

The Confessions, the Public Ministry, and the Ordination of Women

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This essay, which was presented to the Commission on Theology and Interchurch Relations as part of its study program, is published here as a further contribution by this journal to the ongoing discussion in the Lutheran Church of Australia on the ordination of women to the pastorate (cf LTJ vol 28 no 3; vol 29 nos 2 & 3; vol 30 no 1; vol 31 no 1).

Many years ago I overheard a conversation between Hermann Sasse and David Preus, president of the American Lutheran Church. Sasse challenged Preus with the question, 'How can you maintain that the ALC is loyal to the Lutheran Confessions when it agrees to ordain women?' Preus's reply was, 'Many of us believe that it is precisely because of our loyalty to the Confessions that we have no problem with such ordination'. I do not claim that these were the exact words, but they are the gist of the exchange.

Does this mean that our Confessions are a 'wax nose'? No. But it does mean that we need to be aware of the danger of reading into them our presuppositions. It also means that we need to determine what the fundamental principles of the Confessions are by which we can make right judgments in new situations.

In this study I will not explore the relationship between the office of the public ministry and the priesthood of all believers. Not that the distinction between the two is unimportant. In fact, it may well be more important for the future of the church and its task of keeping the Good News good than the issue of the ordination of women. Nor is the distinction irrelevant to the matter of women's ordination, for, if there is no difference between the two and every Christian exercises the office of ministry, then there are no grounds for debate.

However, I am presupposing that among us the distinction between the office of the public ministry and the general ministry of the universal priesthood is not a matter of controversy. We hold them to be distinct, and in doing so consider ourselves to be fully in line with the Confessions.

I will deal in the first part of the paper with what the Confessions see as the *function* or duties of the office of the ministry. This will lead to what the Confessions see as the necessary *prerequisites* or qualifications for admission to the office. Thirdly, I will look at the procedures or rites involved in *admission* to the office according to the Confessions. In each case the question will be asked whether what the Confessions say has any bearing on the issue of women's ordination.

In the second part of the paper I will look at the matter of the 'persona Christi'. I will make no reference to the image of God, as the Confessions nowhere use this term in reference to the office of the ministry.

The Office of the Public Ministry: Its Function, Prerequisites and Rites of Admission

1. Function

The function of the office is given in a nutshell in Article V of the AC:

To obtain such faith God instituted the office of the ministry, that is, provided the gospel and the sacraments. (Tappert 31:1)

The *objective* of the exercise of the office is, therefore, the obtaining of the faith as this has been described in the previous article, Article IV. The *means* are the teaching of the gospel and the administration of the sacraments.

These functions are spelled out a little more in Article VII of the AC where the church is defined as the assembly of all believers 'among whom the gospel is preached *in its purity* and the holy sacraments are administered *according to the gospel*'. Thus the function of the office is not just to preach the gospel but to do so 'in its purity'; and the sacraments are not just to be administered, but to be administered 'according to the gospel'.

A further dimension is added in Article XXVIII of the AC, which deals with the power of bishops:

*Our teachers assert that according to the gospel the power of keys or the power of bishops is a power and command of God to preach the gospel, to **forgive and retain sins** and to administer and distribute the sacraments. (Tappert 84:5)*

To forgive and retain sins are here added. A later paragraph in the same article says:

*According to divine right, therefore, it is the office of the bishop to preach the gospel, forgive sins, **judge doctrine and condemn doctrine that is contrary to the Gospel**. (Tappert 84:21)*

This added emphasis on the need to exercise doctrinal oversight is, of course, automatically involved in keeping the gospel 'pure' and the administration of the sacraments 'in harmony with the gospel'.

Article XXVIII of the Apology, which deals with ecclesiastical power, speaks about the kind of power or authority that bishops may legitimately exercise beyond those referred to above.

*In the Confession we nevertheless added the extent to which it is legitimate for them to **create traditions**, namely, that they must not be necessary acts of worship but a means for **preserving order** in the church, **for the sake of peace**. These must not ensnare consciences as though they were commanding necessary acts of worship. (Tappert 283:15)*

Thus the Confessions grant the office of the ministry the right and power to maintain, introduce, or change traditions and practices, but these may be done *only for the sake of good order*, not as necessary for salvation. In other words, those exercising such power must *be able to distinguish clearly* between what is by divine right and what is human tradition.

A good summary of the essential function of the office of the ministry is given in the Treatise on the Power and Primacy of the Pope:

The gospel requires of those who preside over the churches that they preach the gospel, remit sins, administer the sacraments, and, in addition, exercise jurisdiction, that is, excommunicate those who are guilty of notorious crimes and absolve those who repent. By the confession of all, even of our adversaries, it is evident that this power belongs by divine right to all who preside over the churches, whether they are called pastors, presbyters, or bishops. (Tappert 330:60,61)

2. Prerequisites

Nowhere in the Confessions is there a statement listing the necessary prerequisites or qualifications for admission to the office of the ministry. Article X of SA says simply:

*Accordingly, as we are taught by the examples of the ancient churches and Fathers, we shall and ought ourselves ordain **suitable persons** to this office. (Tappert 314:3)*

We can only deduce what such suitability is from the functions of the office as described above, namely:

- to know what the gospel in its purity is;
- to be able to administer the sacraments according to the gospel;
- to be able to distinguish between true and false doctrine;
- to be able to preach and teach effectively;
- to exercise the office of the keys evangelically;
- to be able to distinguish between what is by divine right and what is human tradition.

To this list may be added all that is implied in the Preface to the Large Catechism, where preachers and teachers are urged daily to study the word of God and the catechism 'which is a brief compend and summary of all the Holy Scriptures' (Tappert 361:18).

One can also legitimately add to the knowledge of the Catechism and the Scriptures a knowledge of the Confessions as a whole, because of their

overriding goal and purpose – that the gospel be rightly taught and the sacraments rightly administered.

The question now is, to what extent are women suitable for the office of the public ministry in terms of their ability to fulfil the functions as described above and the prerequisites or qualification as described above? It can hardly be claimed that they are less able to understand what the gospel is, less able to distinguish between true and false doctrine, less able to administer the sacraments and exercise the office of the keys evangelically, less able to communicate the gospel as preachers and teachers, less able to interpret the Scriptures. If, then, they are not to be ordained it must be on grounds other than their ability to fulfil the requirements and exercise the functions of the office as described in the Confessions.

3. Rites of Admission

At the time of the Reformation, Rome accused the evangelicals of having an invalid ministry not only on the grounds of heretical teaching but also in terms of church order. For Rome, the validity of the office depended upon ordination by a bishop who was subject to the authority of Rome. There had to be ordination and it had to be legal according to canon law.

The Lutherans did not disagree that admission to the office of ministry had to be done correctly, that is, in a right and proper way. They were keen to make this clear because they were being lumped together by Rome with the radical enthusiasts, who had no place for a special office with special authority, since they recognised only the authority of the Holy Spirit, who could speak directly to anyone outside of the external word.

The answer to Rome's accusations was given simply and very tersely in AC Article XIV:

*It is taught among us that nobody should publicly teach or preach or administer the sacraments in the church without a **regular call**.* (Tappert 36)

Article XIII of the Apology says, in the context of the issue of ordination as a sacrament:

*The church has the command to **appoint** ministers; to this we must subscribe wholeheartedly, for we know that God approves this ministry and is present in it. It is good to extol the ministry of the Word with every possible kind of praise in opposition to the fanatics who dream that the Holy Spirit does not come through the Word but because of their own preparations.* (Tappert 212:12,13)

Article X of the Smalcald Articles says:

*If the bishops were true bishops and were concerned about the church and the gospel, they might be permitted (for the sake of love and unity, but not of necessity) to **ordain** and confirm us and our preachers.* (Tappert 314:1)

And further:

*Accordingly, as we are taught by the examples of the ancient churches and Fathers, we shall and ought ourselves **ordain** suitable persons to this office. (Tappert 314:3)*

The Treatise says:

*When the regular bishops become enemies of the gospel and are unwilling to administer ordination, the churches retain the right to ordain for themselves. For wherever the church exists, the right to administer the gospel also exists. Wherefore it is necessary for the church to retain the right of **calling, electing, and ordaining ministers**. (Tappert 331:66-67)*

Admission to the office is therefore by the church *calling, electing, and ordaining*.

The question now is: if a woman is called, appointed, and ordained by the church in the same way as a man and for the same reasons, is her office less valid than that of a man? If her office is seen as invalid, then again it would need to be on grounds other than the procedures outlined in the Confessions for admission to the office.

Can such grounds be found in the 'persona Christi' principle?

The Confessions and the 'persona Christi'

Do the Confessions see the ordained minister as functioning in 'persona Christi'? The answer is a definite yes!

Article XXV of the AC, speaking on confession, says:

*It is not the voice or word of the man who speaks it, but it is the Word of God, who forgives sin, for it is spoken **in God's stead** and by God's command. We teach with great diligence about this command and power of keys and how comforting and necessary it is for terrified consciences. We also teach that God requires us to believe this absolution as much **as if we heard God's voice from heaven**. (Tappert 61,62:3,4)*

The Apology in Articles VII and VIII on the church says:

*When the sacraments are administered by unworthy men, this does not rob them of their efficacy. For they do not represent their own persons but the **person of Christ**, because of the church's call, as Christ testifies (Luke 10:16), 'He who hears you hears me'. When they offer the Word of Christ or the sacraments, they do so **in Christ's place and stead**. (Tappert 173:28)*

In Article XII the Apology says:

*The power of the keys administers and offers the gospel through absolution, which is the true voice of the gospel ... Because God truly quickens through the Word, the keys truly forgive sins before him according to the statement (Luke 10:16), 'He who hears you, hears me'. Therefore we must believe the voice of the one absolving no less than we would believe **a voice coming from heaven**. (Tappert 187:39,40)*

The Confessions would therefore applaud the view that the minister or priest represents the person of Christ. And they would do so, not only because such a view accords with the words of Christ in Luke 10:16 (a passage frequently cited in the Confessions), but most of all because of its gospel implications, which are always their overarching concern. They want to comfort troubled Christians.

But – and this is a very important ‘but’ – note the nature of such representation according to the Confessions. Their constant emphasis is on the Word. The Word. It is an *oral* representation. We quote again, as just one example, from Article XXVIII of the Apology:

*It is a 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. For Christ wants to assure us, as was necessary, that the **Word** is efficacious when it is delivered by men and that we should not look for another word from heaven. ‘He who **hears** you hears me’ cannot be applied to traditions. For Christ requires them to teach in such a way that he might be **heard**, because he says, ‘**hears** me’. Therefore he wants his **voice**, his **Word** to be **heard**, not human traditions’. (Tappert 284:18,19)*

In fact, the Confessions, while affirming the ‘persona Christi’ principle, go to special lengths to ensure that the focus is in no way placed on the minister as if there were something ontologically unique about him as a person and it is this ontological uniqueness which validates his ministrations.

In the Treatise we read:

*Nor is this ministry valid because of any individual's authority but because of **the Word** given by Christ. (Tappert 324:26)*

The German edition of the Treatise adds:

*The person adds nothing to **this Word** and office commanded by Christ. No matter who it is who **preaches** and **teaches the Word**, if there are hearts that **hear** and adhere to it, something will happen to them according as they **hear** and believe because Christ commanded such **preaching** and demanded that his **promises** be believed. (Tappert 324: footnote 4)*

It is in connection with the Lord's supper that we find repeated emphasis away from the person to the Word, even away from the speaking of the Word as an action in itself. The Formula of Concord says:

Concerning the consecration we believe, teach, and confess that no man's work nor the recitation of the minister effect this presence of the body and blood of Christ in the Holy Supper, but it is to be ascribed solely and alone to the almighty power of our Lord Jesus Christ. (Tappert 482:8)

Many other passages could be cited, none better than the section of Article VII of the Formula of Concord, Solid Declaration (Tappert pages 583-4).

According to the Confessions, then, the minister functions ‘in persona Christi’, yes, but in terms of the Word alone. Apart from that role there is nothing about the minister which makes the function of this office more valid. Apart from the Word there is nothing that gives added weight to the minister's role as a representative of Christ.

This brings us then to the question: What would the Confessors say today to the insistence that, because the minister or priest functions 'in persona Christi' that minister must be male because Christ was male? I suggest that if such an insistence was based on the 'persona Christi' principle they would object (I am not arguing here whether or not they would object on other grounds, namely, the apostolic directives in the New Testament epistles. But this is not the point at issue here). They would object because it would imply that the validity of the Word has to be qualified by the nature or character of the minister, in this case gender. But whenever it is the Word plus anything else, does not such a plus result in the diminution of the gospel and therefore a diminution of the honour of Christ and the comfort of Christians?

Would the Confessions perhaps concede that the maleness of the minister could help people with tormented consciences believe more readily that the voice of the absolver is the voice of Christ? Maybe. But I suggest that if such maleness were made essential for the validity of the absolution and not seen simply as a helpful human tradition, they would protest.

This last point, which refers to the need to distinguish between what is essential and what is human tradition, is an area that may need further study, particularly with regard to church order.

To what extent is the following passage from Apology XXVIII relevant to the issue of the ordination of women?

In the Confession we nevertheless added the extent to which it is legitimate for them [the bishops] to create traditions, namely, that they must not be necessary acts of worship but a means for preserving order in the church, for the sake of peace. These must not ensnare consciences as though they were commanding necessary acts of worship. This is what Paul teaches when he says (Gal 5:1), 'Stand fast in the freedom with which Christ has set you free, and do not submit again to a yoke of slavery'. Therefore the use of such ordinances ought to be left free, only that offenses should be avoided and that they be not regarded as necessary acts of worship. Thus even the apostles ordained many things that were changed by time, and they did not set them down as though they could not be changed. For they did not contradict their own writings, in which they worked hard to free the church from the idea that human rites are necessary acts of worship. (Tappert 283:15,16)

Are the Pauline directives that women be silent also among those 'traditions' not set down as 'necessary acts of worship but a means of preserving order in the church, for the sake of peace'?

Are they among those things that the apostles ordained but which they did not set down as though they could not be changed? I suggest that a 'yes' to these questions would not be inconsistent with what the Confessions say about the nature of the office of the ministry as outlined above.