Baptism and Holy Communion as is the present practice of the Evangelical Lutheran Church in America;
5. "Definitions and Guidelines for Discipline of Ordained Ministers" will apply to priests of The Episcopal Church and ordained ministers of the Reformed churches serving ELCA congregations [under continuing resolution 8.72.E98.b., A...to live in a manner consistent with the ministerial policy of this church."];
6. the Evangelical Lutheran Church in America is not in any way changing its confessional stance that, "For the true unity of the Church it is enough to agree concerning the teaching of the Gospel and the administration of the sacraments" (Augsburg Confession, Article VII);
7. The Episcopal Church accepts fully, and without reservation, present Lutheran pastors and bishops who are not in the historic episcopal succession;
8. priests of The Episcopal Church and ordained ministers of the Reformed churches will not be asked to subscribe personally to the Confession of Faith of the Lutheran Church as their personal faith. They will be expected to recognize the agreement in faith of the churches and to preach and teach in a manner consistent with the Lutheran Confessions;
9. the Evangelical Lutheran Church in America receives the historic episcopal succession as a sign of and service to the continuity and unity of the Church and in no way as a guarantee of the faithful transmission of the faith;
10. future decisions of the Evangelical Lutheran Church in America on matters of common concern will be made in consultation with churches with whom a relationship of full communion has been declared, but these decisions will not require their concurrence or approval;
11. future Churchwide Assemblies of the Evangelical Lutheran Church in America will be free to make whatever decisions they deem necessary after mutual consultation on matters related to full communion;

12. the joint commission [to which reference is made in "Called to Common Mission"] will have no authority over the appropriate decision-making bodies of the Evangelical Lutheran Church in America or The Episcopal Church; and
13. pastors of the Evangelical Lutheran Church in America will continue to preside at confirmations.

Appendix B

The Episcopal Church's "Mind of the House" Resolution

House of Bishops Meeting, Lake Arrowhead, California, 3rd April 2000

Resolved that the House of Bishops of The Episcopal Church specifically acknowledges and declares that the following understandings shall govern our interpretation and acceptance of the document "Called to Common Mission: A Lutheran Proposal for a Revision of the Concordat of Agreement" within The Episcopal Church:

1. The Episcopal Church agrees that each of the two churches has the right to interpret the same document according to its own standards, as the Evangelical Lutheran Church in America has already done for itself and referenced in CCM para. 3, so long as neither church contradicts the text or spirit of the document. In full communion, "churches become interdependent while remaining autonomous" (para. 2).
2. In common with all churches of the Anglican Communion, The Episcopal Church continues to maintain, as the Preface to the Ordination Rites makes clear (Book of Common Prayer, 510), that "three distinct orders of ordained ministers", namely, bishops, priests, and deacons, are "characteristic of Christ's holy catholic church," and that "it has been, and is, the intention and purpose of this Church to maintain and continue these three orders."
3. The Episcopal Church's recognition of the full authenticity of the ministers ordained in the ELCA or its predecessor bodies (CCM para. 15) is made in view of the voted intention of that church to enter the ministry of the historic episcopate (para. 18). According to catholic tradition of which The Episcopal Church is a part, the order of the historic episcopate properly includes within itself all three of these orders.
4. In view of the firmly voted intention of the Evangelical Lutheran Church in America that "a bishop shall regularly preside and participate in the laying-on-of-hands at the ordination of all clergy" (para.20), it is necessary to state that according to the standard of The Episcopal Church and of the Anglican Communion and of catholic Christianity it is the rule (regula) that no exception to episcopal ordination can be allowed. Therefore if any ordination within the ELCA were to be carried out after full communion begins without an ELCA bishop presiding and participating in the laying-on-of-hands, it would not be acceptable for interchangeability and reciprocity in The Episcopal Church under para. 16 of the CCM. In this regard The Episcopal Church welcomes the ELCA's explanation of para. 20 recorded in the minutes of its 1999 Denver Churchwide Assembly that "The use of 'regularly' establishes the ELCA's intent to adhere to the same standard of ordination by a bishop as practiced by The Episcopal Church in the USA" and the word "regularly" does not imply the possibility of planned exceptions."
5. Although the ELCA may continue to receive onto its roster of ordained ministers, without reordination, pastors from other traditions, some of whom will not have been ordained by a bishop in the historic episcopate, only pastors ordained in the ELCA or its predecessor bodies will be considered for interchangeability with The

Episcopal Church (para. 16, 22). Pastors not ordained by a bishop in historic succession who transfer into the ELCA from other traditions after passage of CCM will not be regarded as interchangeable. Rostered ELCA pastors who were not ordained in the ELCA or its predecessor bodies will not be interchangeable under the provisions of CCM.

6. Although lay persons in the ELCA may continue to be licensed by its synodical bishops in unusual circumstances on rare occasions to preside at celebrations of the sacrament of Holy Communion for specified periods of time and only in a given location, it is well known that The Episcopal Church follows the consensus of catholic Christianity in not allowing or recognizing this practice, nor is it accepted or even mentioned in the text of the CCM (cf. para. 16).

Appendix C

The ELCA's Constitutional Changes

If the 1999 Churchwide Assembly adopts the proposal, "Called to Common Mission," for a relationship of full communion between the Evangelical Lutheran Church in America and The Episcopal Church, the following constitutional changes would be needed. These are the only constitutional and bylaw amendments that would be prompted by the text of "Called to Common Mission," as transmitted in November 1998 to the assembly.

To amend churchwide bylaw 10.31.a.9) by addition of the underlined text:

10.31.a.9) As the synod's pastor, the bishop shall: ... Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates...*[with the remainder of the provision unchanged]*.

To amend ¶8.12.c. in the Constitution for Synods by addition of the underlined text:

†8.12.c. As the synod's pastor, the bishop shall...: ... Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates...*[with the remainder of the provision unchanged]*.

To amend churchwide bylaw 10.81.01. by deletion and addition:

10.81.01. The presiding bishop of this church, or a ~~member of the Conference of Bishops~~ synodical bishop appointed by the presiding bishop of this church, shall preside for the installation into office, in accord with the policy and approved rite of this church, of each newly elected synodical bishop.

To amend ¶8.15. in the Constitution for Synods by addition:

†8.15. The presiding bishop of this church, or the appointee of the presiding bishop, shall install into office, in accord with the policy and approved rite of this church, each newly elected synodical bishop.

Previously adopted continuing resolutions in the *Constitution, Bylaws, and Continuing Resolutions of the*

Evangelical Lutheran Church in America provide for certain church-to-church matters, including procedures on the availability and service of ordained ministers, under relationships of full communion, such as the Lutheran-Reformed *Formula of Agreement*, approved in 1997. These established patterns would not be altered by the Lutheran-Moravian proposal, "Following Our Shepherd to Full Communion" or the Lutheran-Episcopal proposal, "Called to Common Mission."

Appendix D

The ELCA's Liturgical Changes

If the 1999 Churchwide Assembly adopts the proposal, "Called to Common Mission," for a relationship of full communion between the Evangelical Lutheran Church in America and The Episcopal Church, the following changes in the Rite of Installation of a Bishop would occur. These represent the only liturgical changes that would be prompted by "Called to Common Mission."

The full text of the existing rite, "Installation of a Bishop," is in *Occasional Services—A Companion to Lutheran Book of Worship*, pages 218-223.

A prayer for the guidance of the Holy Spirit, with the laying on of hands, would be added to the Rite of Installation of a Bishop after the questions addressed to the one being installed and to the assembled congregation.

p The Lord be with you.
c **And also with you.**
p Let us pray.

Following silent prayer, the presiding minister lays both hands on the head of the bishop-elect. Other bishops present also shall be invited to lay on hands as well as representatives of churches with which a relationship of full communion has been established with this church.

p God the Father of our Lord Jesus Christ, it is your Spirit that sustains the Church. By the power of the Spirit you call, gather, enlighten, and sanctify the whole Church. Pour out your Spirit upon N to empower *his/her* ministry as a bishop in your Church. Sustain *him/her* as a shepherd who tends the flock of Christ with love and gentleness, and oversees the ministry of the Church with vision and wisdom. Uphold *him/her* as a faithful steward of your holy Word and life-giving Sacraments and a strong sign of reconciliation among all people. Give courage and fortitude for this ministry. We ask this through Jesus Christ, your Son, through whom glory and power and honor are yours in your holy Church now and forever.

c **Amen**

Inserted in the "Notes on the Service" would be the following:

- *The laying on of hands and prayer for the Holy Spirit are not repeated for a bishop who has already*

received installation as a bishop in this church [in accord with paragraph 18 in "Called to Common Mission"].

- *Three bishops in historic succession join in the laying on of hands in conformity with the canons of the Council of Nicaea. Other bishops and representatives of churches with which a relationship of full communion has been established with this church may participate in the laying on of hands.*

Endnotes

1. See *Book of Common Prayer ... According to the use of the Episcopal Church (BCP)*, (New York: The Church Hymnal Corporation, 1979), p. 876-877. In the four prefatory points of the Chicago-Lambeth Quadrilateral, the bishops of the Episcopal Church expressed the nature of their desire for unity with "fellow Christians of different Communion."

2. Paul F. Bradshaw, "Ordinals," in *The Study of Anglicanism*, ed. S. Sykes and J. Booty, (London: SPCK, Philadelphia: Fortress Press 1988), pp. 151-152. See also, Richard A. Norris, "Episcopacy," also in *The Study of Anglicanism*, pp. 303-305.

3. See Carl E. Braaten, "It's the Episcopacy, Stupid!" *Pro Ecclesia* (1999), 7: 4, 389-90. Braaten states, "What happened at Denver is that ELCA Lutherans will join the Episcopal Church in affirming not only the Holy Scriptures, the Nicene Creed, and the two Sacraments, Baptism and the Lord's Supper, but also the historic episcopate - all four principles of the Chicago-Lambeth

Quadilateral (sic). This should not be seen as the end of the line but as a call to be more faithful to the greater evangelical and orthodox substance of their common tradition, which has thinned out in both churches.”

4. Gerhard Forde, “Fault,” *dialog*, Summer 1999, 38: 163. In a response to Michael Root, a member of the ELCA’s CCM drafting team, Forde comments in relation to the way in which the ELCA has conducted its ecumenical policy, “The game has been rigged from the start. The official media of the church are controlled by the ‘magisterium.’ The synodical apparatus is controlled from above... When the rewrite committee for the *Concordat* was convened they were simply informed that the Historic Episcopate was not negotiable. The committee was stacked. Opposition to the ‘official’ position has rarely been taken seriously and most often passed off as the accident of one’s geography - one might call it *argumentum ad geographicam!*”

5. *The Book of Concord: The Confessions of the Evangelical Lutheran Church (BOC)*, ed. Robert Kolb and Timothy J. Wengert (Minneapolis: Fortress Press, 2000), p. 43 - German translation. The Latin translation (p. 42) reads:

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

6. *BCP*, p. 877.

7. Mary Tanner, “The Ecumenical Future,” in *The Study of Anglicanism*, p. 388.

8. *BCP*, p. 877.

9. Philip Hefner, “The Church,” in *Christian Dogmatics*, ed. Carl E. Braaten and Robert W. Jenson (Philadelphia: Fortress Press, 1984), 2: 236.

10. For example, *The Niagra Report - Report of the Anglican-Lutheran Consultation on Episcopate 1987*, (London: Church Publishing House, 1988), pp. 34-39; *The Meissen Agreement*, (The Council for Christian Unity of the General Synod of the Church of England - Occasional Paper No. 2, 1992), pp. 12-21; *The Porvoo Common Statement*, (The Council for Christian Unity of the General Synod of the Church of England - Occasional Paper No. 3, 1993), pp. 16-21.

11. In prefatory points three and four of the Chicago-Lambeth Quadilateral, the bishops of the Episcopal Church stated, “3. That in all things of human ordering or human choice, relating to the modes of worship and discipline, or to traditional customs, this Church is ready in the spirit of love and humility to forego all preferences of her own; (and) 4. That this Church does not seek to absorb other Communion, but rather, co-operating with them on the basis of a common Faith and Order, to discountenance schism, to heal the wounds of the Body of Christ, and to promote the charity which is the chief of Christian graces and the visible manifestation of Christ

to the world;...”, *BCP*, pp. 876-877.

12. See “Elucidation - 1979 (para. 3)” to the “Ministry and Ordination (Canterbury Statement 1973)”, in Anglican-Roman Catholic Conversations (ARCIC I), *Growth in Agreement: Ecumenical Documents II*, ed. H. Meyer and L. Vischer (New York: Paulist Press, 1984), p. 86. N.B. The Episcopal Church adopted ARCIC I at its General Convention in 1988.

13. *BOC*, Kolb/Wengert, Article V of the *Augsburg Confession* in the German translation reads:

[*V. Concerning the Office of Preaching*] To obtain such faith God instituted the office of preaching, giving the gospel and the sacraments. Through these, as through means, he gives the Holy Spirit who produces faith, where and when he wills, in those who hear the gospel. It teaches that we have a gracious God, not by our own merit but through Christ’s merit, when we so believe.

Article V in the Latin translation reads: [*V. Concerning Ministry in the Church*] So that we may obtain this faith, the ministry of teaching the gospel and administering the sacraments was instituted. For through the Word and the sacraments as through instruments the Holy Spirit is given, who effects faith where and when it pleases God in those who hear the gospel, that is to say, in those who hear that God, not on account of our own merits but on account of Christ, justifies those who believe that they are received into grace on account of Christ. Gal. 3[: 14b], “So that we might receive the promise of the Spirit through faith.”

14. William A. Norgren, in consultation with J. Robert Wright, “Questions Addressed on Called to Common Mission: A Lutheran Proposal for a Revision of the Concordat of Agreement,” December 1999, Section 9. “Other Questions,” paragraph e.

15. Action by the Episcopal Church’s 73rd General Convention on “Resolution A041: Enact Temporary Suspension of the Ordinal, Second Reading (A019a)” is telling. The first portion of the resolution reads, “Resolved, the House of Deputies concurring, That the 72nd General Convention of the Episcopal Church having affirmed in the Concordat of Agreement (as presented to the 73rd General Convention in the document Called to Common Mission: A Lutheran Proposal for a Revision of the Concordat of Agreement) the full authenticity of existing ordained ministries in the Evangelical Lutheran Church in America, ...” A “Second Reading” relates by necessity to the same matter, and the text of this resolution equates the *Concordat of Agreement* with *Called to Common Mission*. Thus, for all intents and purposes from the Episcopal Church’s perspective, the original *Concordat* and CCM are the same.

16. Arthur Michael Ramsey, *The Gospel and the Catholic Church* (London: Longmans, Green and Co, 1936), p. 223.

17. See “Report of the Committee on the Unity of the Church” from the Lambeth Conference of 1930, “The Episcopate occupies a position which is, in point of historical development, analogous to that of the Canon of Scriptures and the Creeds ... If the Episcopate ... was the result of a ... process of adaptation and growth in the organism of the Church, that would be no evidence that it lacked divine authority, but rather that the life of the Spirit within the Church had found it to be the most appropriate organ for the functions it discharged.” See Norris, in *The*

18. [I Corinthians 15: 42-50]: "So is it with the resurrection of the dead. What is sown is perishable, what is raised is imperishable. It is sown in dishonor, it is raised in glory. It is sown in weakness, it is raised in power. It is sown a physical body, it is raised a spiritual body. If there is a physical body, there is also a spiritual body. Thus it is written, "The first man Adam became a living being"; the last Adam became a life-giving spirit. But it is not the spiritual which is first but the physical, and then the spiritual. The first man was from the earth, a man of dust; the second man is from heaven. As was the man of dust, so are those who are of the dust; and as is the man of heaven, so are those who are of heaven. Just as we have borne the image of the man of dust, we shall also bear the image of the man of heaven. I tell you this, brethren: flesh and blood cannot inherit the kingdom of God, nor does the perishable inherit the imperishable."

[Colossians 2: 11-14]: "In him also you were circumcised with a spiritual circumcision, by putting off the body of the flesh in the circumcision of Christ; when you were buried with him in baptism, you were also raised with him through faith in the power of God, who raised him from the dead. And when you were dead in trespasses and the uncircumcision of your flesh, God made you alive together with him, when he forgave us all our trespasses, erasing the record that stood against us with its legal demands. He set this aside, nailing it to the cross."

[Romans 7:4]: "In the same way, my friends, you have died to the law through the body of Christ, so that you may belong to another, to him who has been raised from the dead in order that we may bear fruit for God."

[Romans 6: 3-13]: "Do you not know that all of us who have been baptized into Christ Jesus were baptized into his death? Therefore we have been buried with him by baptism into death, so that, just as Christ was raised from the dead by the glory of the Father, so we too might walk in newness of life. For if we have been united with him in a death like his, we will certainly be united with him in a resurrection like his. We know that our old self was crucified with him so that the body of sin might be destroyed, and we might no longer be enslaved to sin. For whoever has died is freed from sin. But if we have died with Christ, we believe that we will also live with him. We know that Christ, being raised from the dead, will never die again; death no longer has dominion over him. The death he died, he died to sin, once for all; but the life he lives, he lives to God. So you also must consider yourselves dead to sin and alive to God in Christ Jesus. Therefore, do not let sin exercise dominion in your mortal bodies, to make you obey their passions. No longer present your members to sin as instruments of wickedness, but present yourselves to God as those who have been brought from death to life, and present your members to God as instruments of righteousness."

19. Philip Melancthon, "Art. X. Vom heiligen Abendmahl - Apologie der Konfession," in *Bekennnisschriften der evangelisch-lutherischen Kirche - BSLK*, (Göttingen: Vandenhoeck & Ruprecht 1982), pp. 247-247 (in *BOC*, Kolb/Wengert, pp. 184-185).

20. Given the controversial nature of historic episcopacy as it relates to CCM, throughout this critical assessment the term will be distinguished with quotation marks.

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21. Johannes Schneider, *Das Evangelium nach Johannes - Sonderband*, 3rd edition, (Berlin: Evangelische Verlagsanstalt 1976), p. 287.
22. See Schneider, pp. 289-290.
23. See "Elucidation - 1979 (para. 3)" to the "Ministry and Ordination (Canterbury Statement 1973)", in *Anglican-Roman Catholic Conversations (ARCIC I), Growth in Agreement: Ecumenical Documents II*, ed. H. Meyer and L. Vischer (New York: Paulist Press 1984), p. 86.
24. See Mark A. Granquist, "The Augustana Synod and the Episcopal Church," *Lutheran Quarterly*, Summer 2000, 14: 2, 174-176.
25. John B. Webster, "Ministry and Priesthood," in *The Study of Anglicanism*, p. 292. Webster writes, "First, critical historical study of the early Church had with some success proposed the theory that the patterns of ministry which were widely supposed to have been inherited intact from the Apostles were more likely to be expedients established in the second century, and could therefore claim no immediate dominical sanction. Advanced in radical dress by German historians of Christianity, or more tentatively by Anglican scholars such as Hatch, Lightfoot or Hort, the theory raised real doubts about the affirmation in the Preface to the ordinal that 'it is evident unto all men, diligently reading holy scripture, and ancient authors, that from the Apostles' time there hath been these orders of Ministers in Christ's Church: Bishops, Priests, and Deacons.' Since the last decades of the nineteenth century, Anglican theology of ministry has not been able to construct the defence of its own validity with the same kind of ease as was possible in periods with a less sophisticated historical sense."
26. H. George Anderson, ELCA Presiding Bishop, is reported in the January 1998 edition of *The Lutheran* magazine (p. 48) as saying, "To go to the Episcopalians without it [historic episcopate] means it's [the proposed agreement] dead on arrival because they see it as part of being in full communion."
27. Martin Luther, "Großer Katechismus," *BSLK*, p. 560 - (in *BOC*, Kolb/Wengert, p. 386).
28. [Rom. 4: 13-17, "The promise to Abraham and his descendants, that they should inherit the world, did not come through the law but through the righteousness of faith. If it is the adherents of the law who are to be the heirs, faith is null and the promise is void. For the law brings wrath, but where there is no law there is no transgression. That is why it depends on faith, in order that the promise may rest on grace and be guaranteed to all his descendants -- not only to the adherents of the law but also to those who share the faith of Abraham, for he is the father of us all, as it is written, "I have made you the father of many nations" -- in the presence of the God in whom he believed, who gives life to the dead and calls into existence the things that do not exist."
- [Gal. 3: 1-14], "O foolish Galatians! Who has bewitched you, before whose eyes Jesus Christ was publicly portrayed as crucified? Let me ask you only this: Did you receive the Spirit by works of the law, or by hearing with faith? Are you so foolish? Having begun with the Spirit, are you now ending with the flesh? Did you experience so many things in vain? -- if it really is in vain. Does he who supplies the Spirit to you and works miracles among you do so by works

of the law, or by hearing with faith? Thus Abraham "believed God, and it was reckoned to him as righteousness." So you see that it is men of faith who are the sons of Abraham. And the scripture, foreseeing that God would justify the Gentiles by faith, preached the gospel beforehand to Abraham, saying, "In you shall all the nations be blessed." So then, those who are men of faith are blessed with Abraham who had faith. For all who rely on works of the law are under a curse; for it is written, "Cursed be every one who does not abide by all things written in the book of the law, and do them." Now it is evident that no man is justified before God by the law; for "He who through faith is righteous shall live"; but the law does not rest on faith, for "He who does them shall live by them." Christ redeemed us from the curse of the law, having become a curse for us -- for it is written, "Cursed be every one who hangs on a tree" -- that in Christ Jesus the blessing of Abraham might come upon the Gentiles, that we might receive the promise of the Spirit through faith."

29. Norgren, Section 6. "Enhancing the Mission of Christ's Church."

30. "Full Communion Means Common Faith, Ministry," ELCA News Archive, 30th May 1996.

31. ELCA Church Council action (CC97.11.76) from November, 1997.

32. See Carl E. Braaten, "It's the Episcopacy, Stupid!" *Pro Ecclesia* (1999), 7: 4, 389-90. Braaten reminds us that of the 17 members of the ELCA's Task Force to study the doctrine of the ministry that "Only two or three of us were in favor of reclaiming the episcopal office in continuity with the apostolic tradition." Unfortunately, it cannot be ruled out that "full communion" with the Episcopal church has not been used by some career ecumenists and a small minority of clergy as a means to see the ELCA adopt an historic episcopate.

33. *The Niagra Report - Report of the Anglican-Lutheran Consultation on Episcopate 1987*, (London: Church Publishing House, 1988), pp. 41-43.

34. *BSLK*, p. 38. "Luther verstand das Predigtamt nicht klerikal." In his edition of the *Book of Concord*, (Philadelphia: Fortress Press, 1959), p. 31, Tappert include a similar reference, "This title [The Office of Ministry] would be misleading if it were not observed (as the text of the article makes clear) that the Reformers thought of the "office of the ministry" in other than clerical terms. It is interesting to note that in the Kolb/Wengert edition of the *Book of Concord* no references to a non-clerical understanding of the ministerial office have been included.

35. See Martin Luther, "Unterricht der Visitatoren an die Pfarrherrn im Kurfürstentum Sachsen," in *Martin Luther Studienausgabe*, ed. H.-U. Delius (Berlin: Evangelische Verlagsanstalt, 1983), 3: 406-414 (see *WA* 26: 195-201) and M. Schmidt, "Visitation," in *Die Religion in Geschichte und Gegenwart*, 3rd edition (Tübingen: J.C.B. Mohr [Paul Siebeck], 1962), 6: 1412-1413.

36. See Vitor Westhelle, "Augsburg Confession VII and the Historic Episcopate," *dialog*, Fall 2000, 39: 3, 223-224.

37. *Luther's Works (LW)* (American Edition), *Career of the Reformer IV*, ed. Lewis W. Spitz

(Philadelphia: Muhlenberg Press, 1960), 34: 45.

38. See Mark D. Menacher, “*Called to Common Mission* Historical Catechism.” (unpublished paper).

39. See Isaiah. 9: 7; Romans. 5: 1; 14: 17; Revelation. 21: 1-7.

40. See “Ministry and Ordination (Canterbury Statement 1973),” (ARCIC I, para. 13) in *Growth in Agreement*, p. 82.

41. See Harry W. Shippo, “That They May All Be One,” *Pro Ecclesia*, 1994, 3: 1, 9. In referring to the understanding of the ordained ministry as understood in Anglicanism, Episcopal Bishop Shippo comments, “The universal belief is that something ontological happens to a person ordained in apostolic succession to a particular order.”

42. *D. Martin Luthers Werke (WA)*, (Weimar: Herman Böhlau Nachfolger, 1886-), 6: 408, 11-13. Elsewhere, Luther writes, “Furthermore we note how seldom the Evangelists and Apostles make mention of the Eucharist, a fact that has led many to wish they had said more about it. On the other hand, they ceaselessly emphasize, even to the point of weariness, the ministry of the Word... If then that which is greatest, namely, Word and baptism is conferred on all, then it can rightly be maintained that the lesser, the power to consecrate, is also conferred, even if there be no direct authority of Scripture” (*Luther’s Works* [American Edition], *Church and Ministry II*, ed. Conrad Bergendoff, [Philadelphia: Muhlenberg Press, 1958], 40: 25).

43. Martin Luther, *Small Catechism*, tr. Timothy J. Wengert (Minneapolis: Augsburg Fortress 1994), p. 29.

44. Dorothea Wendebourg, “Das Amt und die Ämter,” *Zeitschrift für evangelisches Kirchenrecht (Sonderdruck)*, March 2000, 45: 1, 15-16.

45. Generally, Episcopalians consider non-historic episcopally ordered churches, like the ELCA, to be inferior to their own. According to Arthur Michael Ramsey, Archbishop of Canterbury 1961-1974, Protestant churches without an historic episcopate are incomplete. “(1) With the lack of the historical structure, the sense of worship as the act of the one historic society has been lost. ... (2) With the defective sense of worship as the act of the historic society, there grows easily a false emphasis on the place of human feelings in worship and in religion generally. ... (3) With defect in life and worship there is defect in the presentation of truth. By its attempt to make a ‘nude’ appeal to Scripture, Protestantism has failed to find a centre of unity and authority in doctrine” (Arthur Michael Ramsey, *The Gospel and the Catholic Church* (London: Longmans, Green and Co, 1936), pp. 197-200). Furthermore, according to the Lambeth Conference of 1948, for Anglicans it is impossible either “to declare the sacraments of non-episcopal bodies null and void” or “to treat non-episcopal ministries as identical in status and authority with the episcopal ministry” (Norris, in *The Study of Anglicanism*, p. 307). Thus, without the “historic episcopate” the ELCA is considered in classic episcopalian thought to be defective and not fully part of the body of Christ.

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46. See "Episcopal Proposal Forwarded for Study," *The Lutheran*, June 1998, p. 44.
47. Paul Johnson, *A History of the American People*, (London: Weidenfeld & Nicolson, 1997), p. 24.
48. See Tim Harris, "Lives, Liberties and Estates," in *The Politics of Religion in Restoration England*, ed. T. Harris, P. Seaward, and M. Goldie (Oxford: Basil Blackwell, 1990), pp. 224-236. According to Harris, nearly 11,000 Quakers spent time in jail for not conforming to the Church of England (p. 225). W.C. Braithwaite estimates that of 15,000 Quakers sent to prison for non-conformity 450 paid for their convictions with their lives; see Michael R. Watts, *The Dissenters: From the Reformation to the French Revolution* (Oxford: Clarendon Press, 1978), p. 236. In the county of Norfolk, England alone between 1661 and 1685, 516 Roman Catholics, 776 Quakers, 136 non-conformists (Presbyterians, Baptists, etc), and 1700 others of unidentified religious affiliation (3128 in total) were convicted for recusancy (non-conformity to the Church of England); see John Miller, *Popery and Politics in England 1660-1688* (Cambridge University Press, 1973), p. 267.
49. Due to the unrest in the ELCA over the terms of agreement in CCM for unity with the Episcopal Church, the ELCA's 2001 Churchwide Assembly enacted a bylaw which would allow pastors, who objected to "historic episcopacy" on Lutheran confessional grounds, to be ordained by other pastors and thus avoid being part of an "historic episcopate." This bylaw does not, however, alter the fundamental radical changes which CCM and its episcopalian religious intolerance introduce into the ELCA.
50. See Bradshaw in *The Study of Anglicanism*, pp. 152-53
51. See Georg Kretschmar, "Die Wiederentdeckung des Konzeptes der »Apostolischen Sukzession« im Umkreis der Reformation," in *Kirche in der Schule Luthers*, (Erlangen: Martin-Luther-Verlag, 1995), pp. 248-253.
52. *Melanchthons Werke in Auswahl*, ed. von Robert (Gütersloh: Stupperich 1951), 1: 330, 16-23
53. *WA = D. Martin Luthers Werke*, Weimarer Ausgabe (*WA*), (Weimar: Herman Böhlhaus Nachfolger) [*WA* = Weimar Edition of Dr. Martin Luther's Works].
54. In an email message to the Episcopal Church copies to myself on 29 June 2000, Michael Root stated, "The historical work of Georg Kretschmar cited by Pastor Menacher is certainly important. While it is new to him, the article he cites has been known at least to some of us who support CCM since its publication five years ago."
55. Ernst Käsemann, "Verkirchlichte Freiheit," *Der Ruf der Freiheit*, 5th edition (Tübingen: J.C.B. Mohr [Paul Siebeck], 1972), p. 182. This view was also communicated by 19 ELCA pastors, professors, and former bishops to ELCA Presiding Bishop H. George Anderson and to the ELCA's Church Council in a letter dated November 1, 1998.
56. Stephen W. Sykes, "The Laying on of Hands in Succession," Special printing from

57. Gerhard Ebeling, "Die Bedeutung der historisch-kritischen Methode für die protestantische Theologie und Kirche," in *Wort und Glaube* 3rd edition, (Tübingen: J.C.B. Mohr [Paul Siebeck], 1968), pp. 20-21.

58. John Woodhouse, "Speech to Synod regarding the Motion on Lay Presidency (Administration)" at <http://www.anglicanmediasydney.asn.au/synod1999/drwoodhouse.html> Presented: October 1999, last checked on 10 November 2001. In his speech proposing legislation to the 1999 Sydney Synod to remove the prohibition against deacons and lay persons presiding at Holy Communion, Dr. Woodhouse stated, "In each of these ways, the prohibition on view, while once 'of godly intent and purpose devised' now contradicts, or at least obscures the gospel we preach. It has 'at length turned to vanity and superstition'." This legislation passed by a two to one majority.

59. Luther does not underestimate the power of superstition in any aspect of human life, especially in the church. "There is nothing more powerful in the world than superstition. This is the queen and emperor over everything which is high in the world; but before God it is an abomination" (*WA* 25: 267, 19-21). "Superstition denies and despises not only God but also the fellow human being" (*WA* 25: 399, 26-27). "Here the Holy Spirit declares that the works of the ungodly are of the choicest kind according to their appearance. In pretense they are more powerful than all kings. So we see that the pope is held in higher regard in the popular superstition than all the kings. This superstition is the most powerful queen... All the holy fathers were affected. Augustine was somewhat overcome by superstition; Gregory was leprous, as it were, with superstition; Jerome was befouled by it, and so am I. All of us are unable to oppose it, only the Holy Spirit can suppress it." "The word $\alpha\gamma\gamma\epsilon\lambda\omicron\varsigma$ properly means one in charge of holy things, one who controls the religion. Here, then, the ruler is a religious person, just as the self-righteous have their own 'rulers,' such as are the popes, bishops, and scribes, who cling to their wife, Queen Superstition, and war against faith in the interests of the righteousness." "But if this superstition is attacked by human ideas and wisdom and in a satirical way, the attack cannot be made to stick. When people say it is silly to pray all day and be capped and tonsured, Satan soon counters, 'That is true, it is a corrupted practice, but it is not bad in itself.' As a result, the practice is despised but not destroyed. Therefore its destruction must be approached seriously and in earnest, in this way: If faith in Jesus Christ saves, then it is not cowl and tonsure that does it. That is to trample on the 'ruler,' superstition, as on clay" (*Luther's Works* [American Edition], *Lectures on Isaiah*, Chapters 40-66, ed. Hilton C. Oswald, [St. Louis: Concordia Publishing House, 1972], 17: 54, 56, 57).

60. Arthur Michael Ramsey, *The Gospel and the Catholic Church*, p. 81.

61. Norris, p. 304.

62. Martin Luther, "Vom Abendmahl Christi, Bekenntnis," in *Martin Luther: Studienausgabe*, ed. H.-U. Delius, (Berlin: Evangelische Verlagsanstalt 1986), 4: 42.

63. See J. Robert Wright, "From the President," *The Anglican*, July 1996, p. 2.

64. See *Growth in Agreement: Ecumenical Documents II*, ed. H. Meyer and L. Vischer (New York: Paulist Press 1984), pp. 80-86.

65. Over against the Roman Catholic Church, a similar argument has already been made, see *Church and Justification*, Lutheran-Roman Catholic Joint Commission, (Geneva: The Lutheran World Federation, 1994), paragraphs 193-203, pp. 96-100. Paragraph 203 reads, "Even so, Catholics will have to take seriously and answer the Lutheran question. If Catholics hold that the Lord's Supper celebrated in Lutheran churches has 'because of the lack [*defectus*] of the sacrament of orders ... not preserved the genuine and total reality [*substantia*] of the Eucharistic mystery,' (reference to *Unitatis Redintegratio*, Decree on Ecumenism, in *The Documents of Vatican II*, p. 22), does that not, after all, show that they regard the episcopal office in historic succession as the regular transmitter of the ordained ministry in the church, and so indirectly as necessary for salvation?" Unfortunately, this document also envisages adopting an "historic episcopate" for unity between Catholics and Lutherans and thus is little different from CCM and its violations of Article VII of the *Augsburg Confession*.

66. *BOC*, Kolb/Wengert, Article XV. Concerning Church Regulations, *Augsburg Confession*, pp. 48-49.

67. See Appendix C. "To amend to churchwide bylaw 10.31.a.9) by the addition of the underlined text: "As the synod's pastor, the bishop shall: ... Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates..." [*with the remainder of the provision unchanged*]."

68. See Norgren. **To Ordained Deacons:** Section 2. "The Diaconate and the Threefold Ministerial Office" - "From the Lutheran side, there has been a concern that CCM not be read as implying a commitment by the ELCA to ordain deacons in the future, and from the Episcopal side a concern has been expressed that full communion should not be agreed with any church that does not accept, at least in principle, the threefold ministry including the diaconate." Further, the Episcopal Church's "Mind of the House" resolution: "3. The Episcopal Church's recognition of the full authenticity of the ministers ordained in the ELCA or its predecessor bodies (CCM paragraph 15) is made in view of the voted intention of that church to enter the ministry of the historic episcopate (paragraph 18). According to catholic tradition of which The Episcopal Church is a part, the order of the historic episcopate properly includes within itself all three of these orders." **To Confirmation:** Section 7. "Liturgical Similarities and Differences" - "The liturgical role of bishops when they are in parishes or congregations will be more familiar to Episcopalians who are accustomed to the bishop as minister of confirmation. Lutherans in the historic episcopate will no doubt explore appropriate ways to bring the liturgical aspects of the ministry of bishops into Lutheran experience." Only time will tell whether the people of the ELCA have been misled on the final requirements to be in full communion with the Episcopal Church. However, since the ELCA has already agreed to subject the bulk of its ordained ministry to Anglican thought and practice, the ordination of deacons and confirmation by bishops would only prove to be minor concessions."

69. See The “Mind of the House” resolution, point 3, as passed by the Episcopal Church’s House of Bishops on 3rd April, 2000 (see Appendix B).

70. *BOC*, Kolb/Wengert, p. 636.5.

71. David Ogg, *England in the Reign of Charles II*, 2nd edition (Oxford: Clarendon Press 1956), 1: 201f (emphasis added). In accordance with Anglican history, perhaps it will be on a future St. Bartholomew’s Day (24th August) when “full communion” is declared between the ELCA and the Episcopal Church.

72. In personal correspondence to the author dated June, 9, 1999, ELCA Presiding Bishop, H. George Anderson, wrote, “I appreciate the ‘refresher course’ on Anglican history. At the same time, I wonder if the history of the 17th century has much bearing on our current ecumenical context.” Clearly, the history of the seventeenth century is the defining factor in the unity prescribed by CCM.

73. *BOC*, Kolb/Wengert, p. 41.2.

74. *BOC*, Kolb/Wengert, p. 92.5.

75. *BOC*, Kolb/Wengert, p. 94.30. “Furthermore, it is also debated whether bishops have the power to establish ceremonies in the church as well as regulations concerning food, festivals, and the different orders of clergy.”

76. *BSLK*, p. 296.1. “*Hac de re in hoc conventu saepe testati sumus, nos summa voluntate cupere conservare politiam ecclesiasticam et gradus in ecclesia, factos etiam humana auctoritate.*”

77. *BOC*, Kolb/Wengert, p. 340, 63-65. “Jerome, then, teaches that the distinctions of degree between bishop and presbyter or pastor is by human authority. That is clear from the way it works, for, as I stated above, the power is the same. One thing subsequently created a distinction between bishops and pastors, and that was ordination, for it was arranged that one bishop would ordain the ministers in a number of churches. However, since the distinction of rank between bishop and pastor is not by divine right, it is clear that an ordination performed by a pastor in his church is valid by divine right.” Note that CCM omits the reference to pastors having a divine right to ordain.

78. Michael Root, a member of the ELCA’s CCM drafting team, clearly indicated in his essay “Conditions of Communion: Bishops, the Concordat and the Augsburg Confession” in *Inhabiting Unity: Theological Perspectives on the Proposed Lutheran-Episcopal Concordat*, (Grand Rapids: Eerdmans Publishing Company, 1995), p. 66, that the adoption of an “historic episcopate” by the ELCA was a condition for full-communication with the Episcopal Church. Given that to be the case, how could Root then countenance the wording in CCM paragraph 18 that the ELCA would “freely accept” an “historic episcopate”?

79. As cited above, H. George Anderson, ELCA Presiding Bishop, is reported in the January 1998 edition of *The Lutheran* magazine (p. 48) as saying, “To go to the Episcopalians without it

[historic episcopate] means it's [the proposed agreement] dead on arrival because they see it as part of being in full communion."

80. Carl Andresen, *Die Kirchen der alten Christenheit* (Stuttgart, Berlin, Köln, Mainz, Verlag W. Kohlhammer 1971), pp. 56-59, 65, respectively.

81. *Decree of the Ecumenical Councils*, v. 1. ed. Norman Tanner (London: Sheed & Ward; Washington DC: Georgetown University Press, 1990), p. 7.

82. See Appendix D, "Three bishops in historic succession join in the laying on of hands in conformity with the canons of the Council of Nicaea. Other bishops and representatives of churches with which a relationship of full communion has been established with this church may participate in the laying on of hands."

83. *BOC*, Kolb/Wengert, pp. 340.67-341.70.

84. See Appendix C. "To amend to churchwide bylaw 10.31.a.9) by the addition of the underlined text: "As the synod's pastor, the bishop shall: ... Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates..." [with the remainder of the provision unchanged]..."

85. Bylaw 7.31.17 was passed by the ELCA's Churchwide Assembly. This bylaw reads: "Ordination in Unusual Circumstances. For pastoral reasons in unusual circumstances, a synodical bishop may provide for the ordination by another pastor of the Evangelical Lutheran Church in America of an approved candidate who has received and accepted a properly issued, duly attested letter of call for the office of ordained ministry. Prior to authorization of such an ordination, the bishop of the synod of the candidate's first call shall consult with the presiding bishop as this church's chief ecumenical officer and shall seek the advice of the Synod Council. The pastoral decision of the synodical bishop shall be in accordance with the policy developed by the Division or Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council." See *2001 Pre-Assembly Report to the Congregations* (Chicago: Evangelical Lutheran Church in America, 2001), p. 81.

86. The term "methodological atheism" has been borrowed and locally adapted from Konrad Stock, "Offenbarung als Befreiung," in *Reflexionen: Themen der Akademie, Tutzinger Texte 13*, ed. J. Strauß (Munich: Claudius Verlag 1976), p. 51.

87. Personal correspondence from 20 October 1998.

88. See Appendix B.

89. See Martin Luther, "Exempel, einen rechten christlichen Bishof zu weihen" (An example of how to consecrate a proper Christian Bishop), *WA* 53: 231-260.

90. Susan K. Wood, "Robert Jenson's Ecclesiology from a Roman Catholic Perspective," in *Trinity, Time, and Church: A Response to the Theology of Robert W. Jenson*, ed. Colin E.

Gunton, (Grand Rapids: Eerdmans Publishing Company, 2000), p. 187.

91. Norgren, Section 6. "Enhancing the Mission of Christ's Church," under "Shared Leadership," paragraph 13.

92. *BOC*, Kolb/Wengert, p. 638.

93. Episcopal Church in USA website:
<http://www.episcopalchurch.org/resolutions/a041fin.html> Last checked - 10 November 2001.

94. Episcopal Church in USA website:
<http://www.episcopalchurch.org/resolutions/a041fin.html> Last checked - 10 November 2001.

95. *Luther's Works* (American Edition), *Church and Ministry III*, ed. Eric. W. Gritsch (Philadelphia: Fortress Press, 1966), 41:214. "Therefore the holy church cannot and may not lie or suffer false doctrine, but must teach nothing except what is holy and true, that is, God's word alone; and where it teaches a lie it is idolatrous and the whore-church of the devil."