

# Called to Common Mission: A Lutheran Proposal?

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**H**ISTORY HAS BEEN MADE IN *Called to Common Mission* (hereafter *CCM*), the full-communion agreement between the Evangelical Lutheran Church in America and the Episcopal Church in the U.S.A. Both the passage and the implementation of *CCM* have been acclaimed by many Lutherans and Episcopalians as ecumenical milestones that have “made history.” *CCM* initiates between the ELCA and the Episcopal Church an unprecedented level of cooperation and interchangeability that promises to enhance their common mission.

These historical events have been made possible because the ELCA and the Episcopal Church have agreed to share an ecclesial tradition called the “historic episcopate.”<sup>1</sup> The “historic episcopate” in *CCM* refers to the sign of unity in the form of a tactile succession of bishops that ostensibly stretches back to the early times of the church. Permission, as it were, for the ELCA to adopt an “historic episcopate” has been granted by *CCM* paragraph 11, which reads:

“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.”

By thus equating the Anglican (Episcopalian) understanding of “historic episcopacy” with the polity mentioned in the *Apology* to the Augsburg Confession, *CCM* paragraph 11 cleared the way for the ELCA’s 1999 Churchwide Assembly to adopt *CCM*.

Despite the stated relationship between “historic succession” in the episcopal office and the ranks of clergy mentioned in Article 14 of the *Apology*, opposition to *CCM* within the ELCA

has been vocal and unremitting. In response, ELCA advocates of *CCM* have affirmed the Lutheran Confessional relationship to “episcopal succession” in a variety of ways. Congruent with *CCM* paragraph 11, Michael Root, a professor at Trinity Lutheran Seminary and a member of the ELCA’s *CCM* drafting team, stated in the journal *dialog* just prior to the ELCA’s passage of *CCM*:

The Confessions are clear: the Lutherans were explicitly willing to preserve the traditional episcopal order if they could do so consistently with their evangelical commitments. The Reformers did not wish to create a new church; they did not wish to break fellowship with the wider church; they explicitly confessed their “deep desire” to preserve the traditional polity (Ap xiv, 1). . . . As Dorothea Wendebourg of Tübingen has recently shown in detail (in a paper in *Visible Unity and the Ministry of Oversight*, the Church of England-Evangelical Church in Germany conversations), the Reformers made great efforts to preserve a traditional episcopal order, but this was so politically difficult as to be practically impossible in the Holy Roman Empire of the sixteenth century.

Further on he says:

Some opponents of *CCM* are insisting that the ELCA will violate its commitment to the Lutheran Confessions if it adopts *CCM*. For at least some of us who support it, the issue is precisely the reverse. On the issue of ministry, the Confessions call us to embrace the opportunity *CCM* offers.<sup>2</sup>

Similarly though more robustly, David Yeago, a professor at Lutheran Theological Southern Seminary, argued in an article written for *Lutheran Forum*:

We must say No to polemics, which claim to represent true Lutheranism, but obscure the clear endorsement in our Confessions of that body of practice now called the historic episcopate as a bond of communion between the Churches: “On this matter, as we often testified at Augsburg, we desire with the greatest eagerness to preserve the polity of the Church and the degrees of office in the Church, even if these were established by human authority. For we know that the Church’s order was set up by the Fathers in this way, as the ancient canons describe, by a good and helpful plan” (*Apology* xiv, 1).<sup>3</sup>

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Finally, Carl E. Braaten, of the Center for Catholic and Evangelical Theology, in a more recent edition of *dialog* also addressed the matter. Whereas Braaten first appears to aid the opponents of *CCM* when stating, “In the sixteenth century there was no discussion whatsoever about the ‘historic episcopate.’ . . . The same goes for the term ‘episcopal apostolic succession,’”<sup>4</sup> he then turns on such opponents and remarks:

The folks linked to the Word Alone Network claim that the adoption of the episcopal office in apostolic succession would contradict the Lutheran Confessions. If this were the case, why did the primary authors of the confessions—Luther and Melanchthon—express their “deep desire” to retain the episcopal office? Why did they call it “good and useful?” The fact is that they saw no such contradiction, nor do the majority of Lutheran theologians around the world and most of the seminary faculties of the ELCA.<sup>5</sup>

In a variety of ways, these ELCA scholars have sought to certify that the concept of “episcopal succession” of whatever description either was operational or was so integral to the office of bishop that the Lutheran Reformers were referring to it when the Augsburg Confession and its Apology were written by Philip Melanchthon in 1530–1531. In fact, without this support from the Lutheran Confessions it is highly unlikely that most people in the ELCA would have taken *CCM* seriously as a viable ecumenical agreement. Therefore, it will come as a surprise to many in the ELCA that the historical claims made in and made congruent with *CCM* paragraph 11 are without historical foundation. The rest of this essay examines *CCM* paragraph 11 in relation to four topics: academic credibility, historical reality, intellectual integrity, and ethical accountability.

### CCM AND ACADEMIC CREDIBILITY

In certain respects, the proponents of *CCM* cited above are correct when they state as per Article 14 of the Apology that the Lutheran Reformers desired to maintain the episcopal office as it then existed. These proponents, however, do not explain clearly what this meant for the Reformers. Since Root cites Dorothea Wendebourg in support of his position, perhaps the fruits of her research might offer clarification on the matter at hand.<sup>6</sup> Three points will be made from three successive paragraphs in Wendebourg’s paper.

First, when Wendebourg states that the Wittenberg Reformers strove emphatically to preserve the episcopate in its traditional order, and when she further remarks how striking it is that they sought to do so with such persistence and readiness to compromise, Wendebourg refers chiefly to the political motivation of the Reformers to retain the office or estate of bishop as an entity within the Holy Roman Empire. As Wendebourg comments, “One did not want to place oneself outside the legal structures of the empire.”<sup>7</sup> Clearly, the Reformers’ activities had already made their predicament in the Holy Roman Empire precarious enough. Thus at Augsburg in 1530 they sought to demonstrate that they were responsible subjects and churchmen and not radical revolutionaries.

Second, in the next paragraph of the sequence in question Wendebourg then shows that for the Reformers “the idea of apos-

tolic succession in the office of diocesan bishop could have no binding power.” Referring to research by Georg Kretschmar,<sup>8</sup> Wendebourg proceeds with the statement that when the notion of “apostolic succession” had been “rediscovered” and had become a marginal topic in rapprochement negotiations at Worms and at Regensburg (1540–1541), the “Wittenberg Reformers reacted to it with a sharp rejection: With the theory of apostolic succession in the episcopate, the church would be made dependent upon the succession of the bishops.”<sup>9</sup> Notably, although Wendebourg employs the term “apostolic succession” in the body of her paper, the primary source from Melanchthon to which she refers speaks plainly of the pattern of *Episcopos successisse* and of *successionem ordinariam* as something that Melanchthon considered to be fraught with errors.<sup>10</sup>

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Third, in her next paragraph Wendebourg cites Ap XIV, 1 and explains how the Reformers desired to maintain the constitution and ranks of clergy in the church. From the context of these three paragraphs in Wendebourg’s paper, it should be clear that the Reformers’ desire to retain various ranks of clergy as per Article 14 of the Apology included no desire to accept the pattern of “episcopal succession” as both *CCM* paragraph 11 and the proponents of *CCM* opine.

Root’s misappropriation of Wendebourg’s research to support his position on *CCM* has not gone completely unnoticed. Elsewhere, Wendebourg herself indicates that she is both aware of and also disapproves of Root’s citing her in ways reversely to her historical research. Wendebourg rejects Root’s assumption that the change in political circumstances since the Reformation period somehow obliges Lutheran churches today to accept the medieval episcopal order, including the so-called historic episcopate. On the contrary, the Lutheran Reformers were necessarily obliged to break with the then existent ecclesial order so that they could maintain “apostolic continuity.”<sup>11</sup> Thus, according to Wendebourg, the single office of ministry in Lutheran churches exists as a legitimate ecclesial development that occurred under the guidance of the Holy Spirit.<sup>12</sup>

To make this point absolutely clear, Wendebourg’s research as reported in her essay in *Visible Unity and the Ministry of Oversight* demonstrates that when the Lutheran Reformers began to ordain pastors regularly in 1535, candidates for the ministry of word and sacrament were ordained to the single office of pastor as bishops.<sup>13</sup> Wendebourg further shows that the Reformers’ ordination practice modeled the ordination practice of the early church according to Canon 4 of the Council of Nicea, wherein pastors as bishops from neighboring cities gathered to ordain their new colleague(s) into office. Consequently, “[t]he newly ordained entered thereby into an episcopal line of succession.”<sup>14</sup> Again, with reference to

Georg Kretschmar,<sup>15</sup> Wendebourg continues, “Nevertheless, this idea carried no weight in the considerations of those participating [in such ordinations] as the concept of apostolic succession in the office of bishop in the sixteenth century generally—on all sides—played only a marginal role.”<sup>16</sup>

As the insights to be gained from Kretschmar’s research are the next topic of discussion, at this juncture it would be fair to conclude that Root’s invocation of Wendebourg’s research to support his position in his article in *dialog* is simply incredible, in the sense of having no credibility whatsoever. Viewed in its totality, the material in Wendebourg’s paper not only redresses Root’s misuse of Wendebourg’s paper, but more importantly it undermines dramatically the text of *CCM* paragraph 11, which Root helped to draft. Whereas such “scholarship” would hardly be deemed acceptable from a seminarian, from a seminary professor it is esteemed in the highest echelons of the ELCA to be laudable.

### CCM AND HISTORICAL REALITY

The research from Georg Kretschmar to which Wendebourg repeatedly refers in her paper in *Visible Unity and the Ministry of Oversight* impinges directly upon the historical accuracy of *CCM* paragraph 11 and its claim that “historic succession” in the office of bishop was the “ecclesiastical and canonical polity which the Lutheran Reformers desired to maintain.” The essence of Kretschmar’s research in this respect may be encapsulated as follows.

First, Kretschmar indicates in the very first paragraph of his essay that the concept of “apostolic succession” was not a matter of controversy in the first decades of the sixteenth century. “The Wittenberg Reformers, at least until the time of the Imperial Diet at Regensburg in 1541, had neither affirmed nor rejected it. They knew of the concept just as little as their contemporaries. Also, the Lutheran Confessions were not taking issue with this ancient ecclesial conception.”<sup>17</sup> Also relevant for the terms of agreement in *CCM*, Kretschmar further notes that under the papacy at that time ordinations were not the exclusive domain of the bishops. Abbots and priests duly authorized by the Pope could also ordain candidates into the priesthood.<sup>18</sup>

Second, Kretschmar in the main point of his essay later explains that the concept of “episcopal succession” was, in a sense, “rediscovered” and advanced by Johannes Gropper (1503–1559) between 1538–1540, partly in response to the Reformation and partly as a means to reform the Roman church from within.<sup>19</sup> Then, when the idea of “episcopal succession” began to gain currency in 1538–1540, the Reformers reacted against it. In 1539, Philip Melancthon countered:

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.<sup>20</sup>

Kretschmar’s reportage of Melancthon’s position regarding “episcopal succession” also clarifies the historical context in

which Luther expressed the following similar sentiment on the matter in 1541. Luther contended unequivocally, “In the church, the succession of bishops does not make a bishop, but the Lord alone is our bishop.”<sup>21</sup>

In summary, at the time of Melancthon’s writing of the Augsburg Confession and its Apology in 1530–1531, neither the Roman ecclesial establishment nor the Lutheran Reformers knew of “episcopal succession.” Also, the validity of an ordination in the Roman church was neither dependent upon nor restricted to the laying on of hands by bishops, to say nothing of bishops in “historic succession.” Finally, although the Lutheran Confessions are silent on the matter of “episcopal succession” for the reasons shown, the Lutheran Reformers were not. When the notion of “episcopal succession” was “rediscovered” (or invented) in 1538–1540, both Luther and Melancthon rejected it out of hand. Kretschmar’s research clearly demonstrates that both the text of *CCM* paragraph 11 and the claims by the proponents of *CCM* cited above are historically inaccurate, misleading, or both.

### CCM AND INTELLECTUAL INTEGRITY

The next portion of this essay will concentrate both upon Kretschmar’s research as cited above and upon the relationship between his research and the nature of the claims made in the text of *CCM* paragraph 11. For the sake of thoroughness, six points will be made. These points raise a number of important questions about the intellectual integrity of *CCM* and of its proponents.

First, in addition to being familiar with Kretschmar’s findings through Wendebourg’s essay in *Visible Unity and the Ministry of Oversight*, Michael Root indicates elsewhere that he has known of Kretschmar’s essay in Heubach’s *Festschrift* since its publication in 1995.<sup>22</sup> Despite this, *CCM* paragraph 11 appears to have been drafted without regard to Kretschmar’s historical insights. If Root has known of Kretschmar’s research since 1995, why then did he not make his knowledge of it widely known in order to facilitate a balanced and historically accurate discussion on *CCM*?

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Second, as one who has read Kretschmar’s research, Root should be aware of the fact that “episcopal succession” was “rediscovered” around 1538–1540 by Johannes Gropper.<sup>23</sup> From the chronological order of events, it should have been rather obvious to Root that if the concept of “episcopal succession” was not operational in 1530–1531, then the Lutheran Reformers could not have been referring to it as the “ecclesiastical and canonical polity” that they “desired to maintain” as per Apology xiv. That being the case, how and why could Root as one of *CCM*’s drafters sanction the present text of *CCM* paragraph 11?

Third, as neither the Roman ecclesial establishment nor the Lutheran Reformers knew what “episcopal succession” was until 1538–1540, it is rather difficult to understand how anyone can maintain, as Root does,<sup>24</sup> that “episcopal succession” was nevertheless “practiced” when the Augsburg Confession and its Apology were written. Surely, for something to be practiced it must be done so consciously and deliberately. More importantly, however, Article xiv of the Augsburg Confession and its Apology speaks primarily and specifically about the orderly, that is, the regular calling of ministers, and not at all about their orderly succession. Having been cognizant of Kretschmar’s findings since 1995, why did Root apparently not inform even his colleague David Yeago about this, who was still of the opinion in 2000, as shown above, that Article xiv of the Apology clearly endorsed “that body of practice now called the historic episcopate”?

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Fourth, as Kretschmar notes, Philip Melancthon rejected “episcopal succession” in 1539 as the polity advanced by “carnal opinions, which imagine the church to be a state of bishops and bind it to the orderly succession of bishops.”<sup>25</sup> The “carnal opinions” of Melancthon’s day stand unmistakably close to those today who advance “episcopal succession” as part of an “organic” understanding of the church and of its unity. How then have scholars so well versed in ecumenical affairs apparently failed to make this rather simple conceptual association as it impinges upon the nature and requirements of *CCM*?

Fifth, Root should have learned from Kretschmar’s essay that Gropper’s formulations on “episcopal succession” were anti-Protestant in nature.<sup>26</sup> The same applies to the polity of Anglican churches, especially since 1662. Otherwise, their so-called historic catholic episcopate (see *CCM* paragraphs 13,<sup>27</sup> 17, and 24) would not be the primary obstacle to unity between Anglican and non-historic episcopally ordered churches.<sup>28</sup> With such knowledge, why has Root as a Lutheran theologian helped to engineer an agreement whose primary goal is to oblige the ELCA to accommodate and then to administer against its own clergy this anti-Protestant polity of the Episcopal Church?

Sixth, having read Kretschmar’s work, Root should also be aware that the “ecclesiastical and canonical polity” practiced by the medieval Roman church included a seven-layer understanding of the office of ministry in which ordination to the priesthood was the seventh and final step. Later, Kretschmar also points out that the “first post-medieval church order in the West in which the threefold office and apostolic succession were assumed” was that established in the Ordinal to the first Book of Common Prayer (1549–1550) by

Thomas Cranmer. Cranmer was heavily reliant upon Martin Bucer for his concepts, and it should be noted that Bucer had worked closely with Gropper around 1540.<sup>29</sup> Thus from Kretschmar’s research it seems plain that Anglican ecclesial polity represents a variant form of the Roman “episcopal succession” already rejected by the Reformers in 1539 and 1541. Moreover, because Pope Leo XIII in his Bull of 1896, *Apostolicae Curae*, declared all Anglican ordinations since 1550—that is, since Bucer’s activities in Britain—to be “absolutely null and utterly void,”<sup>30</sup> why has Root not acknowledged that “historic episcopacy” in the Anglican sense is doubly rejected and thus doubly removed from the medieval Roman polity mentioned in Article xiv of the Apology?

If, according to *CCM* paragraph 11, “historic succession” in the episcopal office is merely “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,” and if, according to *CCM* paragraph 13, “episcopal succession” is “not necessary for salvation or for recognition of another church as a church,” and if, according to *CCM* paragraphs 13 and 15,<sup>31</sup> this same succession can be interpreted even in contradictory ways to suit the fancies of any given church, then the “historic episcopate” in *CCM* would seem to be so narrow and so isolated and so meaningless as to have no inherent value at all. The attempts made in *CCM* paragraph 11 to collapse the complex, medieval Roman ecclesiastical and canonical polity into such a crude, mechanistic, and meaningless pattern of “episcopal succession” and the further witting or unwitting attempts made by some proponents of *CCM* to force history to conform to a present ecumenical goal centered on this superficial pattern of “episcopal succession” represent an intellectual crisis in the ELCA of untold proportions. Sacrificing the remarkable intellectual tradition of the Lutheran Reformation for a mindless pattern of “historic succession” in the episcopal office hardly seems like a fair or honorable arrangement. If Root had been more forthcoming with the contents of both Wendebourg’s and Kretschmar’s essays, then perhaps many ELCA Lutherans, including “most of the seminary faculties of the ELCA,” would have more readily recognized the clear contradictions between *CCM* and the Lutheran tradition that many ELCA Lutherans hold dear.

Despite all that, the research and arguments presented above may at this time be moot. The history-making events of the passage and implementation of *Called to Common Mission* have come and gone, and they are themselves becoming history. The ELCA has now set itself on the long process of making itself “episcopalian” enough to be eligible for full communion with the Episcopal Church. This will transpire only after it has been determined that both churches share a “ministry of bishops in the historic episcopate” (*CCM* paragraph 14).<sup>32</sup> Thus, contrary to Melancthon, this process began when the ELCA as a church bound itself to an orderly succession of bishops (*CCM* paragraph 16), and it will be completed, contrary to Luther, after all the ELCA’s bishops have been made bishops by bishops in succession (*CCM* paragraph 18). It should not be this way, but now it is.

#### **CCM AND ETHICAL ACCOUNTABILITY**

In light of the preceding discussions, perhaps it should not be surprising that this essay will conclude with a few words about *CCM* and ethical accountability. As a result of *CCM* paragraph 11,

many members of the ELCA—particularly the voting members of the ELCA’s 1999 Churchwide Assembly, which passed *CCM*—have been wrongly led to believe that in the Lutheran Confessions “Article xiv of the *Apology* refers to this episcopal pattern by the phrase, ‘the ecclesiastical and canonical polity’ which it is ‘our deep desire to maintain.’” Likewise, many ELCA members have also been wrongly led to believe by Michael Root that “the Confessions call us to embrace the opportunity *CCM* offers,” and by David Yeago that there is a “clear endorsement in our Confessions of that body of practice now called the historic episcopate,” and by Carl E. Braaten that the primary authors of the confessions—Luther and Melancthon—“saw no contradiction” between the episcopal office in apostolic succession and the Lutheran Confessions. Given the length of time since Michael Root first became aware of Kretschmar’s and Wendebourg’s research, there should be no reason whatsoever for anyone in the ELCA to have been wrongly led to believe anything about the Lutheran Confessions or about the intentions of the Reformers in relation to “episcopal succession.”<sup>33</sup>

As ethically serious as these matters might be, they are not the primary ethical consideration in relation to *CCM* that now faces the ELCA. Whether or not by design, *CCM* paragraph 11 serves chiefly to divert attention from the real condition in *CCM* for unity between the ELCA and the Episcopal Church. As *CCM* paragraph 16 makes clear, the unity sought between the Episcopal Church and the ELCA is to be achieved not according to the “ecclesiastical and canonical polity” mentioned in Article xiv of the *Apology*, but instead according to the principles of the 1662 Preface to the Anglican ordination rites, namely, the Ordinal. Notably, this Preface is firmly anchored in the 1662 Act of Uniformity, and through this Act the English state and the bishops of the Church of England sought to eradicate all non-episcopal forms of Christian expression in England and Wales. In that process, about two thousand—or one-fifth—of the clergy in the Church of England were ejected from ministerial office for refusing to submit to episcopal ordination by 24 August 1662.<sup>34</sup> In addition, many thousands were persecuted, jailed, and fined, and many hundreds died from such treatment or were killed, all for the simple reason that they aspired not to be episcopalian. Still today, all Anglican churches are bound by the same intolerant principles of this Preface through which Anglicans—and Episcopalians—set themselves apart from non-episcopalian Christian traditions.<sup>35</sup> Consequently, in order to become acceptable for full communion with the Episcopal Church, *CCM* now requires the ELCA to share and to administer against its own future pastors and bishops these same principles of religious intolerance.<sup>36</sup> This is hardly what Jesus meant when he prayed “that they might be one” (John 17:11, 22).

For many in the ELCA, it would be ethically rather disconcerting to discover that their church has bound itself to the principles of seventeenth-century, English parliamentary legislation that has caused so much destruction and death. Yet this too does not represent the ethical dilemma facing the ELCA. Certainly, no one today would expect either the ELCA or the Episcopal Church to repeat the atrocities that accompanied the implementation of the principles of the Preface to the Anglican Ordinal, the 1662 Act of Uniformity, and the other relevant Acts used to enforce them. Nevertheless, what undergirds *CCM* and unites it with these Acts

and their accompanying atrocities is the insidious ambition of episcopalian religious intolerance.

By incorporating the principles of episcopalian religious intolerance into its ordained ministry, the ELCA has become an entity of institutionalized ethical hypocrisy. Henceforth many existing or future ethical pronouncements or policies made by the ELCA will be undermined and discredited by the ELCA’s sharing of this episcopalian religious intolerance that has wrought countless violations of human rights and dignity. Here are a few readily available examples of such ethical hypocrisy.

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***CCM paragraph 11 serves chiefly to divert attention from the real condition in CCM for unity between the ELCA and the Episcopal Church.***

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In 1989 the Churchwide Assembly of the ELCA voted “[t]o stand by those members of this church, who, being motivated by deep faith and led by conscience, offer sanctuary to refugees fleeing life-threatening situations”<sup>37</sup>; and in 1991 the ELCA’s Churchwide Assembly adopted *A Social Statement on the Death Penalty* which stated, “It is because of this church’s ministry with and to people affected by violent crime that we oppose the death penalty.”<sup>38</sup> Yet through *CCM* the ELCA has now aligned itself with a religious tradition that caused thousands to become “refugees fleeing life-threatening situations,” due in part to the death penalty; and worse yet, the ELCA has placed this tradition’s religious intolerance at the heart of its ordained ministry.<sup>39</sup> Also in 1989 the ELCA’s Churchwide Assembly committed itself “to addressing in all aspects of its life and work the destructive results of racism.”<sup>40</sup> In contrast, the ELCA’s commitment to the episcopalianism demanded by *CCM* has brought destructive results to much of the ELCA’s life and work, as present divisions over *CCM* clearly demonstrate. In 1995 the ELCA decided “[t]o denounce hate, violence, and intolerance, in all forms, including acts directed at religious groups.”<sup>41</sup> Nevertheless the ELCA has now obliged itself to adopt and to internalize a form of church governance defined by seventeenth-century religious intolerance that has brought and still brings hate and violence in its wake. It is no coincidence that the ELCA is now prepared to expel from its roster of leaders clergy who are part of religious groups or congregations deemed to be schismatic,<sup>42</sup> like those that actively oppose *CCM*. Finally, in 1999 the ELCA’s Churchwide Assembly directed “the Division for Church in Society to continue its work with other appropriate churchwide units to study the matter of religious persecution and religious freedom and assist this church to respond effectively and sensitively to violations of the human right of freedom of thought, conscience, and religion.”<sup>43</sup> At that same Churchwide Assembly the ELCA adopted *CCM*, and in so doing the Assembly voted to require the ELCA to commune fully with an ecclesial tradition that owes its present existence to the 1662 Act of Uniformity

and to the persecution used to enforce this Act against Presbyterians, Baptists, Catholics, and other religious groups.

By binding itself to the intolerant principles of the 1662 Preface to the ordination rites, that is, the Ordinal of the Episcopal Church, the ELCA violates the freedoms of thought, conscience, and religion that the Lutheran Reformers fought so hard to acquire. Because *CCM* requires the ELCA to adopt and to share the intolerant principles of an episcopalian “ecclesiastical and canonical polity” that was restored and enforced for decades through “the cruelty of the bishops” (Ap XIV, 2; Tappert, 214) of the Church of England, it should be self-evident that the whole of *CCM* runs contrary not only to the letter and spirit of Article XIV of the Apology to the Augsburg Confession, but also to the corpus of the Lutheran Confessions.

To conclude, by putting the legal principles of episcopalian religious intolerance before the promises of the gospel, and by putting the sinister statutes of the seventeenth-century English kingdom before the rightful domain of the kingdom of Christ, the ELCA has created for itself a series of crises with respect to academic credibility, historical reality, intellectual integrity, and ethical accountability. When the young monk Martin Luther appeared before the Emperor Charles V, the nobility, and the ecclesial authorities at the Imperial Diet at Worms in 1521, things were very different. There Luther confessed that his conscience was held captive to the word of God (“capta conscientia in verbis dei”), and

that if he could not be convinced by the testimony of Scripture or by clear reason (“nisi convictus furero testimoniis scripturarum aut ratione evidenti”), then he would stand firmly in his refusal to submit to those authorities.<sup>44</sup> Being held captive by the word of God meant that Luther was truly free, something he began to demonstrate as early as 1517–1518 by changing the spelling of his name from Luder to Luther to reflect the Latin and Greek words for “free,” *eleutherius* and *eleutheros*, respectively.<sup>45</sup>

Contrary to Luther and Melancthon, in recent years the “carnal opinions” in the ELCA have allowed their imaginations to become captivated by the notion of binding their church to the orderly succession of bishops. “Episcopal succession” is something for which there is no basis in Scripture,<sup>46</sup> and the proponents of *CCM* as cited above, especially Root, show little evidence of employing clear reason in their support of *CCM*. By binding itself to the principles of the Preface to the ordination rites, the Ordinal of the Episcopal Church, the ELCA has lost its footing, has submitted to base, temporal authorities, and has—in more than one sense of the word—made the reality of the seventeenth century, episcopalian religious intolerance, constitutionally part of the ELCA. As a result, it is fair to say that *Called to Common Mission* is not a Lutheran proposal for unity with the Episcopal Church. Rather, *Called to Common Mission* would be better named *The Episcopalian Captivity of the Evangelical Lutheran Church in America*. LOGIA

## NOTES

1. The word “episcopate” is derived from the Greek word *episkopos* or the Latin word *episcopus* which means “overseer” or “supervisor.” *Episkopé* refers to “oversight.” Cognates of “episcopate” in English are “episcopal,” meaning “of a bishop or bishops,” and “episcopacy,” which refers to the “governance of a church by bishops.”

2. Michael Root, “Called to Common Mission and the Ecumenical Vision of the Confessions,” *dialog: A Journal of Theology* 38, no. 2 (Spring 1999): 86–87 (italics original).

3. David Yeago, “Gospel and Church: Twelve Articles of Theological Principle Amid the Present Conflict in the ELCA,” *Lutheran Forum* 34, no. 1 (Spring 2000): 21–22. Michael Root agrees with David Yeago that succession in the episcopal office was “practiced” at the time of the writing of the Apology to the Augsburg Confession (correspondence from 29th June 2000).

4. Carl E. Braaten, “Episcopacy and the E.L.C.A.,” *dialog: A Journal of Theology* 39, no. 3 (Fall 2000): 218.

5. *Ibid.*, 220.

6. Dorothea Wendebourg, “Die Reformation in Deutschland und das bischöfliche Amt,” in *Die eine Christenheit auf Erden* (Tübingen: J. C. B. Mohr [Paul Siebeck], 2000), 195–224. Whereas Root refers in his *dialog* article to the English version of Wendebourg’s paper, the German version and its English translation were first published, as Root indicates, in *Visible Unity and the Ministry of Oversight. The Second Theological Conference held under the Meissen Agreement between the Church of England and the Evangelical Church in Germany*, ed. I. Dalferth and R. Hoare (London: 1997), 274–302 (German); 49–78 (English). Unless otherwise stated, all translations in this essay are the author’s.

7. Wendebourg, *Die eine Christenheit*, 216. Furthermore, the Reformers also recognized that a dismantling of the estate of bishops would allow secular princes with little interest or time for theological matters undue influence over the life of the church. For obvious reasons, the Reformers desired to avoid just such a situation (see also pages 205–209, 217–218).

8. Wendebourg, *Die eine Christenheit*, 216, note 90. Wendebourg provides the full reference on page 195, note 1, as G. Kretschmar, “Die Wiederentdeckung des Konzeptes der ‘Apostolischen Sukzession’ im Umkreis der Reformation,” in *Das bischöfliche Amt. Kirchengeschichtliche und öku-*

*menische Studien zur Frage des kirchlichen Amtes*, ed. D. Wendebourg (Göttingen: 1999), pp. 317ff. This essay was first published with the same title in *Kirche in der Schule Luthers—Festschrift für D. Joachim Heubach*, ed. B. Hägglund and G. Müller (Erlangen: Martin-Luther-Verlag, 1995), 231–279. In all, Wendebourg refers eight times to Kretschmar’s essay in the course of her paper.

9. Wendebourg, *Die eine Christenheit*, 216. *CCM* makes both the ELCA’s unity with the Episcopal Church and the ELCA’s constitutional existence “dependent upon the succession of the bishops.”

10. Wendebourg, *Die eine Christenheit*, 216 note 92. Here Wendebourg quotes Melancthon’s critique of the Regensburg Book regarding apostolic “episcopal succession.” There Melancthon comments, “And there were these errors in the article that states that bishops stand in succession [Episcopos successisse] in the place of the apostles. From this saying many errors immediately follow: that the church is tied to the orderly succession [successionem ordinariam], as if it were impossible for the bishops to err because they hold the place of the apostles, or as if these were bishops, so they are called, and it were necessary to listen to them as heads of the church” (*Corpus Reformatorum*, ed. C. G. Bretschneider and H. E. Bindseil [Halle/Saale, 1834–1860], 4: 415).

11. Dorothea Wendebourg, “Das Amt und die Ämter,” *Zeitschrift für evangelisches Kirchenrecht (Sonderdruck)* 45, no. 1 (March 2000) [hereafter *ZevKR*]: 30–37, especially 35, note 106.

12. Wendebourg, *ZevKR*, 35–36, note 109.

13. *Ibid.*, 15–16, 201–202.

14. Wendebourg, *Die eine Christenheit*, 201–202.

15. Kretschmar, “Die Wiederentdeckung des Konzeptes der »Apostolischen Sukzession« im Umkreis der Reformation.” For the purposes of this essay, citations from Kretschmar’s essay are taken from its original publication in the *Festschrift* for Joachim Heubach as per note 8 above.

16. Wendebourg, *Die eine Christenheit*, 202. The material in brackets is added for the sake of clarity of the quotation.

17. Kretschmar, 231.

18. *Ibid.*, 231, note 1.

19. *Ibid.*, 248–253.

20. *Melancthons Werke in Auswahl*, ed. von Robert (Gütersloh:

Stupperich, 1951), 1: 330, 16–23. See Kretschmar, 252–253.

21. WA 53: 74.

22. Correspondence from 29 June 2000 (see note 3 above).

23. See Kretschmar, 248–253.

24. Correspondence from 29 June 2000 (see note 3 above).

25. Kretschmar, 252.

26. *Ibid.*, 251. In light of Wendebourg's research, the question arises whether Gropper's "rediscovery" of "episcopal succession" emerged as a means to counter the recently developed Lutheran practice of ordaining pastors as bishops. If so, then by adopting an "historic episcopate" the ELCA would subscribe to a central moment of the Counter-Reformation.

27. Any attempt to attenuate Melancthon's and Luther's rejection of "episcopal succession" and its anti-Protestant nature in Anglicanism by interpreting it in relation to CCM paragraph 13 (that episcopal succession is not necessary to salvation nor essential to the church as church) should be regarded as subterfuge. As shown above, the terminology used by both Melancthon and Luther refers unmistakably to the pattern of "episcopal succession" (CCM paragraph 11), with little or no emphasis upon its ecclesial nature or its salvific value (see CCM paragraph 13). Clearly, the ELCA will be in full communion with the Episcopal Church only when it has been determined that both churches share the pattern of Anglican Holy Orders, which which CCM paragraph 14 describes as the "ministry of bishops in the historic episcopate."

28. 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." See Arthur Michael Ramsey, *The Gospel and the Catholic Church* (London: Longmans, Green and Co, 1936), 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." See Richard A. Norris, "Episcopacy," in *The Study of Anglicanism*, ed. Stephen Sykes and John Booty (London: SPCK; Philadelphia: Fortress Press, 1988), 307. Thus without the "historic episcopate" non-historic episcopally ordered churches are considered in classic episcopalian thought to be defective and not fully part of the body of Christ.

29. See Kretschmar, 233, 254, 276–277.

30. See Paul F. Bradshaw, "Ordinals," in *The Study of Anglicanism*, 152–153.

31. CCM paragraph 15 indicates that Lutheran bishops entering the "historic episcopate" will be considered by the Episcopal Church to have been ordained into it. The ELCA, however, will consider such bishops only to have been installed, not ordained, into it. By interpreting this same episcopal rite in contrary ways the ELCA and the Episcopal Church demonstrate that CCM offers no true unity between these two churches.

32. In relation to the *Concordat of Agreement*, the predecessor agreement to CCM rejected by the ELCA's 1997 Churchwide Assembly, Root readily talks about accepting an "historic episcopate" as a condition for unity with Anglican churches generally and with the Episcopal Church specifically. See Michael Root, "Conditions of Communion: Bishops, the Concordat, and the Augsburg Confession," in *Inhabiting Unity: Theological Perspectives on the Proposed Lutheran-Episcopal Concordat*, ed. E. Radner and R. R. Reno (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1995), 65–66. Notably, this condition for unity in the *Concordat* became a "gift" to be "freely" accepted in CCM (paragraph 18).

33. Luther would put the matter more strongly. In *Against Hanswurst* Luther wrote, "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" AE 41: 214).

34. David Ogg, *England in the Reign of Charles II*, 2d ed. (Oxford: Clarendon Press, 1956), 1: 201–202.

35. See note 28 above.

36. The English Parliament eventually came to the realization that enforced conformity to Episcopalianism was not civil. Thus in 1689 it passed the Act of Toleration, which ameliorated but did not repeal the 1662 Act of Uniformity or the penal laws used to enforce it. The 1689 Act of Toleration serves as an "act of admission" by the English Parliament that the 1662 Act of Uniformity was an act of religious intolerance. As one might expect, though, the Act of Toleration of 1689 could not legislate a more inclusive attitude. "Even under the new liberty granted to Dissenters by the Act of Toleration there was still strong episcopalian antipathy" towards Dissenters, their academies, and their ministries. See John T. Wilkinson, *1662—and After: Three Centuries of English Nonconformity* (London: Epworth Press, 1962), 98. Unfortunately, by strictly adhering to the Preface to the Ordinal from the 1662 Book of Common Prayer, as required by the 1662 Act of Uniformity, Episcopalianism has never fully disavowed its intolerant stance in relation to non-historic episcopally ordained clergy, such as those who serve in the ELCA. That the Episcopal Church is willing to suspend its religious intolerance temporarily until the ELCA can implement this intolerance (CCM paragraph 16) is hardly a concession. Also, the decision by the ELCA's 2001 Churchwide Assembly, a half year after CCM came into force, to adopt a bylaw allowing ministerial candidates in "unusual circumstances" to be ordained outside the "historic episcopate" confirms paradoxically both the incivility of Anglican religious intolerance and the predominance of such religious intolerance in the ELCA.

37. ELCA Churchwide Assembly Action CA89.7.78 (1989)—Central American Refugees.

38. *A Social Statement on the Death Penalty*, Evangelical Lutheran Church in America, September 1991.

39. Those who refused to conform to Episcopalianism were called Separatists or Dissenters and later Nonconformists. In order to eradicate persistent dissent from the Church of England, in April 1593 "there was passed An Act for Retaining the Queen's Subjects in their due Obedience. Anyone over the age of sixteen who refused to attend church for a month [that is, the Church of England], or who attempted to persuade others not to attend church, or who attended unauthorized religious meetings, was to be committed to prison. If the offender did not conform within three months he was to be given the alternative of exile or death." See Michael R. Watts, *The Dissenters: From the Reformation to the French Revolution* (Oxford: Clarendon Press, 1978), 39–40. Understandably, most of those who did not want to conform to Episcopalianism, such as the Pilgrim Fathers, opted for exile, often in The Netherlands, rather than face execution.

40. ELCA Churchwide Assembly Action CA89.2.6 (1989)—Racism.

41. ELCA Churchwide Assembly Action CA95.3.5 (1995)—Extremist Groups.

42. *On Ordained Ministers: Manual of Policies and Procedures for Management of the Rosters of the Evangelical Lutheran Church in America*, Part 1 (revised March 2001), 51. "Other Matters—B. No Dual Roster Membership: An ordained minister of this church who enters the ordained ministry, or joins a congregation of another church body or religious group, or who serves a group schismatic from this church or from a congregation thereof, shall cease to be a member of this church. The ordained minister's name shall be removed from the roster of the ordained ministers by the bishop of the synod, who shall report the action to the secretary of this church and to the next Synod Assembly." This new disciplinary measure mimics in certain ways a central provision of the 1662 Act of Uniformity in that refusal to accept enforced episcopalianism resulted in expulsion from the Church of England.

43. ELCA Churchwide Assembly Action CA97.6.48 (1997)—Religious Persecution.

44. Luther, WA 7: 838, 4–9. Cf., "Address of Doctor Martin Luther before the Emperor Charles and the Princes," in *Deutsche Reichstagsakte—Jüngere Reihe* (Göttingen: Vandenhoeck & Ruprecht, Göttingen, 1962), 2: 555, 16–22.

45. Bernd Moeller and Karl Stackmann, "Luder-Luther-Elleutherius: Erwägungen zu Luthers Namen," in *Nachrichten der Akademie der Wissenschaften in Göttingen. I. Philologisch-Historische Klasse* (Göttingen, Vandenhoeck & Ruprecht, 1981).

46. Ernst Käsemann, "Verkirklichte Freiheit," *Der Ruf der Freiheit*, 5th ed. (Tübingen: J. C. B. Mohr [Paul Siebeck], 1972), 181–182. Käsemann writes, "The apostolic succession of the episcopal office is quite simply—naturally I can only speak in the name of historical criticism—one of many Christian fictions. There is only one apostolic succession that allows itself undoubtedly to be proven historically, namely, the discipleship of Christ."