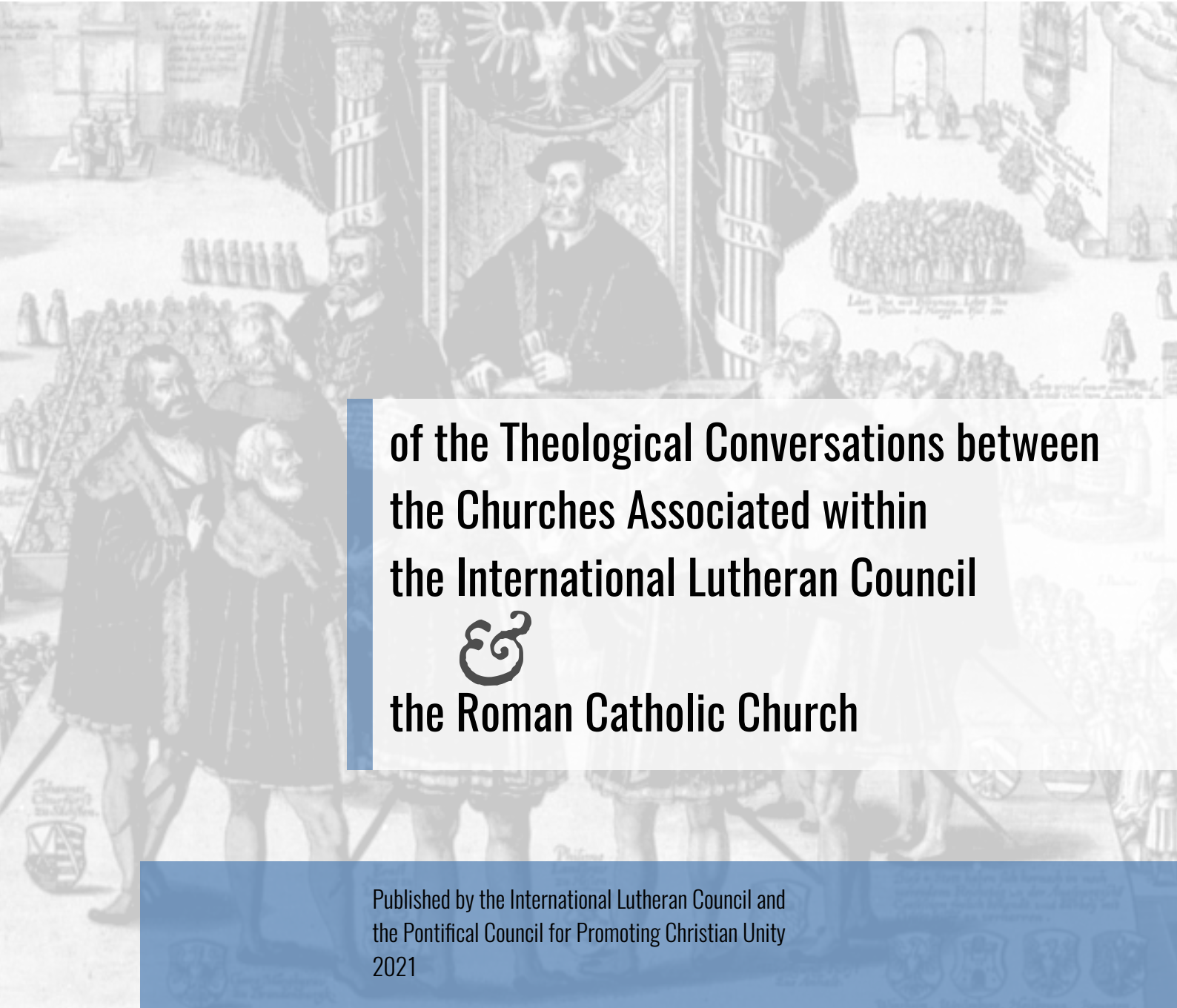


Final Report



of the Theological Conversations between
the Churches Associated within
the International Lutheran Council
&
the Roman Catholic Church

Published by the International Lutheran Council and
the Pontifical Council for Promoting Christian Unity
2021

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Foreword

We here present the detailed final report of the bilateral working group initiated by the Pontifical Council for Promoting Christian Unity and the International Lutheran Council. This group met within the framework of its “Informal Dialogue” in 2014 at the Lutheran Theological Seminary in Oberursel, in 2016 at the Augustinian Monastery in Erfurt, in 2018 at the Johann-Adam-Möhlner Institute in Paderborn and also in 2018 at the guest house of the Mission of Lutheran Churches in Bleckmar, and finally in 2019 on the campus of Concordia Theological Seminary Ft. Wayne, Indiana, USA. Representatives of the Roman Catholic side were Prof. Drs Josef Freitag, Wolfgang Thönissen, PD Dr Burkhard Neumann, and Dom Dr Augustinus Sander OSB; representatives of the churches of the International Lutheran Council were Prof. Drs Werner Klän, Gerson Linden, John Stephenson, and Roland Ziegler. The Chairman of the International Lutheran Council, Bishop Hans-Jörg Voigt DD (SELK), at times was present as a guest. Prof. Dr Grant Kaplan, Dr Albert Collver III, and Prof. Dr Thomas Winger were part-time participants.

Final Report of the Theological Conversations between the Churches Associated within the International Lutheran Council and the Roman Catholic Church

I. Preamble

1. Basics

1.1 In the theological conversations between the churches associated within the International Lutheran Council (ILC) and the Roman Catholic Church, the ecumenical task would first be to determine (more) precisely the intersection between a Concordia-Lutheran and a Reform-Catholic catholicity.[†] In other words: a common *relecture* (“re-examination”) of the Lutheran confessional documents, which understand themselves as “Catholic”, would need to address both their original intention to confess the Catholic faith and the history of their reception in the era of confessionalisation.

1.2 The Augsburg Confession (AC) is undoubtedly a “pre-confessional” document in terms of its original intention. On the one hand, it was intended as a winsome explanation of the reforms carried out within the Wittenberg reform movement; on the other hand, it was meant to confirm the foundational Catholic consensus that was laid down in it.

The Reform-Catholic statements of the AC must first be taken seriously and interpreted in their original inner-Catholic context. It is undisputed that the AC and the writings explicating it gained a new function in the course of the formation of a Lutheran denominational church separate from Rome. As Lutheran confessions, they increasingly also served the anti-Roman-Catholic positioning, as conversely the decisions of the Council of Trent led to an anti-Reformation “confessionalisation”.

1.3 The catholicity of the confessional documents collected in the Book of Concord is maintained on the Lutheran side, but it is a “confessional” catholicity that distinguishes confessional Lutheranism and differs from the “confessorial”[‡] catholicity of the original Wittenberg reform movement located within the Catholic Church through the changes in the ecclesial frame of reference (only in 1586 is the term “*ecclesia lutherana*” mentioned for the first time).

The Catholic Church, which according to its self-understanding does not represent a confessional church, can nevertheless appreciate the originally intended confessorial catholicity of the Augsburg Confession and the writings that explicated it.

[†] Ed.: “Reform-Catholic” and “Concordia-Lutheran” are terms coined to describe respectively the early and late 16th-century forms of the Lutheran movement. “Reform-Catholic” refers to the early Wittenberg movement that attempted to reform the Roman Catholic Church from within. The Augsburg Confession belongs to this phase. “Concordia-Lutheran” represents the developed form of Lutheranism that has become a distinct body, a “confession” within ecumenical Christendom. It is defined by the complete collection of documents in the Book of Concord, particularly the Formula of Concord. Cf. the corresponding distinction between “confessorial” and “confessional” in §1.3.

[‡] Ed.: *Konfessorisch*. German is much more open than English to the minting of new words and compounds of words. One such neologism that has entered into theological parlance is *konfessorisch*, here rendered as “confessorial”. Still rooted in the Greek *ὁμολογέω* and the Latin *confiteor*, *konfessorisch* gets across the point of a strong profession of faith within the bounds of churchly communion, by way of contrast with *konfessionell* / “confessional”, which carries with it the sense of a profession of faith that results from or issues in a breach of church fellowship.

1.4 A joint *relecture* of these confessional documents thus pursues an ecumenical concern, insofar as it attempts—taking into account possible historical-theological distortions of the respective counter-position—to ascertain whether and to what extent the doctrine confessed in them may claim that “there is nothing here that departs from the Scriptures or the catholic church, or from the Roman church, insofar as we can tell from its writers.”¹

2. Formation of a Confessional Status—the Concordia-Lutheran Perspective: “Legitimate Tradition”

2.1 Basics of the Formation of a Confessional Status

In Concordia-Lutheran theology, confession is seen as the key to an appropriate communal understanding of Scripture. Of course, this can only be said with a certain reserve. For the confession itself understands itself as an exposition of Holy Scripture, as an appropriate, contemporary interpretation of Holy Scripture in line with Holy Scripture and its centre (i.e. an exposition of Holy Scripture in accordance with Scripture). Only in the ever-renewed return to this basis and its proper interpretation can ecclesial identity be articulated historically, as the “Binding Summary” of the Formula of Concord articulates it.² The confession then expresses—as a trust/faith according to Scripture (i.e. in the re-discovery through the Reformation of a trust/faith concentrated on Christ)—a *personal* trust/faith, which is then articulated in consensus as *communal* trust/faith.

2.2 Luther’s Small and Large Catechisms

The oldest texts contained in the Book of Concord of 1580, next to the creeds of the Early Church (Apostles’, Niceno-Constantinopolitan, and Athanasian Creeds), are Luther’s Large and Small Catechisms of 1529, which are intended to serve as patterns for domestic and ecclesiastical instruction, as an introduction, as it were, to what it means to live a Christian life. The Formula of Concord evaluates them as the “Bible of the laity”.³

The traditional catechetical chief parts were, according to late mediaeval custom, the Ten Commandments, the (Apostles’) Creed, and the Lord’s Prayer. These are the three parts “that have been in Christendom from ancient days”⁴ and present a basic catechesis as “the most necessary pieces that we must first learn to repeat”.⁵ Luther had made early attempts to interpret and explain Baptism, the Lord’s Supper, and Confession. In the two catechisms of 1529, the parts on Baptism and the Lord’s Supper are added, and yet are more than a mere extension of the subject. The sacraments—including Confession—are

¹ Conclusion of Part One, *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, ed. ROBERT KOLB and TIMOTHY J. WENGERT (Minneapolis: Fortress Press, 2000), 59, Latin text. “Haec fere summa est doctrinae apud nos, in qua cerni potest nihil inesse, quod discrepet a scripturis vel ab Ecclesia Romana, quatenus ex scriptoribus nobis nota est.” “So den dieselbigen inn heilige schrift klar gegründ und dazu auch gemeiner Christlicher, ja auch Römischer kirchen, soviel aus der Veter schrift zuvermercken, nicht zu widder noch entgegen ist.” *Die Bekenntnisschriften der Evangelisch-Lutherischen Kirche [BSELK]*, ed. Irene Dingel, Vollständige Neuedition (Göttingen: Vandenhoeck & Ruprecht, 2014), 130–31.

² *BSELK* 1216–18, 1308–14; KOLB-WENGERT, 486f., 526–31.

³ “der Leyen Bibel”, *BSELK*, 1218; “Laicorum Biblia”, *BSELK*, 1219.

⁴ Large Catechism, Preface of 1529, KOLB-WENGERT, 384; “so von alters her in der Christenheit blieben sind”, *BSELK*, 912.

⁵ Large Catechism, Preface of 1529, KOLB-WENGERT, 384; “Das sind die nötigsten stücke, die man zum ersten lernen mus”, *BSELK*, 926.

regarded in Wittenberg rather as inalienable components of basic Christian instruction, and so they have been taught there since 1525.

Admittedly, the various editions of the catechisms published during Luther's lifetime show that even in this form—which had become classical—the scope of Lutheran elementary catechesis was not yet fully completed; it could be supplemented by prayers, the Table of Duties, the Marriage Booklet, the Baptismal Booklet, and the Exhortation to Confession.

2.3 Augsburg Confession (1530)

In the process of the formation of the Lutheran confessional status, the Augsburg Confession is first seen as an *act* of confession, that is, an up-to-date account and Lutheran testimony of faith. In the further history of its reception, it is regarded more and more as a *corpus doctrinae* ("body of doctrine") which in its wording fulfils a standardising and homogenising function. Thus, the evaluation of proclamation and practice in the church, especially of worship, would be carried out with regard to its conformity with Scripture and its orientation towards standards of Wittenberg theology. The Augsburg Confession consists of two parts: Articles 1-21 represent the "*articuli fidei praecipui*" ("Chief Articles of Faith");⁶ Articles 22-28 comprise the "*articuli in quibus recensentur abusus mutati*" ("Articles in which Account Is Given of the Abuses That Have Been Corrected").⁷

The matrix of the first 17 articles of the first part is the structure of the Apostles' Creed; however, the wording of other confessions of the Early Church is also deliberately used.

2.4 Apology of the Augsburg Confession (1531)

Like the *Confutatio* (the Roman Catholic "Confutation" of the Augsburg Confession), the Apology of the Augsburg Confession is also oriented to the AC's structure and takes up its positions over against the objections of the Confutators.

The most extensive elaboration is the repeatedly revised article on justification (Article IV); it can be regarded as a small compendium of the Wittenberg doctrine of justification. Differences between Luther's theology and Melancthon's accounts in the Augsburg Confession are not regarded as contradictory in substance. Theologically, it establishes an inseparable connection between the faith and good works of believers. In their theology of the sacraments both the Augsburg Confession and its Apology emphasise the real sin-remitting power of Baptism and maintain infant Baptism. They also unmistakably formulate the real presence of the body and blood of Christ in the Lord's Supper, and by no means abandon the sacramental dimension of Confession and penance. With regard to the office of the ministry, they identify conformity to the Gospel and the ministers as representatives of Christ as basic criteria.

Viewed historically, the Augsburg Confession and its Apology document the progressive profiling of Reformation theology and church in contrast to the estates of the Holy Roman Empire of the German Nation and those theologians faithful to Rome and the Pope, but also in contrast to the movements on the "left wing" of the Reformation.

⁶ Heading, KOLB-WENGERT, 37; "Artickel Christlicher lahr", Überschrift, *BSELK*, 92; "Articuli fidei praecipui", Überschrift, *BSELK*, 93.

⁷ Heading, KOLB-WENGERT, 61; "Articuli in quibus recensentur abusus mutati", Überschrift, *BSELK*, 133.

2.5 Smalcald Articles and the Treatise on the Power and Primacy of the Pope (1537)

In preparation for the Council summoned to Mantua by Pope Paul III, Martin Luther was commissioned by the Elector of Saxony to draw up a proposal. This bore the character of a last will and testament, known later as the Smalcald Articles. In their final form of 3 January 1537, Luther's abrupt rejection of the papacy as "Antichrist" is found. Nevertheless, a basic structure is recognisable which proceeds from a fundamental consensus, then treats the fundamental dissent, in order finally to discuss further articles worthy of debate.

Luther sees fundamental consensus with the papal part of Christendom in the doctrines of the Trinity and of the person of Christ; these topics form the first part of the articles. He defines fundamental dissent in the doctrine of justification; this is the chief article for him. In this context he discusses questions that contradict the chief article on the side of his opponents, for example, in the theology of the sacrifice of the Mass and in the conception of repentance; for the Wittenberg Reformer, monasticism and papacy belong in precisely this context. In the third part, Luther discusses issues grouped around the means of grace and the doctrine of the Church, including sin, Law, Gospel, Baptism and infant Baptism, the Lord's Supper, Confession, the office of the keys, excommunication, ministry and ordination, marriage of priests, the Church, justification and good works, monastic vows, and human ordinances in the Church.

Melanchthon's own text, the Treatise on the Power and Primacy of the Pope (*Tractatus de potestate ac primatu papae*) deals with the question of the papacy and its canon law, not covered in the Augsburg Confession. In it he denied, with reasons taken from Scripture and history, that the Pope held supremacy over all bishops and priests directly on the grounds of "divine law". Some kind of supremacy, however, he assured, might apply by virtue of "human law". In the discussion of the episcopal authority of jurisdiction, he emphasised that the power of the keys was given to the whole Church; thus, it was not the monopoly of some ministers. The Treatise was accepted by the Smalcald League as early as 1537—in contrast to Luther's Smalcald Articles—as an official component of the League's resolution of 6 March 1537, after all theologians present had committed themselves by handwritten signature to the Augsburg Confession and its Apology as well as to the Treatise.

Both documents, the Smalcald Articles and the Treatise of 1537, only gained general authoritative status with their inclusion in the Book of Concord.

2.6 Formula of Concord (1577)

The final confessional document in the Lutheran tradition, the Formula of Concord (1577), sees Luther as an authoritative hermeneutical frame of reference for a right understanding in particular of the Augsburg Confession.⁸ The authors follow this Luther when they go so far as to state expressly that the Holy Scripture alone is "the one true guiding principle according to which all teachers and teaching are to be judged and evaluated".⁹ Canon, then, is and remains the Holy Scripture exclusively, to which the confessions take on the function of witnesses, admittedly with the claim to truth. In this "quasi-canonisation" of Luther, the authors also adopt his position that the literal sense of the Words of

⁸ BSELK, 1470; KOLB-WENGERT, 600.

⁹ Formula of Concord, Binding Summary 3, KOLB-WENGERT, 527, BSELK, 1310-11.

the Institution in the Sacrament of the Altar is so insurmountably fixed that he could not surrender this point whenever he saw the real presence of the body and blood of Christ in the celebration of the divine service or Christ's testament called into question. Therefore they also claim him against the Crypto-philippist deviations of the second generation of Wittenberg theology.

2.7 *The Book of Concord (1580)*

The documents collected in the Book of Concord of 1580 have very different contexts of origin. For example, the princes and sovereigns of the Reformation territories are the signatories of documents with relevance under imperial law, such as the Augsburg Confession and the Formula of Concord, and they also vouched for the implementation of this doctrine in the churches of their territories. Other documents were signed by theologians, as with the Catechisms, the Apology of the Augsburg Confession, the Smalcald Articles, and the Treatise.

Just as the Augsburg Confession itself represents a reception, interpretation, and soteriological concentration of the ancient creeds, so also the Formula of Concord can view that confession as a contemporary, yet permanently valid norm (albeit derived) because of its foundation in Scripture and its agreement with the orthodox testimony of faith in Christian history.

The theology of the Formula of Concord combines Martin Luther's approaches and insights with Melancthon's methodology and positions. But it must be distinguished from Luther's personal theology, as by no means are all his statements adopted. Certain theological attitudes of Melancthon are treated in the same way. Thus, Melancthon's updating of the Augsburg Confession (1530) in the version of the *Confessio Augustana Variata* (Altered Augsburg Confession, 1540) was not included in the canon of confessional writings in the realm of Concordia Lutheranism. In this respect one could legitimately speak of an "old-Wittenberg consensus" if one wanted to characterise the Concordia-Lutheran position.

The Lutheran confessional writings in the form of the Book of Concord thus stand in the context of a normative structure. This includes Holy Scripture, its exposition in the ancient creeds, and the Augsburg Confession interpreting them. The later confessional documents in turn function as expositions of the Augsburg Confession. The Gospel and the sacraments are fundamentally regarded as factors and indicators of the Church's existence and unity. They are, indeed, not arbitrary in content, but in their substance clearly defined and definable entities, and as such can also be formulated in consensus. Against this background, doctrinal decisions are then also possible, even necessary—and are also carried out as doctrinal condemnations.

3. Normative Structure(s) in Intentional Catholicity

3.1 *Scripture and Confession*

The Lutheran Church thus knows of a normative structure in the narrower sense, in which Holy Scripture is fundamental (*norma normans*, "norming norm"); the confessional documents, because they are drawn from Scripture, are regarded as a secondary norm (*norma normata*, "normed norm"), that is, they claim derivative authority. Lutherans and Catholics share the conviction that conformity with Scripture, ecclesial identity, and

catholicity of faith form an authoritative overall structure. The Church lives as a community of hearing, interpretation, faith, and confession.

Important elements of a normative structure in the broader sense for Lutherans and Catholics are described below. This is done from the point of view of commonality, not of completeness. On the Catholic side, for example, the significance of the magisterium and the *sensus fidelium* (“sense of the faithful”)[†] would still have to be explained specifically, and on the Lutheran side the potential and limits of doctrinal decisions made by synodical conventions.

For Lutherans and Catholics, the authoritative overall structure in intentional catholicity next to Holy Scripture includes the decisions of the Ecumenical Councils of the Early Church, the patristic, doxological, and catechetical tradition, the church orders and statements, as well as the legitimate diversity of opinions from various schools of theology.

3.2 *The Decisions of the Ecumenical Councils of the Early Church*

The Lutheran Reformation adopts the Trinitarian and Christological dogmas as laid down in the creeds and councils of the Early Church, so that the Augsburg Confession already represents a reception, interpretation, and soteriological concentration of the Early Church’s dogma. Martin Luther articulated in the Smalcald Articles the conviction that these dogmas, in spite of all controversies, were beyond dispute.

3.3 *The Patristic Tradition*

In addition to quotations from the Fathers, which can already be found as evidence in the various confessional documents, the “*Catalogus testimoniorum*”, which is attached to the Book of Concord, also lists exemplary broad evidence from the Fathers of the Church to confirm the catholicity of the positions held by the Lutheran Reformation.

The Fathers, insofar as they teach in accordance with Scripture, are claimed as a legitimate tradition articulating what is to prevail in doctrine and life of the church. In particular, Augustine and Bernard of Clairvaux are regarded as authoritative figures in Concordia Lutheran theology. After Melanchthon, the second generation of Lutheran theologians, especially Martin Chemnitz, dealt extensively with the theology of the Early Church and mediaeval fathers, consulting them to support the catholicity of their own theological insights.

3.4 *The Doxological Tradition*

Together Catholic and Lutheran theology follow the principle articulated by Prosper of Aquitaine in the middle of the fifth century: “*Lex orandi, lex credendi*” (“the rule of prayer is the rule of faith”).

Also the pre-Tridentine doxological tradition (liturgy, prayers, hymns) finds acceptance in the Lutheran Reformation—sometimes quite critically, however. For example, the diocesan missals still function for Luther—despite all the objections and changes he

[†] Ed.: “As a result [of the Holy Spirit’s anointing], the faithful have an instinct for the truth of the Gospel, which enables them to recognise and endorse authentic Christian doctrine and practice, and to reject what is false. That supernatural instinct, intrinsically linked to the gift of faith received in the communion of the Church, is called the *sensus fidei*, and it enables Christians to fulfil their prophetic calling.” *Sensus Fidei in the Life of the Church* (2014), §2, http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_20140610_sensus-fidei_en.html.

made—as a guideline for his own attempts at orders of worship (for instance in the *Formula Missae et Communionis* of 1523). In its anthropological statements in Article 20, the Augsburg Confession explicitly refers to the Pentecost hymn “*Veni sancte spiritus et emitte caelitus*” (“*Sine tuo numine, nihil est in homine, nihil est innoxium*”, “Without your will divine / Naught is in humankind / All innocence is gone”).¹⁰ Likewise, the Apology refers to the liturgy of St John Chrysostom (“the Greek canon”).¹¹

3.5 The Catechetical Tradition

In Luther’s own work there are early sermons and treatises on parts of the catechism. The Wittenberg Reformer was also aware early on that a handbook was needed to teach the faith. The treatment of catechetical facts can be found in the *Unterricht der Visitatoren* (*Instructions for the Visitors*)¹² from 1528, written by Luther and Melancthon, though they were not intended for church instruction. Only later did Luther turn to the elaboration of suitable texts (see also §2.2).

For a long time, the catechisms of the Jesuit Petrus Canisius and the *Catechismus Romanus* were decisive for Catholic instruction. Currently significant are the extensive *Catechism of the Catholic Church* of 1992 and the *Compendium of the Catechism of the Catholic Church* of 2005, conceived as a small catechism.

3.6 Church Orders

In legal terms, Concordia Lutheran theology distinguishes between *ius divinum* (“divine right”) and *ius humanum* (“human right”), especially in its confessional writings. In the area of the *ius divinum* belong the divine foundations or ordinances, such as “Word and Sacrament” as the founding factors of the Church, and the office of the ministry (*ministerium ecclesiasticum*) necessarily serving them in personal form.

On the issue of the episcopate, which as an ecclesiastical reality is simply presupposed by common consensus, the Wittenberg Reformation shares the still unresolved nature of its theological justification within Roman Catholic thinking, which knows both presbyteral-jurisdictional and episcopal-sacramental lines of argumentation.

Emergency measures (e.g. with regard to the minister of ordination) do not call into question the recognised legal structure in principle, but rather confirm it.

3.7 Church Statements

The assertion and application of the norms prevailing in the Church to address certain issues are made through various procedures and publications. These include local or regional pastoral letters and synodical decisions, as well as theological statements in specific contexts. These claim a relative binding character for the ecclesial realm or church body in which they have emerged, being developed as up-to-date answers to certain contemporary questions. They are sustained by the conviction that they provide theologically grounded assistance and guidelines in a limited local and temporal context, but do not claim universal validity.

¹⁰ AC XX 40 (Latin); *BSELK*, 129; KOLB-WENGERT, 57.

¹¹ Ap XXIV 93; *BSELK*, 659; KOLB-WENGERT, 275.

¹² AE 40:263-320.

3.8 School Theologies

Differentiations of Concordia-Lutheran theology can be found especially in the 17th century, the era of (Lutheran) “Orthodoxy”. At that time, Lutheran theologians combined the scientific standards and agenda of their time with a faith and a piety that Lutheran theology systematically cultivated in dialogue with friends and opponents. Thus, for Johann Gerhard, theology is a function of saving faith, namely faith-knowledge [*Glaubenserkenntnis*] as an integral part of the activity of faith. Professional academic theology therefore certainly shows spiritual traits—including in interdenominational conflicts.

It cannot be denied that different contextual accentuations can be found in the theological reception of this normative structure. But the fathers of the “Lutheran Orthodoxy” of the 17th century are still today regarded as subordinate authorities in Concordia-Lutheran theology. Still, over against post-Tridentine theologians of that time, such as Robert Bellarmine, both sides conducted a continuing (literary) theological dialogue—mostly in dispute.

Reconsideration of the Lutheran confessions in the 19th century was associated with theologians such as Johann Gottfried Scheibel, Wilhelm Löhe, August Vilmar, and Carl Ferdinand Wilhelm Walther. They influenced—at least in part—the emergence of independent Evangelical Lutheran churches and sometimes represented very specific positions with regard to church, ministry, and the Lord’s Supper.

For the 20th century, theologians like Werner Elert and Hermann Sasse had—and still have today—an outstanding importance for the German, North American, and (to some extent) Australian member churches of the ILC.

Elert came from the Evangelical Lutheran Church of Prussia, one of the predecessor churches of the Independent Evangelical Lutheran Church in Germany (SELK), and in his professorship in Erlangen was honoured and attacked as “*Lutheranissimus*” (“hyper-Lutheran”). Elert exercised influence above all through his *The Structure of Lutheranism* and his dogmatics, *The Christian Faith*.

Hermann Sasse came from the Evangelical Church of the Old Prussian Union and, after the foundation of the Evangelical Church in Germany in 1948, crossed over to the Evangelical Lutheran Church of Prussia. In 1949, he accepted the call of the United Evangelical Lutheran Church of Australia. He continued to influence Germany through his “Letters to Lutheran Pastors”. Sasse was widely received in English-speaking Lutheranism, not least because of his theology of the Lord’s Supper.

On the Catholic side one would have to emphasise, on the one hand, the imprint of Neo-Scholasticism, but also the theological influences of rediscovered patristics as well as of the biblical and liturgical movements before and in connection with the Second Vatican Council.

Diverse theologians arose who were uniquely influential and to some extent formed their own schools of thought, such as Henri de Lubac, Michael Schmaus, Karl Rahner, Yves Congar, Bernard Lonergan, Hans Urs von Balthasar, Avery Dulles, and Joseph Ratzinger, just to mention a few names.

4. Achievements and Commitments

For the churches of the International Lutheran Council, it is characteristic that they are committed in their doctrine (after the Holy Scriptures) to the Book of Concord of 1580/84, but not to the theology of Martin Luther as such. Nevertheless, he is regarded as “the

foremost teacher of the Augsburg Confession”.¹³ The ordination vows used in Concordia-Lutheran churches also bind the ministers to the Holy Scriptures and the Book of Concord as “*corpus doctrinae*”.

However, it can be observed that in the history of confessionalisation, both on the Lutheran and on the Roman Catholic side, denominational traits developed, in which process what divided them was increasingly stressed. Thus, the Book of Concord of 1580 (the “Concordia”) was regarded by its 16th-century readers as an expression of Lutheran identity in faith, doctrine, and confession. In the papal part of Western Christendom, on the other hand, the decisions of the Council of Trent became the identity marker of what was now (from the viewpoint of the Lutherans) the *Roman Catholic Church*.

Thus, for both ways of forming confessional identities, an historical understanding is necessary. However, it must not proceed one-sidedly in an historical-relativistic way, but should explicate in its enduring theological significance the intentional catholicity implicit in the normative structure that is decisive for both Lutherans and Catholics.

II. The Mass as Eucharistic Sacrificial Banquet

1. What We Perceive

1.1 On the basis of existing Lutheran–Catholic dialogue results,¹⁴ we can positively acknowledge their statements on the Eucharistic Sacrifice and agree in principle, especially:

Catholic and Lutheran Christians together recognize that in the Lord’s Supper Jesus Christ “is present as the Crucified who died for our sins and rose again for our justification, as the once-for-all sacrifice for the sins of the world”. This sacrifice can be neither continued, nor repeated, nor replaced, nor complemented; but rather it can and should become effective ever anew in the midst of the congregation. There are different interpretations among us regarding the nature and extent of this effectiveness.¹⁵

1.2 Together we confess the real and essential presence of Christ’s body and blood in the consecrated elements, which in the Eucharistic meal are given as distinct sacrificial elements to eat and drink.

1.3 Together we have discovered in our respective liturgical traditions common theological elements of “*memoria*”, “*repraesentatio*”, and “*applicatio*” of the salvific event. This also includes a wealth of motifs of sacrificial terminology (“*sacrificium*”, “*oblatio*”, “*hostia*”, “sacrifice”, “offer[ing]”) in both sacramental and non-sacramental prayer contexts.

¹³ FC VII 34, KOLB-WENGERT, 598; “D. Luthers, als des fürnemsten Lerers der Augspurgischen Confeßion”, *BSELK*, 1468; “D. Lutheri ut Primarii Doctoris Augustanae Confessionis”, *BSELK*, 1469.

¹⁴ *The Eucharist*, Lutheran/Roman Catholic Joint Commission (Geneva: Lutheran World Federation, 1980); *Declaration on the Way: Church, Ministry, and Eucharist*, United States Conference of Catholic Bishops, Evangelical Lutheran Church in America (Minneapolis: Augsburg Fortress, 2016); *From Conflict to Communion: Lutheran-Catholic Common Commemoration of the Reformation in 2017*, Report of the Lutheran–Roman Catholic Commission on Unity (Leipzig: Evangelische Verlagsanstalt; Paderborn: Bonifatius, 2013); *Communion in Growth: Declaration on the Church, Eucharist, and Ministry*, A Report from the Lutheran–Catholic Dialogue Commission for Finland (Helsinki: Evangelical Lutheran Church of Finland, Catholic Church in Finland, 2017).

¹⁵ *The Eucharist*, §56.

1.4 In the liturgy the intertwining of divine and human action is expressed. Therefore, both theological reflection and the proper presentation of this *synergeia*, especially in the celebration of the Eucharist, are of central importance and depend on each other. As the theological reflection must be considered in the concrete liturgical action, so the concrete liturgical action must guard the theological thinking from becoming one-sided.

1.5 When we use the term *synergeia* we use it to express the fundamental structure of God's action in the world. It is characterised by God giving His salvation through created means. In this way God uses men who proclaim His Gospel and administer the sacraments.

1.6 Roman Catholics and Lutherans have a common history in emphasising the central importance of the Words of Institution for the Eucharist. Biblical and patristic studies and liturgical theology since the 20th century have emphasised the importance of the Eucharistic prayer and with it of the epiclesis and anamnesis for the Lord's Supper.

2. What Is Important

2.1 The intensity of the debate on the sacrifice of the Mass in the 16th century is (also) an expression of the importance of the celebration of the Eucharist in both the Roman Catholic Church and the Lutheran Churches. The interrelation between theological reflection and liturgical action helps to explain why central points of controversy were especially connected with the doctrine and the celebration of this sacrament. Conversely, this connection can lead to a resolution of the fundamental differences related to it by articulating common grounds and commonalities.

2.2 A common *relecture* of the Lutheran confessional writings in the Book of Concord and the decisions of the Council of Trent provides the following insights:

2.2.1 The Lutheran–Catholic controversies of the 16th century can be explained not least by the fact that a definitive theology of the sacrifice of the Mass did not exist at that time. There have been various, more or less successful attempts at explanation with respect to partly problematic practice and piety.

2.2.2 However, the basic theological question was the unresolved relationship between Christ's sacrifice on the cross and the sacrifice of the Mass, so that the Eucharistic sacrifice could sometimes be misunderstood as a continuation, repetition, replacement of, or addition to the sacrifice of the cross.

2.3 We have developed a new perception of the particularities, needs, and limits of liturgical and dogmatic language.

2.3.1 Liturgical language, in the richness of its formulations, must always be theologically responsible according to the doctrine of the Church.

2.3.2 Dogmatic language in the abstraction of its way of speaking must not prevent legitimate varieties of liturgical expression.

3. Commonalities

3.1 Systematic-Theological Affirmation

3.1.1 We agree that essential for the Eucharist are the consecration of the elements of bread and wine with the Words of Institution in a Christian assembly; the distribution of these elements which are the body and blood of Christ after the consecration; communion; and the proclamation of Christ's death:

Christ's command, "Do this," must be observed without division or confusion. For it includes the entire action or administration of this sacrament: that in a Christian assembly bread and wine are taken, consecrated, distributed, received, eaten, and drunk, and that thereby the Lord's death is proclaimed, as St. Paul presents the entire action of the breaking of the bread or its distribution and reception in 1 Corinthians 10[:16].¹⁶

3.1.2 Lutherans and Catholics confess together that the Holy Spirit binds Himself to the created, earthly means determined by God for the application of His grace and mercy to human beings. Thus, the means of grace, Word and Sacrament(s), can be called Spirit-wrought.

3.1.3 In the "commemorative, actual presence of Jesus' work of salvation" (Johannes Betz) we recognise on both sides a biblically and patristically founded, theologically justified way of proclaiming the unity of the sacrifice on the cross and the Eucharistic sacrifice.

3.1.4 The terms "*memoria/anamnesis/zachor*" do not describe a purely cognitive process of "remembrance" in the sense of a "*nuda commemoratio*",¹⁷ nor a purely affective "*recordatio*",¹⁸ but the real re-presentation of salvation history, especially the salvific deeds of Jesus Christ, carried out in accordance with Christ's mandate in the Eucharistic celebration of the Church.

3.1.5 The celebration of the anamnesis of Christ takes place with the conviction that the Lord Himself reminds the Church here and now of Himself through the Holy Spirit and makes "the all-availing sacrifice of His body and His blood on the cross"¹⁹ present and allows it to be distributed.

3.1.6 The Eucharist is to be celebrated and received in faith. Nevertheless, even if it is not, it is still the Eucharist, because the substantial presence of Christ's body and blood distributed "in, with, and under" the bread and wine depends solely on doing what Christ has commanded. Faith receives the gift of the Eucharist, it does not constitute it.

3.1.7 If the term "*ex opere operato*" ("by [virtue of] the work having been done") serves to express the priority and foundational quality of God's action in relation to the celebration of the Eucharist, and thereby accentuates the objectivity of the sacramental gift, then the Catholic and Lutheran positions are in agreement with one another.

¹⁶ FC SD VII 84; KOLB-WENGERT, 607; "es muss der befehl Christi: ‚Das thut‘, welches die gantze action oder verrichtung dieses Sacraments, das man in einer Christlichen zusammenkunfft Brot und Wein neme, segene, austeile, empfahe, esse, trincke und des Herrn todt dabey verkündige, zusammen fasset, unzertrennet und unverrucket gehalten werden", *BSELK*, 1488; "Mandatum enim Christi: hoc *facite*, quod totam actionem complectitur, totum et inviolatum observandum est. Ad huius autem Sacramenti administrationem requiritur, ut in conventu aliquo piorum hominum panis et vinum benedictione consecrentur, dispensentur, sumantur, hoc est, edantur et bibantur et mors Domini annuntietur." *BSELK*, 1489.

¹⁷ *Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals: Enchiridion symbolorum definitionum et declarationum de rebus fidei et morum*, ed. Heinrich Denzinger and Peter Hünermann, 43rd ed. (San Francisco: Ignatius Press, 2012), 1753. Henceforth cited as DH.

¹⁸ DH, 3855.

¹⁹ Prayer of Thanksgiving, *Lutheran Service Book* (St. Louis, MO: Concordia Publishing House, 2006), 161; "durch das heilige, allgenugsame Opfer seines Leibes und Blutes", *Evangelisch-Lutherische Kirchenagende*, ed. Kirchenleitung der Selbständigen Evangelisch-Lutherischen Kirche, *Band I: Der Hauptgottesdienst mit Predigt und Heiligem Abendmahl und sonstige Predigt- und Abendmahlsgottesdienste* (Freiburg-Basel-Wien: Herder, 1997), 274.

3.2 Liturgical-theological Affirmation

3.2.1 The alternative of “katabatic” (“descending”) and “anabatic” (“ascending”) is a helpful theological distinction; but the two directions of movement must not be pitted against one another exclusively.

3.2.2 In liturgical practice they cannot be separated and assigned to individual acts of worship. Thus, in the anabatic process of prayer, for example, the katabatic anticipation of God is always presupposed, which is then also expressed liturgically in the *anaclesis* and *anamnesis* of prayer.

3.2.3 The Church’s anabatic action is surrounded by God’s katabatic action. The *katabasis* precedes, accompanies, and completes the *anabasis*.

3.2.4 The classical formula “*memores (sumus) ... offerimus*” is important for the fundamental understanding of the Eucharistic sacrifice. Here the salvific commemoration is characterised very briefly and concentrated as the form or the way of offering: “By remembering [the salvific deeds of Jesus Christ] ... we offer”.

3.2.5 In the Eucharist, Christ uses the human actions in the liturgical celebration. The relationship between divine action and human action is not one of co-ordination, but, in the liturgical celebration, the divine action is theologically primary and the human action is secondary, undergirded and made possible only by the divine action. The human action can be called an instrumental cause of the Eucharist. Therefore, we can and have to distinguish between divine and human action, even if they cannot be separated in the concrete liturgical action.

3.2.6 In the epiclesis, this reality is presupposed and, at the same time, implored from God.

3.2.7 According to Roman Catholic understanding today, the epiclesis expresses that the action of the church depends on the action of the Holy Spirit.

3.3 The Sacramental Presence of Christ’s Sacrifice in the Eucharist

3.3.1 Lutherans and Catholics confess together that Christ’s self-sacrifice is performed historically once for all by His suffering, dying, and resurrection—from Maundy Thursday night to Easter morning (*triduum paschale*). His self-sacrifice “to the point of death, even death on a cross” (Phil. 2:8) is distributed in the Eucharist as a life-giving reality.

3.3.2 The Lutheran Confessions do not talk explicitly about a presence of the sacrifice of Christ in the Lord’s Supper, though there are texts in the liturgical tradition of confessional Lutheran churches that speak this way. The terminology of a “sacramental presence” of Christ’s body and blood in the Sacrament of the Altar expresses distinctly that this is a unique mode of the presence of Christ and His salvific work in the celebration of the Eucharist.

3.3.3 In the words of Hermann Sasse, we may confirm: “Where our wisdom comes to an end, there theology begins A non-repeatable historical event ceases to be past and becomes present. This is what happens in the divine service As the past, the future becomes present in the liturgy of the Church, in the celebration of the Eucharist.”²⁰

²⁰ “... wo unsere Weisheit zu Ende ist, da fängt die Theologie an Ein unwiederholbarer historischer Vorgang hört auf, Vergangenheit zu sein und wird Gegenwart. Das geschieht im Gottesdienst Wie die Vergangenheit, so wird auch die Zukunft Gegenwart in der christlichen Liturgie, in der Feier der Eucharistie”; HERMANN SASSE, *Corpus Christi. Ein Beitrag zum Problem der Abendmahlskonkordie* (Erlangen: 1979), 89-91. Slightly different in Sasse’s 1959 study: “The ‘presence’ in this Sacrament, however, is not the

3.3.4 Because every celebration of the Eucharist is a celebration of the Church, the Roman Catholic Church speaks of the necessity of the intention to do what the Church does in order to make this point clear. Even though the term is alien to the Lutheran tradition, what is meant by it is taken for granted.

4. Open Questions

In both churches, there is need for further clarification how the Eucharistic prayer and the traditional emphasis on the Words of Institution relate to each other.

4.1 There is still a disagreement about legitimacy of the celebration of the Eucharist in favour of / for the benefit of the souls in purgatory.

4.2 For Lutherans, the Eucharist is always a communal celebration. So-called “private masses”, in which only the celebrant communes, have been viewed as non-communal celebrations and therefore as being outside the institution. Lutherans, however, do administer the sacrament to the sick and infirm, or elderly people who are no longer able to attend the divine service.

4.3 Roman Catholic doctrine understands also the so-called “private masses” as an act of the Church and thus communal. This is reflected in the liturgical practice that “except for a just and reasonable cause, a priest is not to celebrate the Eucharistic sacrifice without the participation of at least some member of the faithful”; this is called “*missa sine populo*”.²¹ Only in very scarce cases, may a priest who cannot attend the celebration of the Mass, and has no fellow priest to commune him, say mass for himself alone (“*missa solitaria*”).

4.4 Concordia-Lutherans, for example, ask whether Roman Catholic theology and liturgy have formulations and practices that give the impression that the presence of Christ’s all-sufficient sacrifice in the Mass is founded on human action, whether it be that of the priest or the Church.

4.5 Catholics, for example, ask whether there are formulations and practices in Concordia-Lutheran theology and liturgy that give the impression that the instrumentality of the actions of the Church and her ministers, which is based on Christ’s order of anamnesis (“Do this in memory of Me!”), is problematic.

4.6 Concordia-Lutherans, for example, ask whether the invocation of the Holy Spirit in the epiclesis might detract from the importance of the Words of Institution (*verba testamenti*).

4.7 Catholics, for example, ask whether the strong emphasis on the Words of Institution might undermine the importance of the Holy Spirit’s work. Since Christ’s action

presence of an event or an action which occurred in the past (*passio Christi*, the suffering of Christ), but it is rather the Presence of Christ’s body and blood, of his true humanity and true divinity (*Christus passus*, Christ who has suffered for us). ... The atoning death of Christ, an event which occurred once in our earthly time, belongs also to the sphere of timeless eternity, because it is the death of the Son of God Incarnate. ... so the sacrifice of Calvary remains an ever-present reality until the end of the world, and in a particular way for those who partake of the true body and blood of Christ in remembrance of him”. ... “Just as the Sacrament of the Altar bridges over centuries of the past and makes the death of Christ, that unique historical event, a very present reality, so the Second Advent of Christ is anticipated in the Sacrament.” HERMANN SASSE, *This Is My Body. Luther’s Contention for the Real Presence in the Sacrament of the Altar*, rev. ed. (Adelaide: 1977), 309f., 324.

²¹ *Codex Iuris Canonici*, can. 906; cf. *General Instruction of the Roman Missal*, no. 254: “Mass should not be celebrated without an acolyte, or at least one of the faithful, except for a just and reasonable cause.”

cannot be separated from the Holy Spirit, the question to the Lutheran side is if this implicit connection should not be made liturgically explicit.

4.8 As Lutherans appropriate the language of “representation” (of Christ’s sacrifice on the cross in the Eucharist), then the reception of such a theological statement in relation to the doctrinal content of the Book of Concord has to be determined.

5. Intermediary Results: We have discovered

5.1 consensus in the real and essential presence of Christ’s body and blood in the consecrated elements;

5.2 consensus in emphasising the necessity of the consecration of the elements of bread and wine with the words of institution in a Christian assembly, the distribution of these elements which are the body and blood of Christ after the consecration, communion, and the proclamation of Christ’s death;

5.3 convergences in the understanding of the presence of the sacrifice of Christ in the Lord’s Supper; and

5.4 convergences in the understanding of the connection between God’s action and human involvement in the liturgy of the Church.

III. *Sola fides numquam sola*—Justification by Faith Alone

1. What We Perceive

1.1 In the conversations on justification that led to the *Joint Declaration on the Doctrine of Justification (JDDJ)* of 31 October 1999, signed by the Lutheran World Federation and the Roman Catholic Church, the International Lutheran Council and the Pontifical Council for Promoting Christian Unity representatives see an important element in the bilateral relations between Lutherans and Catholics.²² Statements have already been issued from the ranks of ILC member churches.²³ In spite of some reservations on the side of the ILC churches, we acknowledge valuable rapprochements between the two parties involved.

1.2 In recent decades Catholic theology has dealt with faith and justification as central questions of theology. Here the Second Vatican Council (1962–1965) marks an important turning point. Through this council a new orientation took place within the classical teaching of grace and justification. The central concern of Catholic theology can be seen today in a personal-dialogic version of the doctrine of grace. Justification appears therein as a centre and summit of grace. The Second Vatican Council did not submit a new doctrine of justification against the Council of Trent (1545–1563) but offered a new orientation of the central justification process.²⁴

²² Cf. *From Conflict to Communion*. Lutheran-Catholic Common Commemoration of the Reformation in 2017. Report of the Lutheran-Roman Catholic Commission on Unity (Leipzig/Paderborn: 2013), 122–39.

²³ The Commission on Theology and Church Relations, The Lutheran Church–Missouri Synod, *The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective* (St. Louis, MO: 1999); WERNER KLAN, *Einig in der Rechtfertigungslehre? Anfragen an die „Gemeinsame Erklärung zur Rechtfertigungslehre“ aus konkordienlutherischer Sicht*, in UWE SWARAT, JOHANNES OELDEMANN, DAGMAR HELLER, eds, *Von Gott angenommen—in Christus verwandelt. Die Rechtfertigungslehre im multilateralen ökumenischen Dialog* (Frankfurt/M., 2006), 95–124.

²⁴ Cf. SC 5–7.

1.3 The Dogmatic Constitution on Divine Revelation, *Dei Verbum*, points out that “through divine revelation, God chose to show forth and communicate Himself and the eternal decisions of His will regarding the salvation of men”.²⁵ So revelation means that God reveals Himself and His salvific will and makes “known to us the hidden purpose of His will (see Eph. 1:9) by which through Christ, the Word made flesh, man might in the Holy Spirit have access to the Father and come to share in the divine nature (see Eph. 2:18; 2 Peter 1:4)”.²⁶ In this context the council expresses the key insight regarding faith and justification. “The obedience of faith is to be given to God who reveals”.²⁷ To this end, the text itself is based on the biblical wording “leading to obedience of faith” (Rom. 16:26; 1:5). Obedience is a term of early missionary language, describing conversion under the Gospel. Obedience and faith are parallel, not prior to the message of faith, but to faith’s enactment. Faithfulness refers to the revelation of Christ, meaning the acceptance of salvation.

1.4 For the first time in a Lutheran–Roman Catholic dialogue, the *sola gratia* is supplemented by the *sola fide*²⁸ and supported by Rom. 3:28 in a joint declaration. This is a statement of consensus that carries substantial ecumenical significance.

1.5 We heartily acknowledge the emphasis on the critical function of the doctrine of justification, namely: “No doctrine may contradict this criterion”.²⁹ The classification of the doctrine of justification in the “general context of the fundamental Trinitarian Creed of the Church”³⁰ is appropriate and corresponds to Lutheran understanding since the time of the Reformation.

1.6 The ILC churches welcome the fact that the *topos* of reward is being dealt with. The eschatological dimension of justification is jointly confessed when the judgement of the justified on their works is just as clearly emphasised as the qualification of any heavenly reward as grace.³¹

Member churches of the ILC can also see that in the *Official Common Statement* further questions have led to a certain consensus. These include above all:

- reflection on the differing understanding of sin and the effort to reach a common understanding of the Lutheran “*simul iustus et peccator*”;
- inclusion of the central Lutheran understanding of “*sola fide*” in the statement on the act of justification (OCS, Annex 2 C: “by faith alone”);
- affirmation of the critical function of the doctrine of justification: “The doctrine of justification is that measure or touchstone of the Christian faith” (OCS, Annex 3);
- inclusion of the eschatological dimension in the dialogue;
- finally, the confirmation of the parity of the dialogue partners (“*par cum pari*”).

In addition, the Christological reconnection of the event of justification is to be welcomed: Christ’s death and resurrection are confessed as the cause and condition of

²⁵ *Dei Verbum* [DV] (1965), 6.

²⁶ DV, 2.

²⁷ DV, 5.

²⁸ Cf. *Official Common Statement* [OCS], Annex 2 C.

²⁹ OCS, Annex 3.

³⁰ OCS, Annex 3.

³¹ Cf. OCS, Annex 2 E.

justification,³² and union with Christ in Baptism is clearly addressed;³³ the event of justification is remarkably described as union/communion with Christ.³⁴ The problem of “concupiscence” is described in the Annex to OCS in such a way that a kind of personal character that separates human beings from God is actually attributed to sin. This statement is explained in formulations that are recognisably alluding to AC II.

1.7 As we seek to establish points of overlap on justification, that is, how sinners are incorporated into Christ and remain in Him, it makes sense to extend our purview beyond a narrowly dogmatic perspective to focus on the liturgical-sacramental dimension that can be detected in the heritage of both.

1.8 We find it significant that the Lutheran confessions do frankly equate justification with absolution.³⁵ The Latin text of the Augustana uses the phrase “received into [God’s] grace” of faith in article IV³⁶ and of Baptism in article IX,³⁷ a verbal overlap that clearly shows how Baptism is the sacrament of justification. “He [sc. God] himself calls it [sc. Baptism] a ‘new birth,’ through which we, being freed from the devil’s tyranny and loosed from sin, death, and hell, become children of life, heirs of all God’s possessions, God’s own children and brothers and sisters of Christ.”³⁸

1.9 AC XXV states of the absolution delivered in private confession: “For it is not the voice or word of the person speaking it, but it is the Word of God, who forgives sin. For it is spoken in God’s stead and by God’s command.”³⁹ The second part of sacramental confession “is a work which God does, when he absolves me of my sins through the Word placed on the lips of another person.”⁴⁰ This is in line with the Catholic Formula of absolution:

God, the Father of mercies, through the death and resurrection of his Son has reconciled the world to himself and sent the Holy Spirit among us for the forgiveness of sins; through the ministry of the Church may God give you pardon and peace, and I absolve you from your sins in the name of the Father, and of the Son, and of the Holy Spirit.

1.10 This emphasis on Baptism and Absolution does not mean to deny that justification also takes place in preaching when the Gospel message is embraced in faith; rather, the proper setting of justification is the liturgical assembly which is the point of delivery of the spoken and sacramental Gospel.

³² Cf. *JDDJ*, 34.

³³ Cf. *JDDJ*, 28.

³⁴ Cf. *JDDJ*, 11, 15, 22, 26, 28, 37.

³⁵ FC Ep III 5: “We believe, teach, and confess, that according to the usage of Holy Scripture the word ‘to justify’ in this article means ‘to absolve,’ that is ‘to pronounce free from sin’”, KOLB-WENGERT, 495; “nach art heiliger Schrifft das wort ‚Rechtfertigen‘ in diesem Artichel heisse ‚absolviren‘, das ist, von sünden ledig sprechen”, *BSELK*, 1236.27-29. Cf. SD III 9, KOLB-WENGERT, 563; *BSELK*, 1390.17f.

³⁶ AC IV 2: “they are received into grace”, KOLB-WENGERT, 41; “in gratiam recipi,” *BSELK*, 99.10.

³⁷ AC IX 1-2 “They are received into the grace of God”, KOLB-WENGERT, 43; “recipiantur in gratiam Dei,” *BSELK*, 105.3.

³⁸ SC, Baptismal Booklet, 8, KOLB-WENGERT, 373; “das ers selbst ein neue Geburt heist, damit wir aller tyranny des Teuffels ledig, von Sünden, Todt und Helle los, Kinder des lebens und Erben aller güter Gottes und Gottes selbst kinder und Christus brüder werden”, *BSELK*, 907.

³⁹ AC XXV 3, KOLB-WENGERT, 73; “denn es sey nicht des gegenwertigen menschen stimme odder wort, sonder Gottes wort, der die sunde vergibt. Denn sie wird an Gottes stad und aus Gottes befehl gesprochen.” *BSELK*, 148.

⁴⁰ LC, A Brief Exhortation to Confession, 15, KOLB-WENGERT, 478; “Das ander ist ein werck das Gott thut, der mich durch das wort (dem Menschen in mund gelegt) los spricht von meine Sünden”, *BSELK*, 1160.

2. What Is Important for Our Dialogue between the ILC and the PCPCU

2.1 The theology of justification is key to the Gospel of Jesus Christ, since justice/righteousness is a central image running through all the Scriptures in the context of the healing relationship of God with humankind. The Father's love effects His universal salvific will through Jesus Christ in the power of the Holy Spirit.

2.2 An exposition of Roman Catholicism discerned through the lens of Vatican II and its aftermath opens up lines of communication and understanding with historic Lutheran positions. In what follows we can endeavour to offer an ecumenically accountable ILC/Concordia-Lutheran perspective on the same topic, starting with a spirit of fraternal dialogue, not polemical exchange. A major aim of this contribution to our discussions will be to uncover points of commonality between our two traditions.

2.3 To put out irenic feelers between the formerly harshly opposed camps of the respective heritages of the Council of Trent and the Lutheran confessions, the ILC/Concordia-Lutherans acknowledge that arriving at mutual congruence, or a state of *Deckungsgleichheit*, is impossible simply in virtue of identical terms being loaded with different content.

2.4 Both sides stand in the Augustinian tradition where *fides*/faith is expounded in terms of the distinction between believing in God's existence, believing the truth spoken by Him, and believing in Him in such a way that trust flowers in a life of hope and love.⁴¹ This concept is prevalent in both the Roman Catholic and the Lutheran theological traditions, for example in Peter Lombard, Thomas Aquinas, John Gerhard, and John Quenstedt.

2.5 The last displays our common roots as he notes how "*Credere Deum* signifies, to believe that God exists; *credere Deo* signifies, to believe that those things which He speaks are true; *credere in Deum* signifies, by believing to love Him, by believing to go to Him, by believing to cling to Him and to be incorporate into His members."⁴² Careful attention to the text yields the discovery that Trent did not condemn *fiducia*/trust as such, but rather an empty/*inanis fiducia* that it perceived as isolated from its proper setting.⁴³

2.6 The classical controversy of the 16th (and following) century may be analysed as follows: Given their equation of *fides* with *assensus*, it comes as no surprise that the Fathers of Trent taught that faith is not sufficient to justify the sinner until it is energised by love according to the formula *fides caritate formata*. Meanwhile, the Lutheran camp maintained that faith alone justifies by grasping the proffered mercy of God in the Gospel, and yet ceases to do so if and when the pardoned sinner falls into "mortal sin".⁴⁴

3. Commonalities

3.1 "Christ alone is righteous and holy"

This central statement, that "Christ alone is righteous and holy", is in the context of ecclesiology the universal call to holiness in the Church. The essence of this section is that it is Christ who sanctifies the Church as a whole and calls for holiness. Christ gave Himself up for His people to sanctify them. Christ alone is the way to salvation. Universal

⁴¹ Cf. Augustine, *In Joh. Ev.*, 29:6.32-37; *CCL*, 36,287; *Serm.*, 144:2.2; *PL*, 38:788.

⁴² QUENSTEDT, qtd in HEINRICH SCHMID, *The Doctrinal Theology of the Evangelical Lutheran Church*, trans. Charles A. Hay and Henry E. Jacobs (Minneapolis, MN: Augsburg Publishing House, 1961), 410f.

⁴³ *DH*, 1533f., 1562.

⁴⁴ Cf. SCHMID, 254.

vocation to holiness means in this context: It is not the moral perfection nor the moral heroism of the people that is the cause of sanctification but rather God Himself. God's will for reconciliation forms the basis of the sanctifying grace that Christ gives to man in His death and resurrection. The fullness of grace is Christ Himself.

3.2 *Justification by Faith*

We see convergences in that the Vatican II Constitution, *Dei Verbum*, brings the understanding of justification into a new personal context: "To make this act of faith, the grace of God and the interior help of the Holy Spirit must precede and assist, moving the heart and turning it to God, opening the eyes of the mind and giving 'joy and ease to everyone in assenting to the truth and believing it'".⁴⁵ Faith is a God-created receptivity for grace. As a consequence, faith exercises trust in God and love for the neighbour. In this sense, faith is man's personal "Yes" to God. In the *Joint Declaration on Justification*, this means "to have faith is to entrust oneself totally to God".⁴⁶ The Word of God is God's power to salvation for everyone who believes.

Since it finally appeared in the Annex to *JDDJ* and was, moreover, cautiously approved in a catechesis delivered by Benedict XVI,⁴⁷ the formula *sola fide* may no longer be the storm centre of ongoing differences (or, as some might put it, points of differentiation that threaten consensus reached).

Lutherans distinguish but do not separate faith and love, while Catholics have an integral approach without identifying these two.

3.3 *Faith Becomes Effective through Love*

"Thus it is evident to everyone, that all the faithful of Christ of whatever rank or status are called to the fullness of the Christian life and to the perfection of charity".⁴⁸ Faith precedes love; in love does faith become effective. Love is therefore not a contribution of man to the work of salvation, but the form of the justifying grace of God. In the interplay of divine grace and human co-operation God's grace is always given primacy. Love itself is a gift of God, which takes shape in man. If people "receive all things with faith from the hand of their heavenly Father and if they cooperate with the divine will",⁴⁹ they practise love.

Catholic theology can so speak of co-operating with God's will. But the basic sequence is preserved here: God is love; He pours His love into our hearts through the Holy Spirit. Every believer hears the Word of God willingly, so that faith sprouts in love.⁵⁰ The love is very closely related with justification by faith. The forgiving grace of God is always associated with the gift of leading a new life in active love, under the action of the Holy Spirit. In faith, love is accepted and made real.

In the language of Trent, it is grace that sanctifies man. In the centre of this process is Christ's redeeming forgiveness of sins that means the transfer to the state of grace called

⁴⁵ DV, 5.

⁴⁶ *JDDJ*, 36.

⁴⁷ <https://w2.vatican.va/content/benedict-xvi/en/audiences/2008/documents/hf_ben-xvi_aud_20081119.html>.

⁴⁸ *Dogmatic Constitution on the Church, Lumen Gentium* [LG] (1964), 40.

⁴⁹ LG, 41.

⁵⁰ The Augsburg Confession quotes Ambrose: "Sic enim ait Ambrosius: *Fides bonae voluntatis et iustae actionis genitrix est*", AC XX, *BSELK*, 127.1-3.

sanctification. What is meant is: this sanctification is a gift. It aims to participate in God's nature. Instrumental causes are faith and Baptism. Baptism is here clearly the sacrament of justification. Faith and Baptism are founded on the Word of God: "Those who believe in Christ through the word of the living God (cf. 1 Peter 1:23) are reborn from the water and the Holy Spirit."⁵¹ Baptism is the confession of faith. After all, Baptism is designed for growth in faith. In this sense, Catholic theology speaks of the increase of grace in faith. *JDDJ* says in this context: "Persons are justified through baptism as hearers of the word and believers in it."⁵²

In Lutheran theology the life flowing from faith is designated as sanctification, in the course of which faith experiences growth. This can be described in a terminology of process, even by Luther and by the Formula of Concord. Melancthon maintains "that we ought to begin to keep the law and then keep it more and more",⁵³ and "that the keeping of the law must begin in us and then increase more and more".⁵⁴

While Concordia-Lutherans in their perception could not subscribe to Trent's view that Baptism expels all that is truly sin from its recipient, they certainly confess that, as He ascribes His own righteousness to the account of the penitent sinner, Christ our Lord does not leave the sheep of His embrace in the filth of Adamic existence but starts to work "inherent righteousness" within them.

3.4 Shared Aspects of Justification

"Justification" expresses the unconditional acceptance of man by the grace of God. It is faith in Christ that established full participation in God's revelation. This message is universal; it is addressed to all people; all men are called to communion with God. But faith in Christ's saving act is never separated from God's Church. The inability of man to re-establish the broken fellowship with God shows the complete dependence of man on God's grace and justification.

The Church is therefore the "sign and instrument" of the salvific work of Jesus Christ.⁵⁵ It is not without reason that Christianity is a religion of grace. All life depends on the mercy of God.

This has consequences for the doctrine and the pastoral care of the Church. Human beings are justified without works of the law, but faith is never without the works of man (*sola fides numquam sola*⁵⁶). Faith in Christ encourages and enables us to do good works that are done in love and hope.

As a result of our conversations, we find closer affinities between the Council of Trent and the Book of Concord than their respective adherents have previously supposed .

⁵¹ *LG*, 9.

⁵² *JDDJ*, 27.

⁵³ Apol IV, KOLB-WENGERT, 140; "*quod oporteat legem in nobis inchoari et magis magisque fieri*", Apol IV, *BSELK*, 319.5f.

⁵⁴ Apol IV, KOLB-WENGERT, 142; "*Quod necesse sit inchoari legem in nobis et subinde magis magisque fieri legem*", *BSELK*, 323.

⁵⁵ *LG*, 1.

⁵⁶ *BSELK*, 1405.12f.; "But it is faith alone that lays hold of the blessing, apart from works, and yet it is never, ever alone" KOLB-WENGERT, 569; "Aber der Glaube ist es allein der den Segen ergreiffet one die Werck, doch nimmer und zu keiner zeit allein ist", *BSELK*, 1404; "*sed sola fides est, quae apprehendit benedictionem sine operibus; et tamen nunquam est sola*", *BSELK*, 1405.

Justification is applied to human beings in need of redemption in oral and sacramental forms that create faith.

3.5 *Cooperatio?*

According to the Catholic understanding, faith is an act of surrender, which encompasses the mind and will of people. Faith is obtained from grace, so that the human answer, also given by God as a movement of man towards God, is man's personal consent, but no action of man's own power. The texts of the Second Vatican Council have clearly pointed out this personal consent to God's will. It is the Holy Spirit who moves the heart of man towards God, opens the eyes of the mind. God works the perfection of the faith "constantly by his gifts".⁵⁷ From a Lutheran point of view, the possibility of human *cooperatio* through God's Spirit can only be spoken of after justification has taken place, namely "on the basis of the new powers and gifts which the Holy Spirit initiated in us in conversion".⁵⁸

3.6 *Certainty of Salvation*

From a Lutheran perspective, faith which relies on the promise of God's favour and the forgiveness of sins for Christ's sake is certain of the believer's salvation, as both, God's favour and forgiveness, are communicated in His liberating Gospel and the sacraments that impart God's salvation. It is wholly grounded in God's assertion of His grace and willingness to forgive sins:

Catholics can share the concern of the Reformers to ground faith in the objective reality of Christ's promise, to look away from one's own experience, and to trust in Christ's forgiving word alone (cf. Mt 16:19; 18:18). ... No one may doubt God's mercy and Christ's merit. Every person, however, may be concerned about his salvation when he looks upon his own weaknesses and shortcomings. Recognizing his own failures, however, the believer may yet be certain that God intends his salvation.⁵⁹

3.7 *Differentiations*

Together we understand that talking about justification implies the *event* of justification as the reality of God's grace and mercy towards human beings, the *message* of justification that effectively communicates this reality, and the *doctrinal reflection* on this reality.

4. Open Questions

4.1 The eschatological dimension of justification should be emphasised more thoroughly: Confessional Lutherans claim that God's twofold action in Law and Gospel does not aim, in the first place, at the empowerment of the sinner to act responsibly; rather it confirms the sinner's salvation from the Last Judgement here and now, and grants to him participation in the resurrection of the dead.

4.2 Lutherans ask who is ultimately the subject of Christian renewal. For if the new reality of the justified is not unambiguously founded outside himself in Christ, man is ultimately measured by his own co-operation in the event of justification. Catholics ask whether the reality of the new life in Christ is addressed sufficiently in Lutheran theology.

⁵⁷ DV, 5.

⁵⁸ FC SD II 65, KOLB-WENGERT, 556, BSELK, 1375.

⁵⁹ JDDJ, 36.

4.3 When Lutherans speak of “mere passive” they do not exclude the person of the sinner who as “*subjectum convertendum*”⁶⁰ is converted through the work of the Holy Spirit.

When Roman Catholics talk about *cooperatio* they do not maintain that this takes place on the ground of the natural powers of the human being. Rather they always presuppose the foundational reality of God’s grace in this process. These aspects need further and deepened reflection.

4.4 *JDDJ* could be further strengthened by a greater emphasis on the classical Lutheran testimony to the effects of justification, which include (in logical, but not temporal sequence) regeneration (and hence the coming into being of a real, though constantly threatened new Adam) in sanctification with the final goal of eternal salvation.

IV. Ecumenical Tasks in the Horizon of Intentional Catholicity

On the basis of the results of the informal dialogue to date, we see the following tasks ahead of us:

- 1** Mutual perception and appreciation of the different character of our ecclesiastical-theological mentalities, combined with the request for clarification of the “common Catholic” or “intentional catholicity” on both sides.
- 2** Joint efforts to produce language that is able to communicate each side’s intentions, and amplified perception of different ways of speaking, e.g. dogmatic, liturgical, etc.
- 3** Intensified understanding of the divine and ecclesial actions in their relationship to each other.

V. Ministry and Ordination–Addendum

A majority of the participants in the informal, academic dialogue between the ILC and the PCPCU, but for one, agreed on the following statements:

- “Ordination is the indispensable way by which a member of Christ’s Body on earth becomes a minister of Word and Sacraments, as a public servant of the Lord to the benefit of the whole Church and to the accomplishment of the Lord’s will of salvation for all people.”
- “Ordination is recognised as the Lord’s action putting a person into the ministry of the *one* Church through His Church, an act done once for all, practised with prayer and the laying on of hands by those who carry the office of the ministry and those who are commissioned to exert the office of overseeing (*episkopé*).”
- “That the ordained ministry is of constitutive importance for the celebration of the Eucharist, is beyond any doubt between us.”

In the understanding of the office of the ministry (“*ministerium ecclesiasticum*”) and ordination, however, the position of The Lutheran Church–Missouri Synod (LCMS) as laid down in *A Brief Statement* (1932) seemed to be an obstacle to further agreement.

Therefore, a discussion of broader subjects in the area of ministry and ordination did not take place, although proposals on this topic had been prepared.

⁶⁰ FC SD II 90; *BSELK* 1387.25; “The mind and the will of the unrebored person are nothing other than simply the *subiectum convertendum* (that is, that which is to be converted)”, KOLB-WENGERT, 561.

Given this dissatisfying situation, Dr Klän had asked for a clarification on the side of the LCMS. This request was expressed on the occasion of the meeting of the Executive Committee of the International Lutheran Council in October 2019 in Baguio, Philippines.

Enclosed, therefore, are two documents from the LCMS which clarify and explain their understanding of ordination (Appendices 1 & 2).

The “Clarification” attached was written by leading representatives of the LCMS’s Commission on Theology and Church Relations (CTCR), namely by Rev. Dr Joel Lehenbauer, Executive Director, and Rev. Dr Larry M. Vogel, Associate Executive Director. The “Clarification” has been approved by the LCMS President, Rev. Dr Matthew Harrison. In this respect, both documents have an official character.

As far as the content is concerned, it seems obvious that the arguments expressed in the dialogue do not really reflect the position of the LCMS. Rather the doctrine and practice of the LCMS maintains this position: “Because the ministry of the word and Sacraments is divinely commanded, a proper call and orderly appointment to that office is required. Ordination is the universal ecclesiastical ordinance by which that call and appointment is enacted and accomplished.”

Bishop Hans-Jörg Voigt of the Independent Evangelical-Lutheran Church of Germany, in his capacity as Chairman of the International Lutheran Council, will communicate these texts most probably to Cardinal Koch at a possible meeting with him.

In the light of these clarifications on the side of the LCMS, it ought to be an option to resume the ILC–PCPCU dialogue and agree upon having a subsequent meeting of the dialogue group in the course of 2020 in order to come to more detailed conclusions on the issue of the office of the ordained ministry.

Appendix 1: Letter of LCMS President Matthew C. Harrison

December 18, 2019

Prof. em. Dr. Werner Klän D.Litt.

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23560 Lübeck / Germany

Dear Werner,

God grant you his abiding joy in this Advent season, dear brother in Christ. May we all rejoice together at the great advent that is to come.

I am writing to you in your capacity as co-chairman of the ILC–PCPCU dialogue group because some confusion or misunderstanding of The Lutheran Church—Missouri Synod’s view of ordination arose at the most recent meeting of the ILC and PCPCU. The confusion resulted from a reference in the *Brief Statement*, a doctrinal statement of the LCMS. The *Brief Statement* has, as its title may imply, very brief assertions about a variety of matters that often require further amplification. Its comment on ordination is such a case.

My concern is for there to be clarity about The Lutheran Church—Missouri Synod’s view of the matter of ordination to the office of preaching (*Predigtamt* or *Pfarramt*, the office we commonly speak of as “the office of public ministry”). In order to provide that clarity I asked the Executive Director and Associate Executive Director of the LCMS Commission on Theology and Church Relations to prepare a brief document about the LCMS view of ordination to the office of public ministry. They prepared the attached document, titled “A Clarification of the LCMS Understanding of Ordination,” which provides further perspective on the words of the *Brief Statement* and a fuller view of LCMS teaching and practice on ordination.

As president of the LCMS, I am the chief ecclesiastical officer of our church body, charged with the responsibility “to supervise the doctrine taught and practiced in the Synod” (LCMS Bylaw 3.3.1.1). As such, I have carefully read “A Clarification of the LCMS Understanding of Ordination” and I endorse it fully as an accurate description of our teaching and practice. Dr. Lehenbauer and Pastor Vogel have carefully and effectively addressed our perspective on ordination.

It is my prayer that this will provide some needed clarity and help to further the relationship between the ILC and the PCPCU.

In Christ,

Rev. Dr. Matthew C. Harrison, President
The Lutheran Church—Missouri Synod

Appendix 2: A Clarification of the LCMS Understanding of Ordination

In September 2019 a meeting in Fort Wayne, Indiana, involving Lutheran and Roman Catholic representatives from the ILC and PCPCU, respectively, among other issues, considered the topic of the ordained ministry. At the meeting, a discussion took place regarding The Lutheran Church—Missouri Synod’s (LCMS) understanding of ordination to the ministry of the Church. That discussion apparently resulted in concern or even confusion about the position of the LCMS on ordination and the ministry. The President of The Lutheran Church—Missouri Synod, the Rev. Dr. Matthew C. Harrison, has asked us to provide some explanatory comments.

It is our understanding that the discussion revolved around a reference to a 1932 doctrinal statement of the LCMS called the *Brief Statement*. A section therein titled “Of the Public Ministry” states: “Regarding ordination we teach that it is not a divine, but a commendable ecclesiastical ordinance” (§33, p. 9). At the meeting this position of the *Brief Statement* was understood, by the Roman Catholic representatives in particular, to be largely or even fully consistent with VELKD’s understanding as expressed in “Ordnungsgemäß berufen.” The group could not jointly affirm a proposition that ordination is “the indispensable way by which a member of Christ’s Body on earth becomes a minister of Word and Sacraments.” LCMS representatives were unwilling to subscribe to this way of expressing ordination’s importance in appointing an individual to the ministry of Word and Sacraments. The inference drawn by other participants, apparently, is that the LCMS views ordination as optional or of minor importance.

Since we were not a party to the discussions, we can only assume that the problem for LCMS representatives lay in the adjective “indispensable,” since it is linked directly to Word and sacraments being given “to the benefit of the whole Church and to the accomplishment of the Lord’s will of salvation.” Such expressions may lead one to a possible inference that without ordination the Word of God cannot be proclaimed in a way that is salvific or effectual or even that Holy Baptism cannot be administered validly in an emergency context in which no ordained minister of Word and Sacrament is able to serve. (We understand that neither the ILC nor the PCPCU representatives hold such an opinion, but we would want to prevent any such inference.) It might also call into question the propriety of one member of Christ’s body proclaiming a word of comfort and consolation from Holy Scripture to others. (We understand that this was not discussed, but that it, too, would not be the understanding of the ILC and the PCPCU representatives.) For such reasons the proposition referenced in the “Latest Update to the Report to the ILC Executive Committee on the ILC–PCPCU Informal Dialogue” (by Werner Klän) would be problematic for the LCMS.

However, we want to stress that this concern does not mean that in the LCMS ordination is mere *adiaphora*—that is, one of the church practices “that are neither commanded nor forbidden in God’s Word but that were introduced in the churches for the sake of good order and decorum” (FC Ep X 1, KOLB-WENGERT, 515).

Indeed, we are in full agreement with the teachings of the Lutheran Confessions on this matter. They strongly affirm the importance of maintaining ordination, even under circumstances in which canonical ordination was denied them. If necessary, the church should appoint one from its midst to serve in the office of

Word and Sacrament *and ordain* him (see Ap XIII 7-13; XIV 1-5; Tr 72). The confessional support for ordination in the Apology of the Augsburg Confession is the direct corollary to its affirmation of the indispensable necessity of the “ministry of the Word and of the sacraments administered to others” (Ap XIII 7).

To return then, briefly, to the language of the *Brief Statement*, we wish to offer this clarification. The *Brief Statement* does not intend to diminish ordination, but simply distinguishes the *source* of the laying on of hands. Its intent is to point out that while our Lord Jesus commands the *office* of public ministry of Word and Sacrament (Matthew 28, Luke 24, John 20), he does not command ordination *per se*. Rather, the practice of ordination emerges among the apostles—and so it is “ecclesiastical” rather than dominical. This does *not*, however, imply that ordination is some optional rite for us.

This understanding of ordination has been present in the LCMS since its founding, but did not originate with the LCMS. Rather, it is consistently present in the writings of Lutheran teachers from Martin Luther through Martin Chemnitz and thereafter (see C. F. W. Walther, *Church and Office*, Thesis VI on the Office). So Luther explains ordination saying “it is solely the command to teach God’s Word” (AE 38:212). Chemnitz says “there is in the Scriptures no command of God that this rite of ordination must be used,” but it does have “its foundation in the Word of God” and is a public testimony to a lawful and divine call” (*Loci Theologici*, Part III, Locus XVII). In the *Examen*, in similar fashion, he calls ordination a necessary “public attestation of the church,” even though the rite of the laying on of hands has no explicit mandate from Christ (*Examen* II, Concerning Holy Orders). John Gerhard says that ordination “is not necessary by virtue of a divine command, nor does the essence of the preaching office depend on it, nor does it imprint a certain character,” but also adds that it “should by no means be omitted” since it is apostolic practice for establishing the ministry (*Theological Commonplaces*, 25 and 26).

This view does not demean ordination among us. Ordination *is required* in our church body for a man to occupy and serve in the office of the public ministry. This is true despite certain practices that arose in the past in an attempt to address emergencies and exceptional circumstances where no ordained pastor was able to serve a congregation for an extended time. In some cases such congregations were served by a laymen who preached and administered the sacraments, becoming their *de facto* pastor but without synodical examination or ordination. Such circumstances, however, were never recognized as normal or ordinary, nor were they viewed as an acceptable long-term solution to the problem of a shortage of pastors. This is precisely why the LCMS has worked assiduously over the past decade to address and remedy such problematic circumstances. Our synod has since provided intensive training to equip men to serve these churches, examined their doctrine and life, and, after they were called by the congregations, *ordained them* so that their service would be consistent with our beliefs and confessions.

In conclusion, we would state the LCMS understanding of ordination in this way. Because the ministry of the Word and the Sacraments is divinely commanded, a proper call and orderly appointment to that office is required. Ordination is the universal ecclesiastical ordinance by which that call and appointment is enacted and

accomplished. Therefore, as noted above, ordination *is required* in our church for a man to hold the office of the public ministry.

Wednesday, December 18, 2019

The Rev. Dr. Joel D. Lehenbauer,
Executive Director of the Commission on Theology and Church Relations
The Lutheran Church—Missouri Synod

The Rev. Larry M. Vogel
Associate Executive Director of the Commission on Theology and Church Relations
The Lutheran Church—Missouri Synod