

TEXTS, FOR THE RECORD

Minority Report

Called to Common Mission: A Lutheran Proposal for a Revision of the Concordat of Agreement

by TODD NICHOL

THE DOCUMENT that follows is a minority report that I prepared to accompany the final draft of *Called to Common Mission*, a Lutheran proposal to the Episcopal Church and the Evangelical Lutheran Church in America. Why should such a report appear in the pages of *Lutheran Quarterly* and not accompany *Called to Common Mission*? The two-member majority of the three-member Lutheran committee charged with drafting the document, Martin E. Marty and Michael Root, refused to permit the publication of a minority report appended to the primary statement. This committee worked in closed sessions, kept no minutes for certain of its most critical sessions, and permitted no voting. In view of controversy surrounding these actions and the lack of a public record of them, an account of the suppression of this final minority report and the text of the report itself have therefore been submitted for publication to the *Lutheran Quarterly*.

Called to Common Mission was prepared by a Lutheran-Episcopal drafting team following the defeat of the Lutheran-Episcopal *Concordat* of 1991 at the ELCA churchwide assembly of 1997. The committee appointed to prepare a revised proposal submitted a first draft for consideration by the ELCA on 9 April 1998 and conveyed a final draft to the Church Council of the ELCA on 14 November

1998. The first draft was accompanied by statements in various forms by all three members of the Lutheran team. For his statement accompanying the draft of 9 April 1998 Marty employed the form of an open letter to his parish pastor. At this point, permission to append a formal minority report to the document itself was denied by Marty and Root. This exchange was verbal. It occurred in closed session, it is not recorded in minutes, and no formal voting was permitted by the two-member majority.

During the final session of the final drafting team meeting at the churchwide offices of the ELCA on 14–15 October 1998, Nichol again expressed his intention of submitting a minority report to be appended to the document, citing among other things the precedent of the recorded votes and the minority statement appended to the *Concordat* of 1991. Marty and Root with the express support of Daniel Martensen, staff member of the ELCA present for the discussion, declared this impossible. In this instance again the drafting team met in closed session, kept no minutes, and would permit no voting. Nichol therefore called on the Episcopal members present to witness this episode and indicated to the group as a whole that he would address this matter in public. It was further agreed by the two-member Lutheran majority, Marty and Root, that no statements of any kind by members of the drafting team would accompany the document when it was sent to the Church Council other than a covering letter transferring the document to the council to be prepared by Marty. When Nichol indicated that the letter must make it clear that he did not recommend approval of the document, Marty agreed to include a statement to this effect in his covering letter and to discuss the text of the letter with Nichol before it was sent.

Marty's covering letter of 14 November 1998 to the church council is a matter of record. Marty did not review the text of this letter with Nichol, nor does he mention Nichol by name as not recommending approval of the document. Under the same date, Marty directed a second eight-page statement titled "A Vision of Mission Enhanced in the New Millennium: A Letter from Martin E. Marty" arguing for approval of the document by the church council. Like his first essay of April 1998, this was in the form of

an open letter, this time to members of the congregation to which he belongs. This letter by Marty is also a matter of record.

When the Church Council met, Marty and representatives of the Episcopal Church were invited to be present to discuss *Called to Common Mission*. Nichol was not asked to be present, nor was a minority report presented or acknowledged in response to a specific inquiry by a member of the church council.

The minority report that follows is a slightly revised version of the statement prepared by Nichol to accompany the first draft of *Called to Common Mission*. It was his intention to submit this revised statement as a minority report appended to the final draft. In publishing this minority report and an account of its suppression, *Lutheran Quarterly* adds it to the public record in which it has a proper place.

Minority Report

Since I favor the earliest possible acknowledgment of communion in Christ by The Episcopal Church and the Evangelical Lutheran Church in America, I regret that I cannot endorse *Called to Common Mission*.

I see it as my task in this brief statement to describe several of the most significant objections that Lutherans may have to *Called to Common Mission*, all of which already have been vigorously represented in the Evangelical Lutheran Church in America and many but not all of which I share. I confine myself here to what I take to be the most fundamental procedural and theological matters. A more detailed examination of the text would require a longer and more analytical statement attentive to a variety of issues controversial among Lutherans as well as to language that is sometimes precise and at other times difficult clearly to interpret. A fuller discussion would also take up vital questions related to ethos, practice, and the place of both churches in the American and global contexts for mission. These matters deserve more discussion than they have yet received, but exceed the scope of a brief minority statement.

Two general observations may help set the context for the com-

ments that follow. First, many Lutherans will find much in this document to affirm, notably its expression of “Agreement in the Doctrine of the Faith.” Second, in spite of remaining difficulties, the proposal is considerably clearer and more accessible than the previous *Concordat*. Third, *Called to Common Mission* is very similar to the previous *Concordat*. A clear recognition of these three aspects of the present proposal will, I believe, assist the churches toward clearer and better informed discussion.

A. Procedure: Some Lutherans will object to aspects of the procedure by which *Called to Common Mission* was developed.

1. The instructions delivered to the Lutheran members of the drafting team by Lutheran authorities specifically stated that a revised and rewritten statement must include an agreement on the historic episcopate. This precluded discussion among the Lutherans of the drafting team of the matter most controversial and divisive among Lutherans.
2. *Called to Common Mission* differs from other ecumenical agreements to which the Evangelical Lutheran Church in America is party. It requires substantial internal changes in the polity and practice of this church. It would at a minimum result in a re-ordered ministry, constitutional amendments, and liturgical revision. Some Lutherans object that changes of this magnitude are not wisely undertaken in the context of a particular ecumenical agreement. These changes touch issues which the merger of the churches and extended discussion since then have not been able to settle securely. There is, these Lutherans will maintain, not sufficient internal consensus in the Evangelical Lutheran Church in America to warrant the undertaking of such changes in good faith with an ecumenical partner. Some will hold that it is not prudent to set such precedent for the making of further internal changes. Some will also ask about the relation of this statement to the decisions of the Evangelical Lutheran Church in America regarding ministry in 1993, taken after protracted internal study.

3. Two of the three members of the writing team that prepared *Called to Common Mission* suppressed a minority report prepared by the third member.

B. Substance: Some Lutherans will have one or more of the following objections to the substance of *Called to Common Mission*.

1. *Called to Common Mission* expects the introduction of the historic episcopate into the Evangelical Lutheran Church for the realization of full communion between the two churches. The statement does not require Lutherans to subscribe to a theological assertion that the historic episcopate is necessary to the unity of the church and is deferential to traditional Lutheran formulations regarding the unity of the church and the office of the ministry, but it does insist on certain invariable practices for the realization of full communion.

While this proposal avoids the use of the term “condition,” an agreement resulting from it would in practice impose conditions on both churches. Episcopalians are asked to suspend temporarily the preface to their ordinal so that they may acknowledge the full authenticity of presently existing ordained ministries within the Evangelical Lutheran Church in America. Lutherans are asked to receive the historic episcopate and to make substantial constitutional and liturgical changes for the sake of full communion with a church with the historic episcopate.

Those Lutherans who hold that the right preaching of the Gospel and administration of the Sacraments are sufficient for the unity of the church will object to conditions in practice asked of either church by the other.

With regard to their own church, Lutherans who hold that neither the Holy Scriptures nor the Lutheran Confessions permit episcopal or any other historical forms of the ordained ministry to be explicitly identified as necessary conditions for full communion will object to the proposal. They will regard it as inconsistent with Scripture and contrary to Article 7 of the *Augsburg Confession*. They will also refer to the historical Lutheran principle of things *adiaphora*, that is to say, they will not agree to theological assertions or

practices that they consider unnecessary when partners in discussion declare the same assertions or practices to be necessary.

2. Some will maintain that certain other elements and implications of *Called to Common Mission* concerning the nature of the public ministry, call, ordination, and the office of bishop are not warranted by Scripture and inconsistent with the *Augsburg Confession* (e.g., Articles 5, 14, 28).
3. Some Lutherans, who may not share the objections above, will contend that *Called to Common Mission* does not commit Lutherans to a theological rationale for the historic episcopate that would make it integral to the ordering of ministry in the Evangelical Lutheran Church in America. Some of those for whom this is crucial will also object that the statement does not envision a Lutheran episcopacy that will make full communion with the Roman Catholic Church and visible unity with the Orthodox Churches immediately possible.

Again, I want to say that I favor the earliest possible acknowledgement of communion in Christ by The Episcopal Church and the Evangelical Lutheran Church in America. I believe that nearly all the members of the Evangelical Lutheran Church in America favor the same goal. It should be noted that among most Lutherans, the debate over *Called to Common Mission* will be a debate about means rather than ends.

Should either or both churches decline to approve *Called to Common Mission*, I believe that there remain other promising paths toward fuller expression of our communion in Christ to explore. Such an exploration would be liberating and demanding, because it would require both churches to develop fundamentally new approaches to ecumenism. This would likely be an ecumenism more oriented to recognition of Christian commonality in Christ than to exacting agreements in theology and ecclesiastical practice. It would certainly be an inclusive ecumenism respectful of Christian pluralism and catholicity while at the same time committed to expressing unity in Christ. A now well documented reading of the North American situation suggests that the people of many

churches have already blazed these paths and that they are waiting for their theologians, pastors, and bishops to catch up with them. I take this as a sign of bright hope to which the leaders of the two churches should attend.

As an evangelical Lutheran and as a member of the one, holy, catholic, and apostolic Church, I look forward to the time when all Christians will be able to recognize the unity they have in Christ and to enjoy the diversity in theology and practice permitted them by the generosity of God. Such recognition will revise and renew Christian ecumenism, serve the spread of the Gospel, build up the Church on earth, and express a communion in Christ that already exists without our acknowledgment of it.

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14 October 1998