

## Angels Unaware - Revisited

### **Introduction**

A paper entitled “Angels Unaware” was originally presented in September 1992 at the St. Michael and All Angels Conference in the Southern District. It was published in the Epiphany 1994 issue of *Logia*. Additional material was added and presented in June 1995 to the Brenham, Texas Free Conference. This paper is a revision and a clarification of what has preceded it.

### **Pastors are “Angels”**

The title “Angels Unaware” comes from the King James Version of Hebrews 13:2, “Be not forgetful to entertain strangers: for thereby some have entertained angels unawares.” The subject of this paper, however, is not that we miss seeing angels but that we miss seeing the pastor as an angel. Walther cites Malachi 2:7 as proof that ministers are angels: “For priest’s lips should keep knowledge and they should seek the law at his mouth: for he is the messenger of the Lord of hosts.”<sup>1</sup> The more interesting proof passages, however, are found in Revelation. There the letters to the seven churches are each addressed to “the angel of the church of...” These cannot be heavenly angels since in some of the letters they are implicated in sin. The angels are the pastors of the seven Churches which receive the letters. We note two things about these “angels.” They have a privileged position and special responsibility. They are found in the hand of the reigning Lord Jesus (1:20), and they are singled out as being responsible for what is going on in their Churches.

The position that the angels of the seven Churches in Revelation are pastors is amazingly

controversial. Lay people have argued vociferously with me over this. One woman concluded my position made me a false teacher. Another refused to receive Communion from me. However, my position is hardly new. Primasius (sixth century) and Bede (eighth century) thought the angels were pastors.<sup>2</sup> C.F.W. Walther specifically says that the letters are addressed to the pastors of those churches.<sup>3</sup> Popular Missouri Synod commentator, Paul Kretzmann held this position, “The angels are the ministers of the Lord, the pastors of the congregations, called stars on account of their proclamation of the heavenly doctrine, Mal. 2,7; Dan. 12, 3.”<sup>4</sup> R.C.H. Lenski, a Lutheran commentator widely used at one time by LCMS pastors says, “These ‘seven stars’ are the pastors of the seven churches.”<sup>5</sup>

I go to the trouble of citing those associated with the Missouri Synod who historically held the position that the angels to whom the Revelation letters are addressed are pastors because I think the abhorrence today of some LCMS lay people to such a position highlights the low view of the office many have today. Many Missouri Synod pastors and congregations are unaware of the high position and therefore heavy responsibility of the pastor in the local congregation. Many have come to believe that the pastor is an employee of the congregation. I believe this view is a consequence of the popular understanding in the Missouri Synod of what a voters assembly is. This paper intends to show what the proper place of the pastor is relative to the congregation and the voters assembly and what happens when the proper place of the pastor is usurped or ignored.

### **Scriptural Evidence that Pastors are To Rule**

The proper place of the pastor is to rule the congregation. Stating this so bluntly shocks many

Missouri Synod ears, but should it? We all agree that in some sense the pastor “incarnates,” brings out in flesh and blood, the person and work of Christ in the Church. In the traditional treatment of the threefold office of Christ, Christ is spoken of as our Prophet, Priest, and King. No one challenges the idea that a pastor has a prophetic function and a priestly function in the Church, but the minute it is suggested that he has a kingly function feathers are sure to be ruffled. This, despite the fact that even Walther spoke of the pastor “governing the congregation.”<sup>6</sup>

The pastor does have a kingly role; he is to rule. There are four clear passages in the New Testament that state this. In 1 Timothy 3: 4,5 we read whom St. Paul tells Pastor Timothy he should be considering for the ministry: “One that **ruleth** well his own house, having his children in subjection with all gravity: (For if a man know not how to rule his own house, how shall he take care of the Church of God.)” Are our homes to be democracies? Are they to be led by committee? Is there to be more than one head of the household?

The Greek word translated “rule” in these verses is *proistemi*. *A Greek-English Lexicon of the New Testament* (B.A.G.) lists the primary meaning of *proistemi* as “be at the head (of), rule, direct.” The secondary meaning is “be concerned about, care for, give aid.” Since St. Paul describes “one that ruleth well his own house” as him who has his children “in subjection,” it is clear that the number one meaning “rule” is what Paul has in mind. This same word for rule *proistemi* is found another time in 1 Timothy. Chapter 5 verse 17 says, “Let the elders that **rule** well be counted worthy of double honor, especially they who labor in Word and doctrine.” The other two references to the pastor ruling come in Hebrews 13. Verse 7 says, “Remember them

which have the **rule** over you who have spoken unto you the Word of God: whose faith follow, considering the end of their conversation.” Verse 17 reads, “Obey them that have the **rule** over you, and submit yourselves: for they watch for you souls, as they that must give account, that they may do it with joy, and not with grief: for that is unprofitable for you.” The word translated “rule” here is *hegeomai* which B.A.G. defines as “lead, guide, ruler, leader.”

Two more clear references to the authority of the pastoral office are found in Acts and Titus. Acts 20:28 tells us the pastor is in the position of overseer. “Take heed therefore unto yourselves, and to all the flock, over which the Holy Ghost hath made you overseers, to feed the Church of God, which He hath purchased with His own blood.” There is no way that the word overseer, *episkopos* can be taken to mean anything but a position of authority. Titus 2:15 also emphasizes the authority of the pastoral office: “These things speak, and exhort, and rebuke with all authority. Let no man despise you.”

Not only the words of Holy Scripture indicate that pastors are to rule, so does the grammar of the New Testament. Greek scholars H.E. Dana and Julius Mantey in their *Manual Grammar of the Greek New Testament* comment on the abundance of imperatives in the Greek New Testament:

Normally the imperative carried with it a very forcible tone of command. This was its characteristic force, though it might shade off into mere permission. The ancient Greeks so regarded it, and hence never employed the imperative in communication with superiors. This fact makes it significant that the imperative is so abundant in the New Testament. The apostles and their associates did not regard it as appropriate to address

their readers ‘with carefully softened commands’ (p. 176);.

Pastors are to rule in their congregations. This is a clear teaching of Scripture. Martin Luther warns of the danger of ignoring clear passages of Scripture. “I have noticed with special care that all heresies and errors mentioned in Scripture did not flow from the clear words of Scripture or the Bible,...but every error had its origin in this, that the heretics avoided the clear passages and fabricated special interpretations out of their own minds by conclusions and tropes.”<sup>7</sup>

### **Evidence from the Church Fathers that Pastors are to Rule**

The Church and her fathers have always recognized that the proper thing for a pastor to do is to rule. The Augsburg Confession acknowledges the pastor’s authority to make ordinances in the Church. “How, then should Sunday and other similar church ordinances and ceremonies be regarded? Our people reply that **bishops or pastors may make regulations** for the sake of good order in the church, but not thereby to obtain God’s grace, to make satisfaction for sin, or to bind consciences, nor to regard such as a service of God or to consider it a sin when these rules are broken without giving offense” (Kolb, AC XXVIII, 53, p.98 emphasis added). In the Formula of Concord, *Solid Declaration, Article X, Ecclesiastical Practices*, 10, the Latin says that ministers of the Word are “leaders of the congregation...those whom God has appointed to rule His Church” (Triglotta, 1055). In the Treatise on the Power and the Primacy of the Pope, Philip Melancthon states that the pastor is to preside over the church and has the command from Christ to excommunicate: “In the Augsburg Confession and Apology we have set forth in general

what needs to be said about ecclesiastical power. The gospel bestows upon those who preside over the churches the commission to proclaim the gospel, forgive sins, and administer the sacraments. In addition, it bestows legal authority, that is, the charge to excommunicate those whose crimes are public knowledge and to absolve those who repent. It is universally acknowledged, even by our opponents, that this power is shared by divine right by all who preside in [‘over,’ Triglotta, 521] the churches whether they are called pastors, presbyters, or bishops” (Kolb, *Treatise*, 60-61, 340).

The fact that the *Treatise* recognizes pastors as having the keys speaks to the issue of their having the authority to rule. H. Armin Mollering in a 1988 *Concordia Journal* article says, “As Joachim Jeremias points out, the conferral of the keys in Biblical usage means something more than appointment to be a flunky doorkeeper. On the basis of Biblical (and Judaic) evidence he concludes: Transferral of the keys is accordingly installation into the position of plenipotentiary...”<sup>8</sup> A “plenipotentiary” is someone who is given the full power of the government he represents.

The Church fathers over the centuries have highlighted the authority of the pastoral office. Irenaeus (c. 130- c. 200) says in *Against Heresies*, “Wherefore it is incumbent to obey the presbyters who are in the Church...”<sup>9</sup> Ignatius (c. 35 - c. 107) writing to the Ephesians says, “Let us therefore be careful not to resist the Bishop, that by our submission we may give ourselves to God.”<sup>10</sup> In the same letter he says, “Plainly, therefore, we ought to regard the Bishop as the Lord Himself.”<sup>11</sup> Writing to the Trallians, Ignatius says, “For when you are obedient to the Bishop as to Jesus Christ, it is evident to me that you are living not after men but after Jesus Christ.”<sup>12</sup>

Throughout the epistles of Ignatius there is the constant refrain, “Do nothing without the Bishop.” This statement in his *Epistle to Smyrna* is typical: “Whoever honors the bishop will be honored by God. Whoever does anything behind the back of the bishop serves the devil” (8:9).<sup>13</sup>

Finally, we have Augustine (354 - 430) highlighting the authority of the pastoral office in his mammoth work *City of God*. St. Augustine believed that the Church was ruled by those who were to bind and loose sin. First he quotes Revelation where St. John says, “And I saw seats and them that sat upon them, and judgement was given.” Then Augustine comments, “It is not to be supposed that this refers to the last judgement, but to the seats of the rulers and to the rulers themselves by whom the Church is now governed. And no better interpretation of judgment being given can be produced than that which we have in the words, ‘What ye bind on earth shall be bound in heaven; and what ye loose on earth shall be loosed in heaven.’”<sup>14</sup>

### **Evidence from Lutheran Church Fathers that Pastors are to Rule**

Not only have the fathers of the Church said that pastors are to rule, so have our Lutheran Church fathers, Luther and Chemnitz. Luther in his well-known *95 Theses* addressed submitting to pastors. However, one rarely reads or sees treated thesis number 7 where Luther said, “God remits guilt to no one unless at the same time he humbles him in all things and makes him submissive to his vicar, the priest.”<sup>15</sup> Later in his explanation of the 95 Theses he restated it this way: “Indeed, God does not remit the guilt of anyone who does not at the same time have respect for the office of the keys. Since everybody concedes the truth of this thesis, it is not necessary to

support it by my statement.”<sup>16</sup> Many years later in a letter written in 1532 Luther said forthrightly, “For the pastor is in charge of the pulpit, Baptism, the Sacrament, and the care of the souls is laid on him.”<sup>17</sup> In his exposition of Psalm 110 Luther said that “some must be taken who shall rule the others.”<sup>18</sup> In another place, Luther said, “A pastor may indeed glory publicly and rightly that he has charge of the ministry, Baptism, the Sacrament, and the care of souls, and that these are commanded him...”<sup>19</sup> He is even more emphatic in a sermon where he said, “The apostles and their successors are made teachers till the end of the world, and to them, according to their office, there has been given such great power and authority as Christ the Son of God Himself had...”<sup>20</sup> In *Against the Papacy* he wrote, “The office of preacher or bishop is the highest office, which was held by God’s Son Himself, as well as by all the apostles, prophets, and patriarchs.”<sup>21</sup> In his final lectures on Genesis given during the last calendar year of his life he said, “And in the Holy Scripture the word ‘to shepherd’ means to govern physically and spiritually...”<sup>22</sup> In a sermon for the Fourth Sunday of Easter Luther even went so far as to say, “Thus all people on earth are subject to the ministry, which the apostles and their successors administer by divine right; they have to submit themselves and follow it if they really want to receive God’s grace and be saved.”<sup>23</sup>

The second Martin, Martin Chemnitz, also wrote of the power of the pastoral office. “This power which was given to the apostles in their ministry for the necessary work of pastors is neither a natural characteristic nor a created quality nor a normal gift nor an attribute peculiar to the apostles themselves; but it is a divine strength, power, and efficacy which assists them in their ministry and which works effectively through this ministry....At the same time He promised



that with all His authority, strength, might and efficacy He would be with the apostolic ministry in the church, not only in the person of the apostles but also through all days till the end of the world.”<sup>24</sup>

Throughout Volume 2 of his response to the Council of Trent, Chemnitz constantly refers to, explains, and amplifies the wonderfully concise Article V of the Augsburg Confession which deals with the Office of the Ministry. “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” (Kolb, 40). Here are but a few examples from Chemnitz: “The ministry of the Word and Sacraments is the ordinary means or instrument which God employs in matters pertaining to the dispensation of salvation.”<sup>25</sup> “Therefore the Augsburg Confession earnestly reproves those who either seek or teach to seek reconciliation with God and remission of sins outside of and without the ministry of the Word and Sacraments.”<sup>26</sup> “However, God who alone remits sins, does not do this without means, but through the ministry of the Word and Sacraments.”<sup>27</sup> “Therefore the Enthusiasts and the Epicureans are condemned, who imagine that God grants reconciliation and remission of sins to the fallen without means, without the use of the ministry, without repentance and faith.”<sup>28</sup> Chemnitz specifically rejects the Novations who said to Emperor Constantine, “The fallen are indeed to be called to repentance, but hope of forgiveness is not to be expected from the priests but only from God, who alone has the power to remit sins.” Chemnitz says Constantine was right when he said, “Therefore, O Acaesius, fetch a ladder and climb up to heaven seeing you

take away the use of the ministry.”<sup>29</sup>

### **Rule Does Not Mean Tyrannize**

While the Scriptures, Church fathers, and Lutheran fathers all speak of a pastor ruling, they do not mean dictating or tyrannically overseeing. The Scriptures themselves make this clear. “Jesus called them unto Him, and said, ‘Ye know that the princes of the Gentiles exercise dominion over them, and they that are great exercise authority upon them. But it shall not be so among you’” (Mt 20: 25,26). Paul says that pastors do not have dominion over the faith of their flocks (II Cor 1:24). Peter tells us that pastors are not to be “lords over God’s heritage” but “examples to the flock” ( 1 Pt 5:3). Twice in 2 Corinthians (10:8 and 13:10) Paul says the authority of the pastoral office is for edification not for destruction.

We find similar boundaries established in our confessional writings. The Treatise says that “neither Peter nor the other ministers may assume lordship or preeminence over the church or burden the church with traditions or allow the authority of any person to count for more than the Word” (Kolb, 11, p. 331). The Apology of the Augsburg Confession limits the authority of pastors as well saying, “Certainly the statement, ‘Whoever listens to you listens to me’ [Luke 10:16], is not referring to traditions but is rather directed against traditions. It is not what they call a ‘commission with unlimited authority,’ but rather a ‘caution about something prescribed,’ about a special command. It is testimony given to the apostles so that we may believe them on the basis of another’s Word rather than on the basis of their own” (Kolb, XXVIII, 18, 291). As Luther put it elsewhere, The Words of Christ, ‘Whoever listens to you listens to Me,’ do not

establish the authority of the pastor but the authority of him who believes the pastor.

Chemnitz also makes it clear that the pastor's authority is limited:

This ministry does indeed have power, divinely bestowed (2 Cor. 1: 4-6: 13: 2-4), but circumscribed with certain duties and limitations, namely, to preach the Word of God, to teach the erring, to reprove those who sin, admonish the dilatory, comfort the troubled, strengthen the weak, resist those who speak against the truth, reproach and condemn false teaching, censure evil customs, dispense the divinely instituted sacraments, remit and retain sins, be an example to the flock, pray for the church privately and lead the church in public prayers, be in charge of care for the poor, publicly excommunicate the stubborn and again receive those who repent and reconcile them with the church, appoint pastors to the church according to the to the instruction of Paul, with the consent of the church institute rites that serve the ministry and do not militate against the Word of God nor burden consciences but serve good order, dignity, decorum, tranquility, edification, etc. For these are the things which belong to these two chief points, namely, to the power of order and the power of jurisdiction.<sup>30</sup>

### **The Limitations Do Not Preclude Rulings Though Warnings are In Order**

These limitations are essential, but we ought not to go beyond them in the other direction either. That is, while it is wrong for pastors to assume lordship and superiority, it is not wrong for them to accept the headship and to exercise their God-given rule. Matthew 20: 25-26 does not forbid pastors from ruling but only from ruling as the Gentiles do. In fact, the Treatise applies the

parallel in Luke 22 not to pastors ruling over lay people at all but to pastors asserting they have God-given rule over other pastors. “In Luke 22 [:24-27] Christ expressly forbids lordship among the apostles...Christ rebuked the apostles for this error and taught that there would be neither lordship nor superiority among them but that the apostles would be sent as equals to carry out the ministry of the gospel in common” (Kolb, 331,8).

There have always been those who rightly warned pastors about being overbearing. Luther is expounding his the 95 theses quotes Caesar Tiberius with approval saying, “A good shepherd shears but does not skin his sheep.”<sup>31</sup> In the words of Chrysostom a pastor should be “awe-inspiring yet kindly” and “humble yet not servile.”<sup>32</sup> Elsewhere Chrysostom gives this caution: “The shepherds with great authority compel the sheep to receive the remedy when they do not willingly submit to it.” But on the other hand, “it is not possible to doctor all men with the same authority with which the shepherd treats his sheep.”<sup>33</sup> In a homily on Galatians Chrysostom says that “the desire to rule is the mother of all heresies.”<sup>34</sup> St. Augustine gives the warning “that he who loves to govern rather than to do good is no bishop.”<sup>35</sup> Gregory the Great said that pastors should “find their joy not in ruling over men but in helping them.”<sup>36</sup> Jerome offered this advise. “Therefore, let the bishop and presbyter know that the congregation consists of his fellow servants and not of his servants.”<sup>37</sup> Clement in his *Epistle to the Corinthians* remarked, “For Christ is with them that are lowly of mind, not with them that exalt themselves over the flock.”<sup>38</sup> Bernard of Clairvaux (1090-1153) makes an important distinction, “Domination is forbidden, bidden is ministration.”<sup>39</sup> As in marriage, the husband is nowhere commanded to subdue his

wife but she is instructed to submit to her husband, so in the Church, pastors are not commanded to subdue congregations but congregations are called upon by Christ to submit to their pastor. Pastors are, however, commanded to teach the truth about submitting.

### **The American Problem With Authority Flows from the Flesh of All People**

What lay people need to recognize is that especially in America we tend to look at all authority as evil, yet the quest to be free from subordination to authority whether in home, state, or Church is not consistent with Scripture. But how firmly and deeply the rebellious spirit is rooted in America. Most everyone recognizes that the intellectual revolution of the last 300 years has made it difficult for people to submit to God's authority. But what many do not understand is that "the social and political upheavals of the 20th century have made it hard for many to think of any authority in a positive way,"<sup>40</sup> though we would be wrong to think that this is something unique to our time. No, this has been a perpetual problem since the fall. In the Large Catechism, Luther saw rejection of authority as one of the primary problems that plagues mankind. "Why do you think the world is now so full of unfaithfulness, shame, misery, and murder? It is because all want to be their own lords, to be free of all authority, to care nothing for anyone, and to do whatever they please" (Kolb, 407-08, 154).

### **Isn't the Pastor a Servant of the Congregation?**

Can we then speak of the pastor as the servant of the congregation in any sense of the word? Most certainly. He is a servant of the congregation's real needs as outlined in the Scriptures. He is not a servant of their whims or wants.<sup>41</sup> Using the love-faith distinction Luther is so fond of, in

in matters of love the pastor is the servant of the congregation, but in matters of faith, the pastor is servant of no man but of Christ alone. It is interesting to note that the word translated servants *doulos* occurs eighty times in the epistles. Only once does an apostle speak of pastors as servants of men (2 Corinthians 4:5). Every other time that pastors are spoken of as *doulos* it is always as “servants of Christ.”<sup>42</sup> Nevertheless, we do find both these themes, serving yet leading, historically. From the 4th century Canons of Laodicea we read, “The people must be taught not followed.”<sup>43</sup> Also, from roughly the same time period Augustine tells us “even those who rule serve those whom they seem to command; for they rule not from a love of power but from a sense of the duty they owe to others - not because they are proud of authority, but because they love mercy.”<sup>44</sup>

### **Why Emphasize the Authority of Pastors at All?**

Why then emphasize the power, authority and rule of the pastor at all? It seems so worldly. First, the emphasis is not on the power of a person but on the power of an office. The pastor as a man is no different than any other man. But he holds an office that is very special, one that Christ instituted. As Luther said, “In brief, whatever criticism is leveled against our person we should endure and will endure, but whatever is mercy, particularly this office, which has and dispenses sheer mercy, we want to see honored by everyone who claims to be a Christian.”<sup>45</sup> C.F.W. Walther in his *Pastoral Theology* approvingly quotes Luther: “Anyone who wants to may insult and despise me because of my person, but because of my office you should respect me and lift me up, as dear as Christ and your salvation and blessedness are to you. For you are

not my pastor or preacher, but rather God has installed me so that you receive the Gospel from me and come in the kingdom of God through my office (Commentary on 1 Cor. 15, preached in 1534; and I Cor. 15:8-10; Walch, VIII, 1198-1200).”<sup>46</sup>

Second, the authority of the pastoral office should be emphasized because pastors today are regarded by some as lackeys and by others as managers in God’s house. Surely, the fact that we have not only laymen but theologians arguing that the pastor is an “at will employee of the congregation” is testimony to how little this **divine** office is esteemed today. To paraphrase what Luther said about the Word of God: If they really believed the pastoral office was divine, they would not play around with it so. How far we have fallen! In the past, many LCMS congregations had Christ’s exhortation, “He that heareth you heareth Me” embroidered on their pulpit altar cloths. This Bible verse was also painted on the east wall of our churches where it was constantly before the eyes of worshipping congregations.<sup>47</sup>

Third, we want to exalt the authority of the pastoral office for the benefit of the sheep. In the words of Luther, “When we boast this way, we are not looking for the prestige in the world or praise from men or money, or for pleasure or the good will of the world. The reason for our proud boasting is that we are in a divine calling and in God’s own work, and that the people need to be assured of our calling, in order that they may know that our word is in fact the Word of God. This, then, is not a vain pride; it is a most holy pride against the devil and the world. And it is a true humility in the sight of God.”<sup>48</sup> Our Lutheran Confessions also enjoin such “holy” boasting. “For the church has the mandate to appoint ministers, which ought to please us greatly

because we know that God approves this ministry and is present in it. Indeed, it is worthwhile to extol the ministry of the Word with every possible kind of praise against fanatics who imagine that the Holy Spirit is not given through the Word but is given on account of certain preparations of their own..." (Kolb, AP XIII, 12-13).

A 1902 classic treatment of the pastoral office, *The Lutheran Pastor*, quotes a 19th century pastoral theology on this very point showing that the pastoral office must be defended for the sake of the sheep. "The pastor must contend against the devil, not only for himself, but also for his congregation.....Whoever knows nothing of these conflicts knows not that the principal object of all the devil's attacks is the office-bearer of the church of Christ..." This 19th century pastoral theology goes on to make the sobering judgment that the pastor who does not know that he is the principle target of the devil's attacks "is not yet a true minister."<sup>49</sup> The Zechariah prophesy which Christ fulfilled, "Smite the shepherd, and the sheep will be scattered," is also an axiomatic truth of Church and ministry.

### **The Reformation was a Battle to Restore the Pastoral Office's Rightful Authority**

The pastoral office is the means through which Christ rules His Church on earth through His Word. The Reformation was in some sense a battle to restore the pastoral office's rightful authority over against the papacy. The papacy, a manmade institution, had placed itself over the pastoral office. In our day, another manmade institution has usurped the authority Christ has given to the pastoral office. The constitutions of most Missouri Synod Lutheran congregations state that the voters assembly is the final authority. The voters assembly rules, not the God-given



office of the pastor. This is contrary to the Word of God and the Confessions. This is no less and error than the papacy.<sup>50</sup>

### **Is The Voters Assembly a Scriptural Mandate?**

It is generally assumed that the voters assembly is a scriptural and even a divine institution. *The Abiding Word* calls the voters meeting and executive assembly and says these “were generally maintained in the first Christian congregations, as the Book of Acts records.”<sup>51</sup> Even if the first congregations did maintain voters assemblies, especially standing, regularly meeting ones, this does not mean they are mandated or even scriptural. In the words of the Missouri Synod’s first president and preminent theologian, C.F. W. Walther: “Whatever cannot be proved to be God’s institution from His Word cannot be regarded as His own institution without committing idolatry.”<sup>52</sup>

We find this same note of caution in Chemnitz and Luther. Chemnitz quoting Jerome says, “Whatever has no authority from the canonical Scriptures is as easily scorned as approved.”<sup>53</sup> Luther writing against Erasmus admonishes him on “the error of thinking” that human statues can be observed together with the Word of God without peril.<sup>54</sup> In *The Adoration of the Sacrament* when speaking about the number of sacraments Luther says, “Now it is certainly too much if we equate things instituted by men with things instituted by God.”<sup>55</sup> We must be constantly on guard against this because, as Luther remarked in *The Misuse of the Mass*, the devil “is only too eager to aid human doctrine and human institutions.”<sup>56</sup>

Of course, the Church does have the freedom to establish voters assemblies as a way to

conduct her business in this world. It does not, however, have the freedom to exalt a manmade institution over a divine one. What Professor Kurt Marquart of the Ft. Wayne seminary says concerning auxiliary offices and the pastoral office applies here too: “Only one thing the church may not do. She may not forget the difference between what God Himself has established in the church as His institution, and what men establish from time to time as fruits of faith and love.”<sup>57</sup> Elsewhere Marquart says that human traditions “are all the details of church organization beyond the divinely made provisions for the orderly ministrations of the holy means of grace.”<sup>58</sup> The only divine provision is for the pastoral office. We do well at this juncture to hear the warning of Professor Question Wesselschmidt of the St. Louis seminary, “One thing which we must strongly guard against is the temptation to read back into Scripture practices that developed for other reasons than by divine institution.”<sup>59</sup> This is so difficult because as one historian has observed, “There is nothing more innately human than the tendency to transmute what has become customary into what has been divinely ordained.”<sup>60</sup>

### **Did Standing Voters Assemblies Exist in the New Testament?**

Did standing voters assemblies exist at all in the New Testament? Was there a body of men who sat over the divinely given pastoral office? Some might point to Acts 1: 15-26, where the disciples took steps to fill Judas’ vacant office, as proof that voters assemblies existed. The text does not state or even imply that voting took place in the apostolic meeting. It says that “two were established” (v. 23) as having “gone in and out” with the apostles (v. 21). Then, after Peter prays, verse 26 says that “they gave forth their lots.” The “they” refers to Matthias and Justus.

When people gave lots they were not voting on something. They were seeking to allow God to make the selection rather than men. Chemnitz supports this view in his *Locci* when he asserts that Matthias was called without means.<sup>61</sup> Had it been anything like our present day voters assemblies then Chemnitz would have had to say Matthias had been called with means. Consider also the account of Jonah on the stormtossed ship. When the men cast lots to see on whose account the terrible storm had come upon them, they did not vote Jonah to be the guilty party.<sup>62</sup>

Another place some turn to prove that voters assemblies did exist in the New Testament is Matthew 18:17, “Tell it to the church.” But Jesus does not call the Church to make a decision here anymore than He called for the two or three witnesses to make one earlier. In both cases the decision is already made. The man is judged to be unrepentant by the first disciple. The second and maybe a third go along to witness that impenitence. Then finally the erring brother’s impenitence is announced to the Church. They do not vote to decide if this is so or not.<sup>63</sup>

A misunderstanding of the Treatise on the Power and Primacy of the Pope has clouded this issue. The German translation of the Treatise includes this gloss in paragraph 24: “Likewise, Christ gives the supreme and final jurisdiction to the church when he says, ‘Tell it to the church’” (Triglota, 511. This gloss is not found in Kolb). This gloss, however, does not reflect Melancthon’s position elsewhere in this same Treatise. Melancthon places the authority of jurisdiction in the hands of pastors and bishops even citing the Augsburg Confession and the Apology in doing so. “In the Augsburg Confession and Apology we have set forth in general

what needs to be said about ecclesiastical power. The gospel bestows upon those who preside over the churches the commission to proclaim the Gospel, forgive sins, and administer the sacraments. In addition, it bestows legal authority, that is, the charge to excommunicate those whose crimes are public knowledge and to absolve those who repent. It is universally acknowledged, even by our opponents, that this power is shared by divine right by all who preside in the churches, whether they are called pastors, presbyters, or bishops” (Kolb, Treatise, 60-61). Again, “It is certain that the common legal authority to excommunicate those guilty of manifest crimes belongs to all pastors” (Kolb, Treatise, 74). Finally, “[I]t is right to restore this jurisdiction to godly pastors and to take care that it be exercised legitimately for the amendment of morals and the glory of God” (Kolb, Treatise, 76). The argument in the Treatise is that the German states do have the Church, and they do not need to look to Rome for ecclesiastical authority. It by no means places the power of jurisdiction, the power to excommunicate into the hands of voters assemblies.

### **The Principles of Democracy and Majority Rule**

By establishing voters assemblies as the final authority and the means of ruling the church we have bowed to the principles of democracy and majority rule. While these two principles are accepted by Americans as the very essence of good government, two non-Americans, one English and one Scottish, with more than two centuries between them have quite another perspective. Eighteenth century philosopher David Hume writes that democracy is a noble enough principle in itself “but belied by all experience is the notion that people are the origin of all just

government.”<sup>64</sup> In 1993 a Scottish Baptist writes, “It is not innate goodness in humanity which makes people dream up democratic institutions and inalienable human rights, but the desire to be free from Divine authority.”<sup>65</sup> In this same vein, William Loehe warned the Missouri Synod in a letter dated September 8, 1847: “We notice with growing concern that your synodical constitution, as it has been adopted, does not follow the example of the first Christian congregation. We have good reason to fear that the strong admixture of democratic, independent and congregational principles in your constitution will do greater damage than the influence of princes and governmental agencies in the church of our homeland.”<sup>66</sup>

Loeh’s warning did not fall on deaf ears. When we read Walther’s 1848 address to Synod, we hear Walther support Missouri’s polity, yet he goes out of his way to say that what Lohe said would happen, won’t.

We need not fear that the secular element of a political democracy will invade the church that therefrom will arise a popular government, a papacy of the people, and that we, who are to be servants of Christ will thereby become servants of men...No, a disgraceful popular government occurs only where the people presume to prescribe to the preacher what he may or may not preach of God’s Word; where the people make bold to contradict the Word of God, and to interfere in any respect with the conduct of the office according to the Word; or where the people claim for themselves alone the power to enact ordinances in the church, exclude the pastor from this power and demand that he submit to these ordinances.<sup>67</sup>

Me thinks he doth protest too much.

## **A Closer Look at the Principle of Majority Rule**

A standing voters assembly that claims to make public judgments based on the vote of the majority cannot be a biblical teaching. The orthodox theologian John Gerhard said that against the rule of faith no interpretation of Scripture should be advanced.<sup>68</sup> Majority ruling among God's people is contrary to the analogy of faith. We do not find it in the patriarchal history of God's people, in the monarchical history of God's people, nor in the apostolic history of God's people. Furthermore, majority rule is a loveless principle. It means in essence that might makes right. This militates against the teaching throughout the Bible that in matters where the Word of God has not spoken love must rule. Majority rule, however, means that the majority has the right to inflict its will on the minority.

Furthermore, majority rule implies that truth is to be found in numbers. Chemnitz wrote of the folly of such thinking: "If then at the time of Elijah someone would have judged the truth of the doctrine according to the consensus of the visible assembly, he certainly would have erred."<sup>69</sup> In our day, Professor Marquart has warned against this error too saying that the loudest bleating of the most sheep should not be identified as the voice of the Shepherd.<sup>70</sup> Melito, probably the bishop of Sardis, issued a similar warning against thinking numbers guaranteed correctness. Around 165 A.D. he wrote: "For there are men who call iniquity righteousness: they think, for example, that it is righteous for a man to err with the many. But I, for my part, affirm that it is not a good excuse for error that man errs with the many. For, if one man only sins, his sin is great:

how much will be the sins when many sin together!”<sup>71</sup> Finally, returning to Lohe, we read perhaps the most elegant warning of all: “Truth is not always surrounded by an equal number of confessors, the number is an adiaphoran, an accident which has nothing to do with the substance. We never ask *how many* confessors there are but *what* they confess.”<sup>72</sup> “To have a majority of confessors on the side of the antisciptural doctrine of the Romanists is just one more proof that man’s heart tends to be on the wrong side, that salvation is not to be found on the broad way, that truth is not to be found among the great multitudes, and that in matters of faith one must not count votes, but must weigh them.”<sup>73</sup>

### **Efforts to Limit the Effects of Democracy are to No Avail**

John H.C. Fritz, in his 1932 *Pastoral Theology* also tried to limit the effects of democracy. “Matters of doctrine and of conscience should not be submitted to the vote of the congregation, for these have already been decided by the Word of God itself.”<sup>74</sup> In our own time as well, men have tried to place boundaries on democracy in the church. Professor Marquart writes, “In the temporal sphere, given democratic arrangements, to vote is to take part in and to exercise the awesome powers of Romans 13: 1ff. Voting is an act of supreme sovereignty, which can, within constitutionally specified limits, enforce the majority will with ultimate sanctions of the death penalty and war. Voting can mean nothing like this in the church at all (Mt. 20: 24-28). The church is not a democracy but a Christocracy: Christ alone is Lord. Voting is but a way of agreement or consensus.”<sup>75</sup> Please note; when constitutions make the voters assembly the final authority, this means voting *is* and exercise of authority. Therefore, a group of layman rather than the divinely instituted office is ruling the congregation.

Despite these warnings, despite the attempts to limit democracy in the Church, despite the desire to redefine voting in the Church, majority rule is a principle held near and dear by most American Lutheran congregations. If the truth be told, most American Lutherans believe their country is a pure democracy and not a representative one. Most American Lutherans do not know that our founding fathers were afraid of a pure democracy, such as that of France, and so had Presidential elections decided **not** by the popular vote but by the electoral college. In the 2000 Presidential election, most Americans first came to understand what that means when candidate Al Gore got the majority of the popular vote but did not get the majority of the electoral college vote and so was not elected. Soon after calls to do away with the electoral college began to ring out.

It is true that the more informed laymen are aware that their vote cannot make something false, true or true, false, but the very best of American laymen, in my experience, believe that in matters where the Word of God is not clear **to them** the majority should rule. This is a principle etched deep into the hearts of Americans. Alexis de Tocqueville, after observing closely nineteenth century American life, said, “The Anglo-Americans acknowledge the moral authority of the reason of the community as they acknowledge the political authority of the mass of citizens; and they hold that public opinion is the surest arbiter of what is lawful or forbidden, true or false.”<sup>76</sup> With some lay persons unless you can show them a passage that says, “Thou shalt practice closed communion,” or even, “Thou shalt baptize infants,” they will not believe closed communion or infant baptism are doctrines of the Word of God. But does not Walther in his



theses on Church and ministry say in Thesis IX, “To the ministry there is due respect as well as unconditional obedience when the pastor uses God’s Word.”<sup>77</sup> Yes, but this in turn raises the question: Is the matter before us a matter of the Word of God? Once more the appeal is going to be to what the majority think or even to what an individual does.

### **What About the Sheep’s Right to Judge Doctrine?**

Luther did say that private, also called internal, judgment of spiritual things is the right and duty of every Christian. However, Luther reserved the right of public, also called external, judgment to the pastoral office.

What we say is this: the spirits are to be tested or proved by two sorts of judgment. One is internal, whereby through the Holy Spirit or a special gift of God, anyone who is enlightened concerning himself and his own salvation, judges and discerns with the greatest certainty the dogmas and opinions of all men. Of this it is said in 1 Corinthians 1 [2:15]: ‘The spiritual man judges all things, but himself is judged by no one.’ This belongs to faith and is necessary for every individual Christian. We have called it above ‘the internal clarity of Holy Scripture.’ Perhaps this was what those had in mind who gave you the reply that everything must be decided by the judgment of the Spirit. But this judgment helps no one else, and with it we are not here concerned, for no one, I think doubts its reality.

There is therefore another, an external judgment, whereby with the greatest certainty we judge the spirits and dogmas of all men, not only for ourselves, but also for others and for

their salvation. This judgement belongs to the public ministry of the Word and to the outward office, and is chiefly the concern of leaders and preachers of the Word.<sup>78</sup>

Bishop Jobst Schone of the Independent Evangelical Lutheran Church in Hannover, Germany shows how the priesthood's obligation to judge doctrine cannot be allowed to infringe on the pastor's duty. "This obligation to judge doctrine has to be balanced with the 'office of the bishop' (and the pastor in his parish alike) 'to preach the gospel, forgive sins, judge the doctrine and condemn doctrine that is contrary to the gospel,' as set forth in Augstana XVIII, 21. This does not allow for the laity as the last resort of doctrinal judgment, since such discussions require a high degree of knowledge, normally left to properly trained clergy."<sup>79</sup> Later Schone qualifies these words saying, "Since doctrinal judgment and excommunication affects the whole church, Lutherans have always accepted the rule that the ministry and the laity should cooperate for this purpose in conventions and councils deciding jointly, while the final responsibility rests with the holy ministry."<sup>80</sup>

### **The Origins of our Polity is Not Scripture**

Where then did our present polity come from? We cannot say, "from the Scriptures," since Lutherans agree that there is no divinely revealed polity in Scripture. This is in contradistinction to Rome and the Reformed who regard polity as a fundamental article of the Christian faith.<sup>81</sup> This is because for Lutherans only those things that pertain to our salvation are by divine right. As Professor Lowell Green has observed, "To assign 'divine right' to a democratic mode of church government and popular vote is to confound that which is human with that which is

divine, and is therefore blasphemy....If anyone insists upon making certain views on church polity binding upon consciences today, he is making nonessentials into essentials and he is confounding law and gospel.”<sup>82</sup>

This needs to be stated very clearly in light of Resolution 7-17A, To Affirm Synod’s Official Position on Church and Ministry which was adopted at the 2001 Synodical convention. The Synod did not resolve that a certain polity, be it congregational, presbyterial, or episcopal, was mandated by the Holy Scriptures. Nor did it resolve that Walther’s *Church and Ministry* is all by itself the definitive statement of the Synod’s understanding of Church and ministry, but Walther’s work “under Holy Scripture and the Lutheran Confessions.”<sup>83</sup> People who insist that a particular form of polity is mandated by Scripture or the Confessions should be regarded by Lutherans the same way those are who insist a particular mode of Baptism or a particular method of Communion distribution is mandated by Scripture. We should not give into their demands, and we should point out that they are being schismatic. Furthermore, those who wish to defend the voters assembly polity to the point of accusing others of false doctrine who are not in favor of it should be pointed to Apology, XXI, 33, 242. What we ask there of those who defend the invocation of the saints could be asked of those who wish to defend a voters assembly polity. “What is the point of defending such a thing, when it has neither a command nor testimony from the Word of God? Indeed, it does not even have the support of the writers of the ancient church.”

Even Walther himself did not believe there was a divinely mandated polity. He believed the doctrine of Church and ministry is settled by Scripture and the Lutheran Confessions, but polity

was an adiaphoron. In an 1848 address to the Synodical convention Walther said, “It could very well be that there are times and situations where the church would benefit by placing decisive and governing powers into the hands of individuals and representatives.”<sup>84</sup> Furthermore, “Walther believed that it was the duty of Lutheran preachers to inform their congregations ‘that the choice of polity of the church is an inalienable part of their Christian freedom...’”<sup>85</sup>

### **From Stephanism to Democracy for the Sake of the Gospel**

Where then did the polity which the LCMS has operated under since her founding come from? It did not come from the Lutheran Confessions, from Martin Luther, or from the orthodox Church fathers. Munding says, “The peculiar type of decentralized government adopted by the congregations which formed the Missouri Synod was different from any polity that had ever existed or was then existing in Germany.”<sup>86</sup> It came from a unique situation, in many ways an extraordinary situation. It came from a situation in which one crisis after another rocked a contingent of Lutheran emigrants. They came to the United States under a bishop who they recognized as having authority over their bodies and souls. When he proved false, they became a consistory of sorts where the pastors took the lead. When this did not sit well with the laymen who had just been betrayed by clerical authority, a compromise between lay and pastoral authority was reached. All this transpired in a few short years. The question is should we regard the outcome of such extraordinary events as normative for us over 150 years later? In my opinion, turning to the events of the Saxon emigration and making the polity that they eventually established normative for future generations is a lot like turning to the Book of First

Corinthians and making it normative for structuring divine worship services today. The emmigration of the Saxon Lutherans is an extraordinary story. It tells the tale of how through evil and erring men God nevertheless brought His pure Gospel to America in the Book of Concord. There is much we can learn from them, but it hardly seems wise to make their story and their pronouncements the last word on Church and ministry.

The recognized authority on the Saxon Emmigration is Walter O. Forster's *Zion on the Mississippi* published in 1953 by Concordia Publishing House. The recognized authority on the history of the Missouri Synod's polity is Carl S. Mundinger's *Government in the Missouri Synod* published in 1947 also by Concordia Publishing House. Every Missouri Synod pastor and Board of Elders ought to read these books.

Mundinger says that the principle established in the Missouri Synod is "layman have the power by majority vote to regulate financial and spiritual matters."<sup>87</sup> He calls it "the theory of the 'supremacy of the congregation.'"<sup>88</sup> He goes on to say that Walther made it work through his shrewdness "and his ability to get around difficulties even if those difficulties were constitutional..."<sup>89</sup> That was all well and good for Walther, but the constitution of Trinity, St. Louis, where Walther was the pastor, was used as a model for a large number of other congregations.<sup>90</sup> What if a pastor lacks the shrewdness of Walther to make our inherited polity work or please God? What if we cannot get around the *confessional* difficulties of such a polity?

It is well known that there are two strands in Luther's thinking on Church and ministry: the priesthood of all believers and the divine institution of the pastoral office. He emphasized the

former against the Romanist and the latter against the Enthusiasts. The extraordinary situation in Perry County, Missouri and the realities of democratic America led to one of those strands, the priesthood of all believers, being emphasized more than the other. Munding and others have perhaps given too much significance to the role of American individualism and democracy in bringing forth a democratic polity. Sasse finds the seeds for such a polity already in the 17<sup>th</sup> century German theologian Johann Gerhard. He, according to Sasse, formed a completely new theory when he transformed the Lutheran doctrine of the three estates to which Christians belong - domestic, political, ecclesiastical – “into a doctrine of three estates which constitute and participate in the governance of the church.”<sup>91</sup>

The events leading up to the forming of the LCMS polity were extraordinary. A group of pastors and laymen followed a man, Martin Stephan, halfway around the world believing him to be the very bishop of their bodies and souls. Most of these pastors were quite young. Only one was over 35; half were less than 30. All of them had come under Stephan’s influence during their student days when they were just past 20. Of the older theologians in Germany, no matter how conservative, not one followed him. “Stephan impressed most notably the young and unstable.”<sup>92</sup> These pastors and layman formed a strict episcopacy under Stephan. One of the constitutions Stephan introduced said: “The supreme administration of all the association’s affairs is in the hands of the first clergyman (Stephan), who combines in his person the highest powers in both spiritual and secular affairs.”<sup>93</sup> When Stephan proved to be a false shepherd, the colony was sharply divided. The laymen blamed the other pastors for what happened even though next to

Stephan the most important of the leaders was a layman named Marbach.<sup>94</sup> This fact did not stop the laity from, figuratively speaking, placing the clergy in the same boat they literally placed Stephan in to send him out of their midst.

For two years after Stephan was deposed (n.b. by the other pastors): “The colony was divided into a clerical and a lay group, both arrayed against each other, both striving for control of their brethren.”<sup>95</sup> The lay people wanted nothing more to do with pastors ruling. Mundingering remarks, They “had been subjected to priest rule in its most offensive form for half a dozen years in their early adult life. That they should act like burnt children does not surprise us.”<sup>96</sup> Had it not been for this group of “burnt” children, according to Mundingering, “the principle of congregational rule would not have bulked so large or been worded so precisely in Missouri’s constitution.”<sup>97</sup> But Walther did not cave in immediately to the laity’s demands. He resisted the demand for lay participation in the government of the church for almost a year and a half.<sup>98</sup> It is not certain that Walther and the other clergymen intended to maintain the episcopacy as the lay party maintained, but in the judgment of Forster “from the events related in both the preceding and subsequent narrative, it is likely.”<sup>99</sup>

The polity of the Missouri Synod came out of a compromise with a “rabid” lay party. In the judgment of Mundingering this polity “stood for an extreme congregationalism with heavy emphasis on the individual. Like the Anabaptists, they took certain isolated quotations from Luther’s writings of the early 1520’s, tore them out of their life situations, and tried to construct a new church polity.”<sup>100</sup> After years of opposing this, Walther compromised with them. “In this

extreme exigency Walther made a virtue of necessity and adopted a realistic course. He accepted principles of church government which his lay opponents had gathered from the writings of Luther [ all from the early Luther as was noted above.]. To these he added from Luther certain provisions which safeguarded the dignity of the ministerial office: his transfer theory [whereby the congregation transfers the office of the keys to the man they elect], the doctrine of the divinity of the call, the absolute authority of the Word of God, and the permanence of tenure.”<sup>101</sup>

In the past, I have been too critical of the compromise Walther made. Of late, I have come to believe, through the reading of Sasse, that Walther essentially did what Luther did when confronted with the breakdown of the spiritual estate. Luther saw no other recognized authority to appeal to other than the political estate. Men of the Middle Ages thought this proper, and Luther made the appeal for the sake of the Gospel.<sup>102</sup> Walther too was confronted with a breakdown in the spiritual estate. In the ferment of American democracy, what authority could he have appealed to other than the people? The State wanted no authority over religious institutions. For the sake of the proclamation of the Gospel, Walther compromised with the only authority available to him.

As a result of this compromise, Walther pastored a congregation in which the lay people ruled. Trinity congregation voters meetings were not opened with prayer for the first year of their existence because their pastor, Walther, was not permitted to attend the voters meetings. The congregation would not allow it because they did not want to become the victims again of priest rule. “As far as the minutes show, the pastor was never legally permitted to attend the business



part of the voters meetings.”<sup>103</sup>

Trinity, St. Louis is *not* just one isolated congregation. It is the mother church of the Missouri Synod. The preliminary conferences to form the Synod and review drafts of the constitution took place at Trinity the voters of Trinity being present. Munding believes it is significant that “The wording [for the Missouri Synod’s constitution] was fixed in the midst of a congregation that was intensely jealous of its congregational rights.”<sup>104</sup>

### **The Priesthood of All Believers**

The polity that has come down to us emphasizes what neither Luther, later in life, nor our Confessions emphasize, the priesthood of all believers. The Confessions only refer to the priesthood of all believers once and there it is simply used as a synonym for Church. “Finally this is also confirmed by Peter’s declaration [1 Peter 2:9]: ‘You are a...royal priesthood.’ These words apply to *to the true church...*” (Kolb, Treatise, 69). According to Herman Sasse, the Lutheran Confessions did not accept Luther’s early view that the ministry is an exercise of the general priesthood transferred to an individual. The Church is, according to I Peter 2, the royal priesthood, and according to Treatise 67, it has the right to choose and ordain ministers. But the Confessions nowhere say that public proclamation of the Gospel belongs to the general priesthood.<sup>105</sup> The emphasis on the priesthood of all believers comes from 17<sup>th</sup> and 18<sup>th</sup> century Pietism according to Bishop Schone: “New emphasis was put on the priesthood of all believers in connection with the idea of an unmediated relationship of each individual to God, disregarding the external means of grace, and undermining the traditional concept of the ministry.”<sup>106</sup>

We can go to Martin Chemnitz to see what the 16th century understanding of the priesthood of all believers was before Pietism, and we will find that Sasse is right. In treating the priesthood passage and trying to distinguish Lutheranism from the fanatics Chemnitz says, “This is indeed a general call, common to all Christians, to speak among themselves about the Word of God, Eph. 5:19, to comfort one another with the Word of God, I Thess. 4:18, and to confess the Gospel, Rom. 10:9, and this is enjoined on heads of households by individual command. But to administer those things which pertain to the public ministry of the Word and the sacraments is not commanded to all Christians in general, as the two passages from I Corinthians 12 and Ephesians 4, cited above, teach clearly enough. Nor does the general calling which all receive in Baptism suffice to give a person the office of the ministry, but there is required a special call, as has been shown in the preceding, testimonies, cf. James 3:1.”<sup>107</sup>

### **What Sort of Polity Did our Lutheran Forefathers Want?**

Far from wishing to insitute a congrgational polity based on the understanding that the office of the ministry flows out of the general priesthood, the Apology of the Augsburg Confession specificially states that it is the Lutheran’s greatest wish to maintain the old church polity. In “Of Ecclesiastical Order” we read, “Concerning this subject we have frequently testified in this assembly that it is our greatest wish to maintain church-polity and the grades in the Church [old church-regulations and the government of the bishops], even though they have been made by human authority (provided the bishops allow our doctrine and receive our priests)” (Triglota, AP XIV, 24,25).

Luther did not establish lay ruled congregations. Popular lore among Missouri Synod Lutherans is that Luther wanted to establish congregations where the priesthood of believers ruled by democratic vote, but because of the political realities of his day he was unable to. This seems akin to the assertion of Anabaptists that Melanchthon would have rejected infant Baptism if political realities had allowed him to. Anabaptist scholar Abraham Frieser explains why Melanchthon did not reject infant baptism though he really wanted to: “Obviously, there were political limits beyond which religious reform, without the universal approbation of the church, would not be allowed to go in Saxony.”<sup>108</sup>

Political realities did not stop Melanchthon from rejecting infant Baptism or Luther from instituting lay ruled churches. In fact, Munding claims that Luther could have established lay ruled congregations but he did not.<sup>109</sup> The nineteenth century French, Reformed historian, J.H. Merle D’Aubigne, says that at Luther’s time among the Lutherans everything flowed from the pastor.<sup>110</sup> Furthermore, the people of Luther’s time had a general fear of democracy. Erasmus had a popular saying at the time which reflected this fear: “They ask us to open our gates, crying aloud - the Gospel! the Gospel!.....Raise the cloak, and under its mysterious folds you will find - democracy!”<sup>111</sup>

In fact, Luther specifically writes against congregational rule. “You can imagine it yourselves how a fine young fellow who has gone to school all his life, spent his father’s money, and endured all manner of tribulation would like to become a pastor in Zwickau ever since the news from there is that the members would be the masters and the pastor the servant, sitting day in,

day out on a swing as it were.”<sup>112</sup> In another letter to a congregation in 1543 Luther writes, “You are not the masters of your pastor and the ministry. You have not established it, but solely the Son of God. You have not contributed anything toward it, and hence you have less authority over it than the devil has over the kingdom of heaven. You should not lord it over him or teach him or prevent him from admonishing...Attend to your business and don’t interfere with God’s rule, lest He teach you that you must do this. None of you would tolerate it if a stranger would give your servant, whom you cannot spare, a furlough or chase him away. There is not a shepherd lad, be he ever so lowly, who would take an insult from a stranger, but God’s servant should be everybody’s puppet and suffer all things from everyone.”<sup>113</sup>

Another orthodox Lutheran father, David Chytraeus, one of the contributors to the Formula of Concord, has an opinion as to what type of polity should be followed. “The episcopal order and the ranks connected with it are not evil in themselves. They should not be disparaged when they serve to uphold the unity and harmony of the church in true evangelical doctrine and the preservation of Christian discipline and peace.”<sup>114</sup> Even Walther could explain episcopal polity in a positive way. In his 1848 address to Synod he favorably explained the episcopal polity of Swedish Lutherans. He rejected it, not as being contrary or prohibited by the Word of God, but as being unworkable in America. “In a republic, as the United States of America is, where the feeling of being free and independent of man is nourished so strongly from childhood, the inevitable result [of establishing an episcopal polity] would be that any restriction beyond the limits drawn by God Himself would be an empty shell...”<sup>115</sup>

A lay ruled Church was not what Luther established or wanted established. He did not establish the voters assembly nor did Lutheran congregations of his time. In fact, with his *Visitation Articles* of 1528 Luther established an episcopal polity. Moreover, he rejected Philip of Hesse's plan for a congregational government based on a constitution accepted by all.<sup>116</sup> In the words of Professor Norman Nagel of the St. Louis seminary, "We can hardly be understanding the confessions rightly, if that understanding runs counter to what was then being done in the churches."<sup>117</sup> To extract Luther's statements concerning the priesthood of all believers out of the particular circumstances in which he wrote them and make them the basis for establishing a lay ruled church is like focusing on some of his statements against liturgical rites and vestments in order to reform worship. Luther was most definitely opposed to the papacy and pastors lording authority over the flock, but he was not for democracy, majority rule, or voters assemblies.

### **Does the Church Having the Keys Mean the Local Congregation has Them Over Against the Pastor?**

The establishment of the a standing voters assemblies over the pastoral office is no minor problem. In the Missouri Synod's synodical catechism of 1943 John 20: 22, 23 is quoted. "Christ breathed on them and saith unto them, Receive ye the Holy Ghost. Whosoever sins ye remit, they are remitted unto them; and whosoever sins ye retain, they are retained." This is used as a proof passage for the teaching that "Christ has given this power [the Office of the Keys] to His **Church on earth**; especially, to **every local congregation**" (emphasis original).<sup>118</sup> In our Confessions, however, we confess with the Treatise, "These words [John 20:23] show that the

keys were entrusted equally to all the apostles and that all the apostles were commissioned in a like manner” (Kolb, Treatise, 23). Words which we confess mean that the ministry of the New Testament has the keys (see Treatise, 26) were interpreted by the 1943 catechism to mean the local congregation does.

The core problem here is the equating of Church with local congregation. Even Walther himself thought this an error. In *Law and Gospel*, over 30 years after his *Church and Ministry*, he spoke against this error: “Now, Luther, in order to keep people from imagining that the Pope is the Church, has translated *ekkleasia* by ‘congregation,’ which is a correct rendering. The inference drawn from the use of this term when applied to local churches is wrong, because the Scriptures, as a rule, employ this term when referring to no local congregation, but to the Church in the absolute sense, and that is an invisible community. The term is applied to local organizations because the invisible Church is contained in them.”<sup>119</sup> Despite these words, in the judgment of Forster, Walther’s theology did just what he said not to do. “In practical application it [Walther’s Altenburg Theses] meant the identification of the characteristics and powers of a congregation and ‘the church.’”<sup>120</sup>

Lutherans abroad see the danger of doing this. Herman Sasse says, “It is completely false always to immediately apply what our confessions say of the congregation [*Gemeinde*], the *congregatio sanctorum*, to the local congregation.”<sup>121</sup> Again, “When Luther used the ‘congregation’ [*Gemeinde*], he did not mean that which modern Protestantism has understood it to be since the wake of the rise of Independentism, Pietism, and the Enlightenment, namely, the

local congregation understood as a society [*Verein*], in distinction from the entire church [*Gesamtkirche*]. Luther was no congregationalist.”<sup>122</sup> When our Confessions say that the office of the keys belongs to the Church, they do not mean to a local congregation as over against the holy Christian Church. If we did mean local congregation, a pastor would only be acting on behalf of a one congregation and not of the Church, the Bride of Christ. He would only be bearing an office established by a local congregation of people not one established by Christ.<sup>123</sup>

### **Everyone A Church Unto Themselves**

It seems to me that a consequence of linking the office of the keys to the local congregation rather than to the holy Christian Church is to give individuals the impression *they* are the Church. They can resign from a local congregation, be removed from one, or simply not attend one at all because they believe they carry the Church around in their pious little hearts. They have taken the truth that all Christians are priests to mean that all are a Church unto themselves without need of the ministry or the means of grace. This error is linked to a misunderstanding of Luther’s doctrine of the universal priesthood. Bishop Schone warns us that this doctrine is not be understood in isolation apart from ecclesiology. It does not teach that each individual has for himself the power over the gifts of grace given to the Church. “Such an idea would simply contradict Luther’s understanding of the church: for him she is not the sum total of all Christian individuals brought together by addition and combined for joint worship and church life; but much more, the church is the Body of Christ, existing before we exist, into which the individual believer is enrolled by Baptism and faith. The church is not created by men, but by God’s Word and therefore absorbs the individual....In other words, not even the priesthood bestowed on him

by Baptism can ever give the Christian power over the means of grace.”<sup>124</sup>

The Missouri Synod for some time has been trying to recover the honor and authority of having an office instituted by Christ in every local congregation rather than having an office created by every local congregation which represents Christ. Professor Marquart in his 1991 work on the Church says that John 20:21-23 is “rightly treated” as the words of institution of the ministry.<sup>125</sup> This is how Luther understood this passage too: “Christ is here instituting an office through which all the sins of the entire world may be forgiven and taken away...”<sup>126</sup> The 1984 *Lutheran Worship Agenda* used not only John 20:21-23 but Matthew 28: 18-20 and John 21:15-17 under the heading “The Institution of the Office of the Public Ministry.”<sup>127</sup> To those who might be taken aback that already in 1984 the Synod was saying that Matthew 28: 18-20, the so-called “Great Commission”, applied to the Office of the Ministry, consider that Walther in *Church and Ministry* applied it this way too: “Here it is clearly taught that the Office of Preaching of the apostles as commanded by Christ must continue until the end of days.”<sup>128</sup>

The 1991 Synodical catechism seeks to tone down the error of saying the Office of the Keys belongs to the local congregation. The keys are not said to given by Christ to every local congregation but to His “church.” But compare this with Chemnitz’s view of who has the Keys. “None of the men on our side denies that the power to remit and retain sins was given to the ministers of the Church of Christ, if it is rightly understood. For Christ chose and sent out the apostles to preach and gave them authority and power (Mt. 10ff; Mk. 3: 13ff; 6:7ff; Lk. 10: 1ff).”<sup>129</sup> Later on he specifically refers to John 20:23: “Thus the statement of the Christ (John



20:23) about remitting sins, whether it be understood of public or general proclamation of the Gospel, or of private absolution, says nothing else than this, that the ministry remits and retains sins by the voice or proclamation of the Word of God.”<sup>130</sup>

Father Rudolph E. Kurz, a pastor for 30 years in the LCMS and now a pastor in the Evangelical Catholic Church, points out the absurdity of the LCMS position. “A group of laymen (= a voters assembly) has the ‘power of the keys,’ but a group of validly ‘called’ and ordained pastors never has the ‘power of the keys.’ For the ‘power’ by divine authority resides only with the laity (by whose sufferance the pastor publicly holds the office on their behalf.)”<sup>131</sup> Dr. David Scaer of the Fort Wayne seminary notices the same position in Vehse, the layman in the Saxon emigration who opposed Walther and the other pastors after Stephan had been deposed. “For Vehse, the laity possessed the keys of the kingdom immediately and the pastor only indirectly.”<sup>132</sup>

### **Who Really is Responsible for the Souls Entrusted to the Pastor?**

The real awkwardness of the situation manifests itself when the pastor brings a matter of excommunication before the voters assembly. He does not function as a “judge” having made a “ruling” or a “decision” on a case and now announcing it. Instead he functions as a prosecuting attorney trying to convince the voters to judge, rule, or decide in his favor. The God-ordained shepherd must convince the sheep to do what is best on behalf of another sheep under his care, a sheep he will give an account for before the Lord Jesus! When we consider how in contemporary

jurisprudence prosecuting attorneys lament the difficulty of getting 12 jurors to agree on the most obvious of cases, we have reason to fear that the best pastoral care is not being given to erring sheep. Furthermore, the following words of Chrysostom should make us reconsider the position we are placing pastors in. The Lord has given us a nontransferable accountability for the souls entrusted to our care. “Thou must give an account of everyone entrusted to thee men, women, and children. Think in what peril thou art! It is a thing to be wondered at, if one priest be saved.”<sup>133</sup> In the literature of both the early and the imperial church, the clergy are constantly cautioned that their position is one of great responsibility not one of privilege. Why? Because they must give an account for the souls under their care.<sup>134</sup> It is interesting that even the novelist Dostoyevsky is able to grasp what many church members are not. He has a lawyer addressing a jury in *The Brothers Karamazov* say, “Remember, you have been given absolute power to bind and to loose, but the greater the power, the more terrible its responsibility.”

In the LCMS there is confusion over who really is responsible for the welfare of souls in a congregation. I believe this confusion originates with the so-called transfer theory of the ministry which says the priesthood of all believers transfers its rights to the pastor. In the Common Confession of 1949 the Missouri Synod said, “God continues to call men into this holy office and entrusts the spiritual welfare of His congregation to these pastors.”<sup>135</sup> So far so good. However, a second, contradictory part was added to the Common Confession in 1952. It says, “The privilege and the responsibility of ministering to the saints of God remains the privilege and the responsibility of all the members of the Church.”<sup>136</sup> You can see by this statement that “everyone’s a minister” theology is a legitimate offspring of Synodical doctrine. If everyone is

responsible for the ministry to the saints as the 1952 addendum has it, then the pastor should have to convince everyone before excommunicating anyone. But if God entrusts the spiritual welfare of His saints to called pastors, as the 1949 Common Confession puts it, then while he is still accountable to the Church for his actions, he does not have to convince everyone or even a majority before excommunicating someone. The problem is that these contradictory views were incorporated in once document and accepted by the Synod's 1956 convention.

### **The Relationship Between Church and Ministry**

What is the relationship of the pastoral office to the Church? Both are divine institutions. Both have existed from the very foundation of the world. There never was a time that the Church existed without the pastoral office or the office existed without the Church. St. Paul can say that all things, which would include the ministry, belong to the Corinthian Church in I Corinthians 3:21, 22, and later in 2 Corinthians 6:10 that the ministry possess all things which would include the Church. How wonderful! It is as in marriage, not 50-50 or 60-40, but 100-100. Each fully possesses the other as I Corinthians 7 says married couples do. The Church is people and pastor. One is not before or above the other, but what about Treatise 11? "In I Corinthians 3: [4-8, 21-22], Paul regards all ministers as equals and teaches that the church is superior to its ministers" (Kolb, 331). But according to Dr. Norman Nagel this is not what Treatise 11 says. Though Tappert translates "over," and the Triglota has "above," Nagel says the Latin *supra* should be translated as Henkel did, "greater than" or "more than." Nagel says that Pieper's German agrees.<sup>137</sup> The Church then is "greater than" or "more than" its ministers. Yes, the

Church **is** more than ministers. It is sheep and shepherd. There is a shepherd-shaped vacuum in the Church that only a called and ordained pastor can fill.

The Church does not create the shepherd office from below, but She is given the office from above. Just as we do our *theology* from “below,” i.e. through the God-Man Jesus who humbled Himself on our behalf, so we are to our *ecclesiology* from “above,” i.e. through the God-Man Jesus who was exalted on our behalf. Jesus in His state of humiliation told His disciples to pray to the Lord of the harvest to send out workers, but Jesus in His state of exaltation proclaims that all authority in heaven and earth have been given to Him and then He Himself sends out His workers, “Go and make disciples of all nations.” Just as we go quickly awry when we try to do our theology from “above,” so do we go when we try to do our ecclesiology from “below.” Then we view the Church as yet one more voluntary organization started by men, directed by men, built by men, and therefore man-centered. As the true God is virtually unknowable when we ignore the only ladder He has ever let down from heaven for us sinners to crawl up on, Jesus, so the true Church is viturally unknowable when we ignore Jesus who is Her Head. We are to start from the Head and what He says, to learn about His Body, the Church.

I do not believe that Walther intended to do his ecclesiology from below, but America has definitely warped it that way. In America the Church is not something Christ by a miracle forms but something a group of like-minded people form: a collection of individuals come to agree on a common “cause” and then establish the office of the pastor in their midst. No, the office flows from Christ above. He calls, gathers, and enlightens His Church through the Spirit. He creates it

in a given place through the office that has His Spirit. Isn't this what Treatise 25-26 says ?

“Granted that it is said, ‘On this rock I will build my church’ [Matt. 16:18], certainly the church is not built upon the authority of a human being but upon the ministry of that confession Peter made, in which he proclaimed Jesus to be the Christ, the Son of God. For that reason Christ addresses him as a minister: ‘On this rock,’ **that is, on this ministry**. Furthermore, the ministry of the New Testament is not bound to places or persons like the Levitical ministry, but is scattered throughout the whole world and exists wherever **God gives God’s gifts: apostles, prophets, pastors, teachers** [cf. Eph. 4:11]@ (Kolb, 334 emphasis added). To be sure in emergency situations, where a Christian finds himself or herself the only Christian in the midst of pagans, he or she is thereby authorized by virtue of Baptism to preach and teach in Christ’s name. But then too, in such a situation, he or she *is* the Body of Christ, the Church, in that location.

The Church does not create the office anymore than she is able to create any other divine thing. As the pastor’s verbalizing of the Words of Institution is not the power which produces the Real Presence, but it is the Words spoken by our Lord in the upper room on the night He was betrayed (Formula of Concord VII, 74,74), so it is not a group of men deciding and issuing a Call that creates the pastoral office, but rather the Words spoken in that same upper room days later, “He breathed on them, and said to them, ‘Receive the Holy Spirit; whosoever sins you forgive, the are forgiven.’” The first time God breathed on/into man in Eden man received the ability to pass on physical life. This second time the Scripture records God breathing on man, He gives the ability

to pass on spiritual life through the power to forgive sins. Furthermore, if the Lord is *not* in John 20 creating an office that has the Spirit, then it seem we are only left with two other choices. He is giving the Spirit to the apostles in which case we are left with tracing our ordinations back to the apostles. Read “apostolic succession” here. Or, our Lord is giving the Spirit and the authority to forgive sins to believers in which case we are left with ferreting out if the one absolving us really believes or not. Read “Donatists” here.

The Church is called on by God to acknowledge the office He Himself has created. This She does by calling faithful men, approved by others in the office, to fill the office. The only way I find in the New Testament that the office is passed down is from pastor to pastor. St. Paul instructs Pastor Timothy on how to evaluate those who come to him desiring the office of bishop, 1 Timothy 3:1 ff. St. Paul tells Pastor Titus that he has left him in Crete specifically so that he might put other faithful men in the office of pastor, Titus 1:5. We are told in Acts 14:23 that Paul and Barnabas “appointed elders for them in every church.”

The Church does not *make* pastors by her call. She *recognizes* pastors. She recognizes those qualified to fill her shepherd-shaped vacuum. I believe this view is essentially that of the 1949 Common Confession of the LCMS as expressed in Article X. The Ministry. Here we read, “The ministry of the Word and Sacraments exists by divine ordinance. God continues to call men into this holy office and entrusts the spiritual welfare of His congregation to these pastors as His gifts to the church.”<sup>138</sup> If pastors are Christ’s gift to the Church, as Ephesians 4:9-11 surely says they are, then she does not make them. One does not make his own gifts. However, poor translations

of this passage have left us with the impression that what Christ has left His Church is *potential* pastors leaving it up to Her to make them. The NIV translates Ephesians 4:11 as follows, “It was he [Christ] who gave some **to be** apostles, some **to be** prophets, some **to be** evangelists, and some **to be** pastors, and teachers,..” There are no “to be” verbs here in the Greek. The correct translation is found in the King James Version. “And he gave some, apostles; and some, prophets; and some, evangelists; and some, pastors and teachers;..” Of all the modern translations I checked, RSV, NEB, NKJV, AAT, GWN, JB, Phillips, LB, TEV, ESV, and God’s Word, only ESV and God’s Word correctly did not add the “to be” concept to this verse. The reason why 10 out of 12 modern Bible translations added the potentiality concept is not a change in style but meaning, not a change in the principles of translation but a change in theology. As the 18th century saw the concept of the “divine right of kings” rejected, i.e. that kings were gifts of God from above, so the 20th century carried on the pogrom against authority and rejected the idea that pastors are something divinely given from above.

The view outlined here, the rejection of the transfer theory and of the voters assembly making pastors, is found in the 1983 CTCR document *Theology and Practice of the Lord’s Supper*, a document officially adopted by the LCMS. The document favorably cites Edmund Schlink’s “confessional view” of Church and ministry.

‘The Confessions do not permit us to place the universal priesthood as a divine institution over against the public ministry as a human institution. The idea of a transfer of the rights of the universal priesthood to the person of the pastor is foreign to the Confessions. The

church does not **transfer** its office of preaching the Gospel and administering the sacraments to individuals in its membership, but **fills** this office entrusted to it by God, it **calls** into this office instituted by God. In this office the pastor therefore acts in the name and at the direction of **God** and in the stead of **Jesus Christ**. He acts with authority not on the basis of an arrangement made by believers but on the basis of the divine institution' (emphasis added).<sup>139</sup>

Church and ministry, shepherd and sheep each have their divinely instituted roles. The pastor is called to rule yet serve the sheep. These are not contradictory roles as can be seen in the life of any physical shepherd. He leads them to pasture and uses his rod and staff on them. But at the same time he binds the wounded, stays up with the sick, and puts his life on the line to defend the sheep. The Church is called to follow yet support the shepherd. These are not contradictory roles as can be seen by looking at any physical flock of sheep. They come in and go out at their shepherd's leading. Yet they clothe him with their wool and feed him with their bodies. Sheep remain sheep and shepherds remain shepherds. However, the true honor of the shepherd is not in being a shepherd but in being a sheep. This is how St. Augustine puts it, "For you I am bishop, with you I am Christian. The first title is the one which represents the dignity with which I am invested; the second recalls to me the grace which I have received; one presents only dangers to me, the other is for me a name of salvation" (Sermon 340).

### **The Office of the Ministry is Not Just A Function**

However, we don't want to reduce the office of shepherd to a mere function one of the sheep



performs. The sainted LCMS theologian, Arthur Carl Piepkorn, wrote in 1969 that the Confessions do not see the ministry only as a function that does not exist apart from its actual discharge. They see it both as an office (*ministerium; Amt*) as well as and order or estate (*ordo, Stand*). He cites Apology 13, 11-12; 22,13; 28:13; and the Smalcald Articles III, 11, 1.<sup>140</sup> Bishop Schone points out that even if we determine what the ministry is by its function, this function must be exercised by people and is always bound to them. There is no abstract function of the ministry. It always calls for an office and a holder of the office. “The Lutheran Confessions do not separate the function of the ministry from the holder of the office.”<sup>141</sup>

Ministry is both a “doing” and a “being”. It is interesting to note that among 16<sup>th</sup> century Lutherans there is no record of them reordaining a person who had laicized or even apostatize when he sought readmission into the “doing” of ministry.<sup>142</sup> I do not wish to say hereby that Lutherans really do believe in an indelible mark, but apparently, there is a “being” that remains even when the right to do has been forfeited. This rubs against a democratic and an American understanding of Church where after the service on Sunday the pastor becomes just another member or even merely an observer in the business of the congregation. He is entitled to his opinion just like everyone else. Having temporarily ceased from “doing” the work of a shepherd, he goes back to “being” a member. If that is all a pastor really is, just another member, then why cannot all men and women take their turn at “doing” it? Why should a minister wear a collar when he is not “doing” the Sunday Service? Why shouldn’t he “be” just like us when he is out of the pulpit?<sup>143</sup>

It is an error to think of the office as just a function of the priesthood. This reduces the office to a mere particular instance of the general. Walther did not see the office of the ministry as just a function of the priesthood. He declared that the distinction between clergy and laity must be maintained. In an 1876 meeting of Synod, Walther said, “The distinction between clergy and laity is therefore by no means an optional, churchly, human ordinance. It is rather an institution of the Son of God Himself, and for that reason it is clearly a breaking of a divine ordinance, nothing less than rebellion in the Kingdom of Christ, when Christians who have not been regularly called and ordained into this holy office arrogate to themselves the exercise of this office.”<sup>144</sup>

### **The Ministry of Christ in a Fallen World Must Be Certain**

Why is it important to maintain the distinction between lay and clergy, to maintain that the office of the clergy is not just a public function that all lay people really have? So that people, indeed so the whole world, might know where the office that dispenses the forgiveness of sins is to be found. Luther speaks of this in his treatment of Psalm 110:2, “By giving a scepter to this kingdom He indicates that there is to be a visible government and an outward, knowable sign that the kingdom of this King will actually exist.....Hence this scepter is nothing else than the office of the public ministry, which the Lord Christ began Himself and later on commanded to be extended by His messengers, the apostles and their successors, and to be continued until the Last Day.”<sup>145</sup> In a sermon from Luther’s *House Postil* years later he directs people to the pastoral office. “Our Lord God does not propose some special thing for each individual person but gives

to the whole world - one person like the next - his baptism and Gospel. Through these means we are to learn how to be saved, and have no need for God to reveal some new thing from heaven, or send an angel. For it is his will that we should go to hear the Gospel preached by the pastor.

There we will find him, and in no other way.”<sup>146</sup> Martin Chemnitz continued this theme of Luther’s in his *Examination of the Council of Trent* when, as noted earlier, he related the exchange between a Novation and Emperor Constantine which concluded that if you take away the use of the ministry you leave a person with the necessity of having to climb up to heaven.<sup>147</sup>

Yes, this is the radical truth the Lutherans rescued particularly from the Reformed in the Reformation: that God deigns to be among men by means of the ministry. The denouement of Walker Percy’s novel, *The Second Coming*, expresses this in a memorable way. It comes on the last page of the book. There the protagonist who has struggled with whether God is in the world at all, particularly in his troubled life, grabs the arms of a dried up old priest and thinks, “Could it be that the Lord is here masquerading behind this simple silly, holy face?” The Lord deigns to be present in the world by means of His Body the Church which looks anything but healthy and strong, and by means of the office He has given to it, the pastoral office. It is a concrete place, a real person, that is charged by Christ to forgive sins and speak His truth. When we think in terms of everyone not only being royal priests but everyone being a minister, then we abstract the ministry. When we abstract the ministry we make uncertain what the Lord means to be certain. Through election, call, and ordination the Lord wants men to know there is a place in this world of sin where they may go to find the Lord speaking and distributing His gifts.<sup>148</sup>

### **The Practical Problems of Voters Assemblies Usurping the Place of the Pastoral Office**

Having seen how the human institution of a voters assembly can usurp the power and place of the divinely instituted pastoral office, we turn now to the practical problems that result from this. First, the voters assembly can give standing and authority in the Church to people that the Lord never intended to have them. In many Missouri Synod congregations a person can absent himself from the means of grace for weeks, months, even years and still have a vote on matters that profoundly effect the Church or another member of the Church. Someone who has shown himself to be one who despises the means of grace can determine whether or not another member will be excommunicated for despising the means of grace! Such people can be likened to the “mixed multitude” that lusted after the food in Egypt and dragged the Israelites along with them (Numbers 11:4). They can materialize out of nowhere to “pack” a voters meeting to influence a particular issue. Pastors have been ousted from their congregation by such a “mixed multitude.” In Luther’s day when the territorial princes whom he had called on to govern the Church ceased to be a member of the Church, that form of Church government became untenable for him.<sup>149</sup> He would not vest authority in those who had shown themselves to be outside of the Church. We still do.

Second, a voters assembly polity requires a large number of lay people willing to meet regularly, often monthly, to govern the church. It is clear from Munding’s account of Trinity, St. Louis that the voters then thought nothing of meeting two or three times a week for hours. Members today tell me they can remember voters meetings of the 60s and 70s lasting hours as well. People today are not so inclined. They will “take a turn” holding an office, but they do not

want to be constantly involved in the running of the Church.

To get the large numbers needed to operate a Church under a voters assembly polity running, the Church has been taught that being a member of the voters assembly was the laity's stewardship, the way they served the Lord. To be sure, one can and does serve the Lord in any of the various offices the Church freely decides to create under the one divinely instituted office of pastor. However, very often the idea has been given that serving in a Church office is a stewardship in a superior way than serving as a husband, father, employee is. In fact, the impression has been given that only what a person did for and at the Church is Christian stewardship. Such a view flies in the face of the Reformation principle that whatever a Christian did in service to his fellow man and in fulfilling his particular vocation in life is Christian stewardship.

The duty to be at and in the voters assembly is often cast in American democratic terms. It is the layman's duty to vote in Church matters even as it is his duty to vote in state matters. If he is not there to represent his family and their views who would do it? His Church needed him in the same way that Uncle Sam did. But here once more the Church takes on the characteristics of a voluntary service organization formed by men to serve others. The Church becomes like other voluntary organizations; it depends on men to preserve and build it. Rather than being the Body of Christ on earth whose Head will take care of His Body, the Church is placed in the hands of the members of the Body. Rather than being a divine Thing that the gates of hell can in no way prevail against, the Church becomes a human thing which is only as strong as the humans who

make it.

In order to drum up the large numbers of people needed to run the Church's business the American penchant for team sports has been invoked in a way that seems laughable. Speaking of the 1974 book published by Concordia Publishing House and written by Missouri Synod pastor Oscar E. Feucht, Pastor Gary Peterson writes, "The pastor is to see himself as the 'quarterback' who 'calls the plays' and enables the people to carry the ball."<sup>150</sup> How different this human analogy of the Church as a sports team is from the divine analogy of the Church as a body. Sports teams need to be reminded of the necessity of team work. Good feelings have to flow back and forth between members or the team unravels. Not so the Body of Christ. A body is an organic whole. When one member suffers the whole body cannot help but suffer. As long as it remains connected to its head, it lives and remains a body. In the sports team analogy, emphasis will be on what the individual members do. In the body analogy, emphasis will be on remaining connected to the Head.

This brings us to the third problem with a voters assembly polity. It readily, as we saw above, lends itself to the idea that the pastor is the trainer of the laity. As if Christ had left the command, "Organize my sheep into work-brigades, to do the 'real' work of the ministry," rather than, 'Feed My sheep.'<sup>151</sup> Oscar Feucht made no bones about the fact that church is to be a drill hall and barracks not an outpatient clinic. He was bothered by the fact that "'most church members believe the church is a place for solace, not for work.'<sup>152</sup> He was alarmed that in the traditional understanding of preaching, the pastor was not able to enlist, train, and coordinate the people for

their own ministries. He thought the sermon should be more like a drill hall, a setting up of exercises, and a field trip into the community.<sup>153</sup>

Fourth, the voters assembly polity can be a stumbling block to the much talked about assimilation of new members. When people are brought into the church through adult confirmation, they typically have a very open, positive relationship with the pastor. But being accepted by the shepherd only does so much. They must also be accepted by the congregation's power structure. In most congregations, the voters assembly is a closed club. People are accepted by it only after they prove themselves. New members are often not regarded as real members of the Body of Christ for a number of years. How many times I have heard a life-long Lutheran refer to another member who came to the Lutheran faith later in life in a derogatory manner. I have heard men and women who have been in the Lutheran Church for years, decades even, still spoken of as "former Baptists," "once Catholic," as "not having gone to Lutheran school." Christ may have broken down the wall dividing Jew and Gentile but the one dividing life-long Lutherans from converts appears to remain.

Contrast this view of members being on the "outside" because they are not yet fully integrated into the Church's power structure with that of the second century church father, Ignatius. In his letter to the Philadelphians he says, "Where the shepherd is, there follow ye, as sheep."<sup>154</sup> To the Smyrneans he writes, "Wheresoever the bishop shall appear, there let the people be; even as where Jesus may be, there is the Universal Church."<sup>155</sup>

The Ignatian model has the pastor at the center as the steward of the means of grace with the sheep arrayed around him. The current LCMS model has a voters assembly (or possibly an executive board or church council) at the center with the congregation arrayed around it. The Ignatian model puts the spiritual power at the center of the congregation. The LCMS model puts the political power at the center of the congregation. As in all political situations, the person who speaks the loudest, the longest, or the most articulately will usually carry the day. How close the pastor is to the center of the political power circle is determined by such things as how long he has been there, how well he gets along with the congregation, and how well he gets along with the voters assembly. But doesn't any model not having at its center the only divinely instituted congregational office, the only office that is in the stead and by the command of the Lord Jesus Christ, have something other than the Lord Jesus there? What is at the center may be relatively benign and even benevolent, but it is still something of men and not of God.

Fifth, the voters assembly has a grave problem when the shepherd becomes a wolf. Sheep have the right and duty to judge their shepherd's teachings, but when they find they have a wolf they are helpless as the sheep really are. They instinctively turn to other shepherds for help, but congregational polity leads other shepherds to say, "I can't do anything. You must remove him yourself." It is not enough that sheep have recognized the wolf; they must kill him too.

Shepherds are to protect sheep; sheep cannot protect themselves.

Sixth, individual confession and absolution will not be restored to a respected and used gift of God as long as voters assemblies rule. The Apology clearly states that the Reformers did not want to abandon private absolution: "Therefore, it would be unconscionable to remove private



absolution from the church. Moreover, those who despise private absolution know neither the forgiveness of sins nor the power of the keys” (Kolb, XII, 100-101, 204). One’s view of the ministry of reconciliation and of the Gospel go hand in hand. Luther in his exposition of Matthew 7:6 says, “It is true whoever despises the ministry will not esteem the Gospel highly.”<sup>156</sup> Herman Sasse said as much although he tied it directly to private confession saying, “It is not by accident that wherever the Office of the Keys was no longer practiced, where confession and absolution were neglected or abolished, the great misunderstanding of the Gospel as one of the many religious messages of mankind arose.”<sup>157</sup> As long as it is believed and/or perceived that the voters assembly has the keys rather than the pastor, the benefit of individual confession before him and the certainty of personal absolution by him will be obscured. At best, he will remain a prosecuting attorney.

Last, voters assemblies are not immune to the prophesy of St. Paul: “For the time will come when they will not endure sound doctrine; but after their own lusts shall they heap to themselves teachers, having itching ears” (2 Timothy 4:3). Is it wise to vest rule in a group that St. Paul says could one day only want pastors who will scratch where they itch? In the verse right before this St. Paul admonishes Pastor Timothy not to despair over reproofing, rebuking, and exhorting, but he should continue to do these with all authority. Paul says this because he knows in the latter days people will not endure these things. When we school are pastors to get their cues from people (whether voters assemblies, church councils, or popular opinion), they cannot help but be discouraged because people in general will not endure sound doctrine in these latter days.

## Conclusion

Pastors and congregations are unaware of the high, holy office the Lord Jesus Christ has established in their midst. This is serious for two reasons. First, divine offices have authority above offices of human origin.<sup>158</sup> Where this is not recognized Christ is not honored. Second, according to Ephesians 4:14, the reason the Lord Jesus gave the pastoral office to the Church is so “that we henceforth be no more children, tossed to and fro, and carried about by every wind of doctrine.”<sup>159</sup> The Church is being tossed “to and fro” so much today because, in part, of a low view of this divine office. May our Lord give us a higher view.

It is problematic at best if the Church of the 21st century will return to a high view of the office of the ministry. Indeed the spirit of our age, would argue against this. However, it is quite another matter with those of us in the office. We must not let the world give us our view of our office. The world may consider us the offscouring of mankind; we might be a spectacle for men and angels, the very scum of the world and the dregs of all things (1 Corinthians 4). So be it; it cannot be otherwise. As our Lord went, so will we His servants go. A student is not to be above his Master. The world hated Him; it will hate us. People generally hate what stinks to them, and we are the odor of death to them that are perishing (2 Corinthians 2). But we are not to go by what those who are perishing see, say, or smell. We are to go by what our Lord has told us. In the words of a nineteenth century Lutheran, August Vilmar (d. 1868), “”And let him who bears this office know that now the life and death of the church depend upon him - not on his person, which we know full well is weak, sick and fragile as is our own. But the life and death of the

church depend upon the authority which the Lord has given to him, and upon his unshakeable faith in this authority, upon the confidence he has in the office, in which and with which the Lord of the church himself is present with all his redeeming, saving, and world-judging power.”<sup>160</sup>

In short, even if all the world sees us as “being” devils rather than angels, the Lord knows different, and we are to as well. To Him be the glory. Amen.

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The Presentation of our Lord, A.D. 2004  
Austin, Texas

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