

LUTHERAN–ROMAN CATHOLIC DIALOGUE IN AUSTRALIA

**THE MINISTRY OF OVERSIGHT:
THE OFFICE OF BISHOP AND PRESIDENT
IN THE CHURCH**

2000 – 2007

Introduction

1. The solemn confirmation of the *Joint Declaration on the Doctrine of Justification* in Augsburg on 31 October 1999 brought great joy to the Lutheran and Roman Catholic churches throughout the world. In our part of the globe the joy was shared and heightened by the earlier (1998) work of the national dialogue: *Justification: A Common Statement of the Australian Lutheran–Roman Catholic Dialogue*. Our churches had reached a common understanding of a doctrine that was at the heart of the divisions of the sixteenth century. However, our deeper unity not only encouraged us, it also drew attention to issues that still divide us.
2. In August 2000, a declaration from the Roman Catholic Congregation for the Doctrine of the Faith confronted our dialogue with one of these significant issues. That declaration, *Dominus Iesus*, raised the question of the role of bishops in other Christian churches and restated the Roman Catholic teaching about the essential place of the episcopate in the church. Over the last seven years in response to this question, the Australian Lutheran–Roman Catholic Dialogue has discussed the office of bishop and president in the church and *The Ministry of Oversight* is the result.
3. In this statement we have sought to express the way in which each tradition understands the ministry of oversight. It begins with an exploration of oversight in the New Testament, followed by a history of the ministry of oversight in our common and separate traditions. The following chapters work toward a common understanding of bishops and presidents in the church and discuss some central theological concepts that shape our view: divine institution; oversight as a gift to the church; apostolic succession; synodality; and the relationship between the Roman Catholic episcopate and the Lutheran pastorate. It concludes with proposals for future steps that both our churches can take as we move towards reconciliation.
4. Throughout our dialogue we have been conscious that the mission of Jesus, to draw all into the one communion of God, underpins the theological and historical bases on which the exercise of oversight in the church is built. We seek to be faithful to that mission and we see this statement as both a further exploration of the unity we have in Christ, and an expression of our hope that the unity for which Jesus prayed can be better expressed visibly among us. With gratitude to God, we entrust to our churches the results of our work, prayer and reflection on the ministry of oversight.

1. Oversight: A Developing Understanding

Oversight in the New Testament period

5. All discussion about the emergence of the office of bishop in the New Testament must be located within the broader context of discussions concerning ministry and leadership roles in the apostolic age.

6. From a larger group of disciples Jesus chose an inner circle of twelve to be with him. Among the evangelists it is Luke who regularly uses the title ‘apostles’ for those who were pre-eminently witnesses of all Jesus said and did, especially of his resurrection.¹ Matthew and Mark use the title only once, and John never calls the disciples ‘apostles’. It should be noted that a number of biblical scholars conclude that the twelve were not at first called apostles, but that this term emerged in the context of Christian mission.

7. Paul claimed to be called by Christ as an apostle to preach to the Gentiles.² He speaks of the twelve and then ‘of all the apostles’ (1 Cor 15:5-7). Paul names as apostles some who went before him, and among these Paul includes James the Lord’s brother, who was not one of the twelve (Gal 1:17-19).

8. The fact that Paul argues for the right to be called an apostle is an indication that for a time the use of the title was quite fluid among early Christian communities. In fact, the New Testament writings witness a tremendous variety not only in the use of the term ‘apostle’ (*apostolos*), but also for other ministry roles. Indeed, there is no fixed conception of ministry and no three-fold division until after the New Testament period. The term ‘elder’ (*presbuteros*) for a Christian leader occurs in Acts, James, 2 and 3 John and the pastoral letters,³ but never in Paul’s undisputed letters. The cultic title priest (*hiereus*) does not occur in the New Testament in reference to Christian ministry. The role of *diakonos* (lit. servant/minister) conveys a variety of senses, and is used for both men and women. The type of church structures found in Paul differs from those found in Matthew, John and Luke-Acts.

9. The term *episkopos* reflects the religious background out of which the New Testament itself came. In the Greek Old Testament (the Septuagint) the word appears frequently for those leading in one capacity or another.⁴ In the Qumran community there is evidence of an overseer (*mebaqqer*), who may or may not have been a priest, who knew the Law and made doctrinal and administrative decisions.⁵ The synagogue may be a possible source of influence since the earliest Christian house churches arose directly from the synagogue. Thus there may be a correlation between certain roles in Jewish synagogue life and the emergence of the *episkopos* and the *diakonos* in early Christian communities.⁶

10. A difficulty exists in coming to an understanding of oversight in the New Testament because no clear distinction is made between *episkopos* and *presbuteros*. In Acts, Luke uses both terms in reference to the same group in the church at Ephesus. In Acts 20:17, Paul sends a message asking the elders (*presbuteroi*) of the church to meet him. In Acts 20:28 Paul urges the same group to keep watch over themselves and the flock of which the Holy Spirit has made them overseers (*episkopoi*) to shepherd the church of God. The term clearly relates to a pastoral function.

11. The Letter to Titus also indicates the interchangeability of the terms *episkopos* and *presbuteros* in the New Testament. In 1:5-6 the writer exhorts Titus to appoint elders (*presbuteroi*) in every town in Crete and outlines the characteristics expected of them. In 1:7-9, still referring to the same appointees and their characteristics, the writer uses the term overseers (*episkopoi*) and solemnly charges them to

¹ Luke 6:13; 24:48; Acts 1:8,22; 2:32; 3:15; 5:32.

² Rom 1:1; 1 Cor 1:1; 9:1,5.

³ Acts 14:23; 15:2, 4, 6, 22, 23; 16:4; 20:17; 21:18; 1 Tim 5:17; Titus 1:5; 2 John 1:1; 3 John 1:1.

⁴ 2 Kgs 11:19; 2 Chron 24:12,17; Neh 11:9,14, 22; 12:42; Isa 60:17; 1 Macc 1:51

⁵ 1 QS 6:12,14,20; CD 13:6-9; 14:9-12

⁶ cf. Epiphanius *Pan.* XXX, 18; 1 Cor 4:1.

instruct in sound doctrine. It appears that an emerging role of these appointees was to present sound doctrine and defend it against contradiction. In Titus 1:7 the overseer is referred to as God's steward (*oikonomos*). In a parallel passage in 1 Timothy 3:1-7 the writer outlines the characteristics of anyone who aspires to the oversight (*episkope*). The overseer (*episkopos*) is presented as caring for God's church (*ekklesia*). No reference is made to the term elder (*presbuteros*).

12. In Philippians 1:1 Paul identifies his addressees as the saints in Christ Jesus who are at Philippi, with the overseers (*episkopoi*) and deacons. The plural is used of the overseers as well as of the deacons, thus indicating the presence of more than one *episkopos* in a community. In 1 Peter 2:25 *episkopos* with the sense of 'guardian' is used of Christ. It is used in conjunction with the pastoral term 'shepherd'.

13. In Acts 1:16-26 the eleven choose Matthias, as one who accompanied them during the time that Jesus was with them, to replace Judas in the ministry and apostolate (*diakonia* and *aposteles*). It is clear that the eleven choose Matthias to complete the number twelve. Peter grounds the need to replace Judas in the words of Ps 108:8/109:8: 'Let another take his office/position' (Septuagint: *episkope*). The number twelve connects the ministry and apostolate of the twelve with Luke's story of Israel renewed in Jesus.

14. The only other usage of the terms *episkopos* or *episkope* in the New Testament which may be relevant to our understanding of oversight occurs in a variant reading of 1 Peter 5:2 where the author exhorts the elders (*presbuteroi*) among them 'to exercise the oversight' (*episkopeo*). In Luke 19:44 and in 1 Peter 2:12 the word *episkope* is used in the sense of 'time of visitation'.

15. From the New Testament evidence, we may conclude that ministry in the early church took diverse forms. At this stage there was no clear distinction between *presbuteros* and *episkopos*. Investigation of the terms *episkopos* and *episkope* indicates that the *episkopoi* performed various leadership functions that included teaching, managing, admonishing, and generally supporting the mission and life of the church. It appears that the oversight was a pastoral and administrative function whose stewardship was the care of God's church.

Oversight in the Period from the Early Church to the Reformation

16. Behind the eventual emergence of the office of bishop are the questions that the church faced with the death of the twelve: How can unity be maintained? Who has the right and responsibility of teaching authoritatively in the name of Jesus? How can authenticity in teaching be ensured? In the first three centuries the following factors also played a significant role: confusion of identity among the followers of Christ (should they still adhere to Jewish practice?); the rise of various charismatic leaders with conflicting claims to authority (e.g. Montanus and Marcion); and the lack of an agreed-upon body of New Testament scripture. In this climate leaders were needed to safeguard the teachings of Jesus and the apostolic church and who could guide a community carefully along a path consistent with them.

17. The first Christian communities organised their leadership around the synagogue model of elders, prophets and preachers. As Christianity grew and spread, other models were adopted. Terminology used to describe the persons holding the position of oversight was also varied, as were the functions associated with the role.

18. Within this diversity, as early as the first decades of the second century, Ignatius of Antioch was able to claim as a fact the threefold office comprising overseers (*episkopoi*), presbyters (*presbuteroi*) and deacons (*diakonoi*).⁷ The model of one bishop leading the local Christian community in one town or city is emerging. It is the bishop (*episkopos*) who supervises the community in the place of God, the source of all ministry. Deacons are intimately involved in service of the community under the supervision of the bishop, and the presbyters form a council around the bishop. Without the bishop, who supervises all ecclesial activities, no church function has validity. It is clear that, even though

⁷ *Ad Magn.* 6:1.

there continued to be great variety in practice, the pattern of episcopacy described by Ignatius gradually became the norm.⁸

19. Characteristic of the first millennium is the grounding of the role of the bishop in the understanding and lived experience of church as ‘communion’ (*koinonia*). This communion can be described as the bond that united the bishop and the local Christian community, and the bishops among themselves. It was a bond that was maintained and made visible by eucharistic communion and by the sharing of decision-making in councils or synods.⁹ In this respect the bishop was always the bishop of a local church within a single town or city.¹⁰

20. Three essential elements of the Christian *koinonia* had to be preserved in every local church. First, the apostolic teaching had to be preserved and faithfully transmitted. It was the bishop who was chosen (and ordained) to keep the community in its authentic apostolic faith. He was the guardian of the faith of the Apostles in a church descended from those churches founded on their witness. At this time lists identifying the succession of bishops in a local church were often used to assure this apostolic continuity.

21. Secondly, the local church had to be kept in a communion of life and mission. From different walks of life, social status and cultures, the baptised had to be one in order to live as the reconciled people of God. In the concrete life of the local church, the unifying role of the bishop was closely related to the eucharist as the sacrament of the church’s communion.¹¹

22. Thirdly, the local church also maintained communion with other local churches. Letters of communion, issued to Christians travelling between these churches, would ensure hospitality and welcome at the eucharist. The letters would also afford communication between bishops and between local churches. Hence, the ministry of oversight, grounded in an understanding of church as communion, involved the proclamation of the word, celebration of the eucharist and the ministry of unity.

23. However, with the rapid growth of Christianity in the fourth century, more than one congregation emerged within some communities. This gradually led to the breaking down of a direct connection between the bishop and his community. Increasingly, the eucharist was celebrated by presbyters. By the fifth century, a presbyter was often called a priest (*sacerdos*), a bishop sometimes being referred to as a ‘high priest’.¹²

24. From his study of Scripture, Jerome (d. 420) deduced that the terms *presbuteros* and *episkopos* had once been used interchangeably. He believed that practical need rather than divine ordinance had led to the emergence of the monarchical episcopate, and that the only significant difference between bishops and presbyters was the bishop’s power to ordain.¹³ John Chrysostom (d. 407) reached the

⁸ Walter Bauer, *Orthodoxy and Heresy in Earliest Christianity*, ed. Kraft & Krodel (Philadelphia: Fortress, 1971), 61. See also Everett Ferguson, s.v. ‘Bishop’, in *Encyclopedia of Early Christianity* (New York: Garland Publishing Inc., 1999).

⁹ Ludwig von Hertling, *Communion: Church and Papacy in Early Christianity*, trans. Jared Wicks (Chicago: Loyola University Press, 1972), 16. See also *Communion and Mission. A Report from the Australian Lutheran-Roman Catholic Dialogue on the Theology of Church* (Adelaide, 1995), 6-9.

¹⁰ Cf. Council of Nicaea can. 8, which puts in place arrangements to ‘prevent there being two bishops in one city’. On the independent but differing power bases of bishops at this time relative to the status of their sees, see H. A. Drake, *Constantine and the Bishops* (Baltimore: Johns Hopkins University Press, 2000), 396-400.

¹¹ See Ulrich Volp, ‘Liturgical Authority Reconsidered: Remarks on the Bishop’s Role in pre-Constantinian Worship’, in *Prayer and Spirituality in the Early Church*, vol. 3, ed. Bronwen Neil, Geoffrey D. Dunn & Lawrence Cross (Strathfield: St Pauls, 2003), 189-209, who argues that the liturgical presidency of *episkopoi* emerged in the third century in parallel with the imperial cult, becoming well-established in the fourth century.

¹² Joseph Martos, *Doors to the Sacred: A Historical Introduction to Sacraments in the Catholic Church*, rev. ed. (Liguori, Missouri: Liguori/Triumph, 2001), 416.

¹³ Jerome, *Letter 146*, Philip Schaff & Henry Wace, ed. *Nicene and Post-Nicene Fathers*, 2nd series, vol. 6 (Grand Rapids, Michigan: Eerdmans, n.d.), 288-9.

same conclusion: 'For they [bishops] are only superior in having the power of ordination, and seem to have no other advantage over presbyters'.¹⁴

25. The growing role of the papacy also had an impact on the role of the bishop during this time. From the time of Gregory the Great (d. 604), the influence of the pope became more important. While Rome had held a position of pre-eminence among the churches in communion with each other, the bishops had related in a predominantly collegial way with one another. As the pope became a more significant force in the Western church and in the Western world, this collegiality of the bishops was overshadowed.

26. By the early years of the second millennium tensions between East and West led to schism, with the result that the common tradition of the first millennium no longer developed in an integrated fashion. For example, in the West by 1100, many theologians held that the presbyter, and not just the bishop, possessed the 'fullness' of the priesthood, which was now defined as the power to consecrate the eucharist. The distinction between the presbyter and the bishop became a matter of jurisdiction. Gradually the legal took priority over the sacramental – to the extent that a papal legate, even if not a bishop, had authority over bishops. The expression *corpus mysticum* – which had referred to the eucharist as the mystical, sacramental body – soon came to designate the church as a hierarchical society. The context for understanding the bishop's office gradually shifted from the church considered as a graced communion to the church understood as a legal institution. Soon the power of bishops spilled over into the secular world.

27. Among the theologians of the High Middle Ages opinions as to the way bishops fitted into what was by then called 'the sacrament of orders' ranged from seeing them merely as possessing higher juridical power,¹⁵ to Thomas Aquinas' distinction of two meanings within the term *ordo*: *ordo* as a sacrament and *ordo* as office. In the first meaning the episcopacy is not an *ordo*, since the bishop possesses no greater power over the eucharistic body of the Lord than the priest. As office, however, the episcopacy is an *ordo* because the bishop has power over and beyond the priest with regard to the mystical body of Christ, that is, the church, insofar as only he can confirm and ordain.¹⁶

28. In the Late Middle Ages there was even debate over a bishop's power to ordain. A compromise position was that every priest had the power to ordain, but only a bishop had the authority to do so.¹⁷ Several fifteenth-century popes did in fact confer this authority on a number of presbyters who were abbots of monasteries, so that they could ordain members of their communities, and it may also have been given to presbyter-missionaries working in remote places.¹⁸

29. By the sixteenth century, there had taken place a significant shift from a sacramental appreciation of bishop to a juridical one. In the meantime the church's unity in the West had been damaged in the Great Schism (1378-1415), a time of competing claims to the papacy, with popes in Avignon and Rome. Synods of bishops sought reform 'in head and members' and worked to correct abuses. Minimal success was achieved at the Fifth Lateran Council (1512-17), which ended in the year of Luther's theses against indulgences.¹⁹

¹⁴ John Chrysostom, *Homily XI*, Philip Schaff, ed. *Nicene and Post-Nicene Fathers*, vol. 13 (Grand Rapids, Michigan: Eerdmans, n.d.), 441. See also Martos, *Doors to the Sacred*, 421. In *Ministry to Word and Sacraments* (Philadelphia: Fortress Press, 1976), 562, Bernard Cooke observes with regard to the participation of presbyters in the imposition of hands in presbyteral ordination in the early church: 'there is no evidence that it was considered as absolutely essential and certainly no evidence that it could in an emergency replace the episcopal imposition of hands'.

¹⁵ Albert the Great, *Sententiarum IV* a.39.

¹⁶ *Sententiarum IV* d. 24, q.3, a.2, sol. 2 = *Supplementum* q.40, a. 5.

¹⁷ Martos, *Doors to the Sacred*, 433; Kenan Osborne, *Priesthood: A History of the Ordained Ministry in the Roman Catholic Church* (New York: Paulist Press, 1988), 193.

¹⁸ Examples can be found in Arthur Piepkorn, 'A Lutheran View of the Validity of Lutheran Orders', in Paul Empie & T. Austin Murphy, eds, *Eucharist and Ministry: Lutherans and Catholics in Dialogue*, vol. 4 (Minneapolis: Augsburg Publishing House, 1979), 223-225.

¹⁹ Hubert Jedin, *Kleine Konziliengeschichte* (Stuttgart: Herder, 1959), 78f.

Oversight in Lutheran Tradition: the Reformation to the Australian Present

30. Martin Luther worked within the framework of churchly organisation as it existed.²⁰ His aim was not revolution but renewal of the church in doctrine and life as impelled by the word of God in scripture and preaching, and by the sacraments. This intent is reflected in the Augsburg Confession, which proclaimed the unity of the church and its ministry based upon the gospel and the sacraments:

It is also taught among us that one holy Christian church will be and remain forever. This is the assembly of believers among whom the Gospel is preached in its purity and the holy sacraments are administered according to the Gospel (CA 7.1)

It is taught among us that nobody should publicly teach or preach or administer the sacraments in the church without a regular call (*nisi rite vocatus*; CA 14).

31. The Lutheran reformers, concerned that ‘some have improperly confused the power of bishops with the temporal sword’, emphasised the unity of the pastoral office, and grounded the power of bishops in the word of God:

According to divine right, therefore, it is the office of bishop to preach the Gospel, forgive sins, judge doctrine and condemn doctrine that is contrary to the Gospel, and exclude from the Christian community the ungodly whose wicked conduct is manifest. All this is to be done not by human power but by God’s word alone. On this account parish ministers are bound to be obedient to the bishops according to the saying of Christ in Luke 10:16, ‘He who hears you, hears me.’ On the other hand, if they teach, introduce or institute anything contrary to the Gospel, we have God’s command not to be obedient in such cases... (CA 28.21-23).²¹

32. Under the pressure of historical circumstance, Luther became acutely critical of the episcopate of his day. As the reform movement unfolded, Luther and his colleagues began to address churchly needs as they emerged. Central to Luther’s vision of church governance was the unity of office supported by New Testament texts referring to *presbuteroi* and *episkopoi*. While concerned to maintain that bishop and presbyter are ‘one thing’, the later special claims of particular powerful church figures, including the bishop of Rome, were not simply swept aside. Their validity, however, can only be created by human authority (*de iure humano*). This position is clearly spelled out in the *Apology of the Augsburg Confession* (14.1) where the reformers proclaimed their ‘deep desire to maintain the church polity and various ranks of the ecclesiastical hierarchy, although they were created by human authority. We know that the Fathers had good and useful reasons for instituting ecclesiastical discipline in the manner described in the ancient canons.’ Persecution and even martyrdom was the catalyst for the Lutheran dilemma: ‘...the cruelty of the bishops is the reason for the abolition of canonical government in some places, despite our earnest desire to keep it’ (*Ap.* 14.2).

33. In areas where the Reformation had taken hold the supply of clergy became critical. Luther’s advice, in *De Instituendis Ministris*, was that in such situations the people should choose pastors from the flock of Christ, their own members. Such presbyters may then install others chosen by the congregation. Another alternative was that priests previously ordained might legitimately act as bishops and ordain others.

34. The Church Visitation of 1528 in evangelical Saxony was authorised and facilitated by the Elector. Luther tardily condoned this involvement of the secular prince as foremost member of the church acting as a temporary ‘emergency bishop’ until ‘God the Holy Spirit brings to pass something better’ (*LW* 40, 273). This solution opened the door too easily to long lasting state–church alliances

²⁰ Gerhard Tröger, s.v. ‘Bischof 2’, *Theologische Realenzyklopädie* 6, 690.

²¹ See also Treatise 60–61, in *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, trans. Theodore Tappert (Minneapolis: Fortress Press, 1959).

and arrangements. They took hold across German Protestantism via insecure *cuius regio eius religio* type settlements;²² and the emergence of a credible Lutheran episcopate was delayed for centuries.

35. The territorial system of governance was not what Luther intended. In two cases the Catholic incumbents – the bishops of Samland and Pomesania-Danzig – converted and became evangelical (Lutheran) bishops. As late as 1537 Luther conceded, in the *Smalcald Articles*, that ‘if the bishops were true bishops and were concerned about the church and the gospel, they might be permitted (for the sake of love and unity, but not of necessity) to ordain and confirm our preachers...’ On 20 January 1542 Luther was involved in what he described as the ‘ordination and consecration’ of a bishop.²³

36. The emergence of a credible Lutheran episcopate in Germany faced the opposition of the Roman Catholic bishops as well as the peculiar difficulties of Protestant territorial connections, and the deeper fragmentation caused by the Thirty Years War (1618-48). Under these conditions the office of ordained superintendent became widespread both in Lutheran territories and also in Reformed sections of German Protestantism. The superintendents functioned much like bishops, but had to do so out of a firmly consistorial context.²⁴

37. The Scandinavian church retained the episcopal office through the Reformation, in the cases of Sweden and Finland with unbroken succession. In Denmark the monarch replaced the whole Catholic episcopate with evangelical bishops in a service presided over by Luther’s friend and associate, Johann Bugenhagen.

38. Some attempts to restore the office of bishop occurred along the way in Lutheran history. In 1737 Count Nicholas von Zinzendorf was consecrated as bishop of the Moravian Brethren Church. This body, linked to the Hussite Brethren (*unitas fratrum*) of earlier times, affiliated with the Augsburg Confession in 1748. Many of the Moravian Brethren who migrated to Australia later became part of Lutheranism in Australia. In the nineteenth century the Prussian monarch, Friedrich Wilhelm IV, promoted the recognition of the episcopal office (as emergent from the presbyterate) and together with the Anglicans established the Protestant Episcopal See of Jerusalem (1841-81).

39. The nineteenth century also saw the criminalisation of ‘Old Lutheran’ dissent by state rulers, leading to the exodus of groups from Prussia to the United States of America and Australia. The ‘Old Lutheran’ dissent was focused on the eucharist and in particular the imposition of a eucharistic liturgy which was seen to diverge from confessional Lutheran theology. In response to the implications of a unionistic eucharistic theology and practice Pastor Kavel defended the faith which was seen to be under threat and exercised oversight of the new church in Australia.

40. The end of monarchy in 1918 forced Protestant churches in Germany to stand on their own feet. The resulting creation of a ‘synodical bishop’ was a significant achievement. Elected by the synod (and removable for specified reasons), bishops act in consultation with appropriate committees. In some churches the bishop has the right to veto, and in others the position is more conciliar.

41. Many of the Lutherans who emigrated to the new world as settlers, or who served in the third world as missionaries, came from a pietistic background. As a result, Lutheran churches that emerged outside Europe rarely adopted the episcopal office. In the United States the leader of the pioneers who eventually became the Lutheran Church–Missouri Synod assumed episcopal rank as Bishop Stephan, but was later dismissed by his flock for misconduct. The Missouri experience helps explain why some Lutheran churches have avoided the title ‘bishop’. The other two major synods that emerged in the USA have used the title bishop since 1970. When they merged in 1987 to form the Evangelical

²² In these arrangements the religion of the people followed that of the prince.

²³ This was Nicholas von Amsdorf of Naumburg, Saxony who was installed as evangelical bishop in a Saxon diocese that had initially rejected the Reformation. There were four assistants, Abbot Thomas Hebenstreit, and Superintendents George Spalatin, Nikolaus Medler and Wolfgang Stein. Both Luther and the Saxon Elector, John Frederick, wanted the installation of Amsdorf as Bishop of Naumburg to serve as a test case and model for reform (See WA 53:219-60). See Ralph F. Smith, *Luther, Ministry and Ordination Rites in the Early Reformation Church* (New York: Peter Lang, 1996), 152-162.

²⁴ The consistory was the prince’s committee for looking after the juridical and doctrinal life of the church.

Lutheran Church in America (ELCA), a Swedish bishop participated at the consecration of their first presiding bishop.

42. During the last part of the twentieth century many other Lutheran churches around the world have decided to use 'bishop' as the title for the presiding leader of the church, and often for District (regional) leaders as well.

43. In Australia the Lutheran Church went against the trend to use the title 'bishop' when the Canberra Synod in 1990 rejected a proposal to introduce it. District and national leaders are still called 'presidents', but in fact function as bishops do in other Lutheran churches. For Australian Lutherans, there is no theological or confessional reason that would prevent the possibility of naming presidents 'bishops', and some would even say, of returning to the historic episcopate. A good case can be made in terms of the well-being (*bene esse*) of the Christian community.

44. When Lutherans in America debated the same process about a generation ago one of their number, Gerald Brauer, wrote:

Lutheranism's high conception of the office of the ministry, its abiding concern for good order in the church, its sense of historical continuity and tradition in the Christian community, its continuing concern for a pastoral ministry in parishes as well as among the clergy, and its ongoing concern with a living theological tradition through confession help to explain why this tendency [toward the office of bishop] persists.²⁵

45. Looking back over almost five centuries of Lutheran history in respect to the ministry of oversight, it is evident that at the beginning there was no intent to break away from the common tradition in regard to the ordering of ministry. 'Our earnest desire [is] to keep it' (*Ap.* 14.2). It was only under the pressure of historical circumstances that Lutheran churches made alternative arrangements that in fact varied quite markedly from place to place and time to time. Furthermore, history shows that Lutherans have consistently given expression to the exercise of oversight in ways that are personal, collegial, and synodical. Amid the variability, the one constant is the understanding that the ministry of oversight is not political power, but is grounded in the one office of the ministry of the gospel:

Our teachers assert that according to the Gospel the power of keys or the power of bishops is a power and command of God to preach the Gospel, to forgive and retain sins, and to administer the sacraments (*CA* 28.6).

Oversight in Recent Roman Catholic Tradition: the Teaching of the Second Vatican Council

46. In response to the Reformation, a major focus of the Council of Trent (1545-1563) was the episcopate. Among the Council's most significant reforming decrees were those that required bishops to be resident in their dioceses and be committed to preaching, pastoral oversight and living exemplary moral lives. Less progress was made with regard to doctrinal clarifications. The Council insisted that ordination was a sacramental rite, and decreed that bishops, priests and deacons were instituted by divine ordinance. However, the Council did not speak of episcopacy itself as a sacrament. On another front, the Council affirmed that bishops were of a higher rank than presbyters, and had the power to confirm and ordain. While the possibility that priests could be empowered by the pope to ordain in extraordinary situations was not ruled out, the Council did state that bishops should personally confer orders, and that the occasions when abbots and other exempt clergy could confer tonsure and minor orders were to be restricted.²⁶ Even after the reforms of Trent the ambiguity between episcopacy and

²⁵ *Episcopacy in the Lutheran Church?*, eds Ivar Asheim and Victor R. Gold (Philadelphia: Fortress, 1970), 203-4.

²⁶ Council of Trent, Session 23, Decree of Reform of the Sacrament of Orders, canons 3 & 10. For a useful discussion of the doctrinal issue of the minister of ordination see Piepkorn, 'A Lutheran View of the Validity of Lutheran Orders', 224-225. In a footnote he notes that Canon 951 of the 1917 Code of Canon Law states that a consecrated bishop is the ordinary minister of ordination but it acknowledges that an extraordinary

the sacrament of orders, which had evolved by the Late Middle Ages, continued and remained in place until the middle of the twentieth century.²⁷

47. The Second Vatican Council addressed the question of bishops afresh, and developed its teaching within the context of a larger teaching on the church, understood as a communion. According to the Final Report of the Extraordinary Synod of Bishops (1985), ‘the ecclesiology of communion is the central and fundamental idea of the council documents’. It is an idea which was prominent in the first Christian millennium, and which, through a fresh study of the ancient sources, has been re-received in our own time.

48. The Council teaches that ‘through the imposition of hands and the words of consecration the grace of the Holy Spirit is so conferred, and the sacred character so imprinted, that bishops in an eminent and visible way take on the functions of Christ the teacher, shepherd and pontiff and act in his person’ (LG 21).

49. The order of bishops is the fullness of orders, which Christ has given to the apostles, and therefore is properly a rank of the sacrament of orders. The bishop’s commission comes from Christ alone. It is communicated to the bishop through this sacrament, enabling him to be an effective sign of the continuity of the apostolic faith. The bishop makes Christ present through a ministry of service in announcing the word of God, celebrating the sacraments, and caring for the unity of the body of Christ.

50. Only by exercising his ministry as service does the bishop represent Christ as the shepherd and head of the church: ‘That office, however, which the Lord committed to the pastors of his people, is, in the strict sense of the term, a service, which is called very expressively in the sacred scripture a *diakonia* or ministry (cf. Acts 1:17 and 25; 21:19; Rom 11:13; 1 Tim 1:12)’ (LG 24).

51. The Council teaches that ‘by divine institution the bishops have succeeded to the place of the apostles’ (LG 20). The apostles’ mission continues, according to God’s will, in the ministry of the bishop: the twelve were appointed to join Jesus in preaching the Reign of God (Mark 3:13-19); they shared in Jesus’ power to enable all to become his disciples;²⁸ and this divine mission, which was committed by Christ to the Apostles, is destined to last until the end of the world (Matt 28:20).

52. The early church saw the living presence of Christ in the church and, in particular in the sacraments, as grounded in the work of the Holy Spirit. Vatican II continues to affirm with the Council of Trent and Vatican I that the bishops, who are set in the place of the apostles, have been instituted by the Holy Spirit. Vatican II likewise grounds the sacramentality of the episcopacy both in the actions of Jesus and of the Holy Spirit (cf. LG 21).

53. An essential part of the bishop’s ministry is that he be in communion with the other bishops, including the bishop of Rome. The Council speaks of the College of Bishops, and explains that the sacrament of episcopal consecration, together with the recognition by the other bishops, including the bishop of Rome, who is the head of the College, makes the bishop a member of the episcopal college. ‘One is constituted a member of the episcopal body in virtue of the sacramental consecration and by the hierarchical communion with the head and members of the college’ (LG 22). The collegiality of

minister without the ‘mark’ of a bishop (*character episcopali careat*) may ‘receive either from the law or from the Apostolic See by a special indult the authority to impart certain orders’. The 1983 Code of Canon Law states in can. 1012, ‘The minister of sacred ordination is a consecrated bishop’. Some commentators suggest it is not the task of canon law to resolve the doctrinal issue as to whether ordination can be administered by an extraordinary minister. See *Code de droit canonique annoté* (Paris/Bourges: Cerf/Tardy, 1989), 549. Other commentators suggest that the abolition of the subdiaconate and the minor orders has removed the controversy about who could ordain to these orders. See *The Canon Law Letter and Spirit*, prepared by the Canon Law Society of Great Britain and Ireland in association with the Canadian Canon Law Society (Collegeville: Liturgical Press, 1995), 550.

²⁷ Pope Pius XII was the first officially to determine in his apostolic constitution *Sacramentum ordinis* (1947), that the episcopacy, the presbyterate, and the diaconate constitute each a proper rank of the sacrament of orders. DS 3857-61.

²⁸ Matt 28:16-20; Luke 24:45-48; John 20:21-23.

bishops is thus an effective sign of the communion of the church. Collegial co-responsibility for the universal church is therefore an essential and intrinsic element of episcopacy.

54. Bishops are not ‘vicars’ of the Pope. They make Christ present sacramentally among their people: ‘in an eminent and visible way they take on the functions of Christ the teacher, shepherd and pontiff and act in his person’ (LG 21); they ‘govern the churches entrusted to them as vicars and legates of Christ...’ (LG 27).

55. The ministry of oversight exercised by bishops has two particular ‘locations’. First, they are ‘the visible principle and foundation of unity in their own particular churches’ (LG 23). They have a duty to ensure that the apostolic faith is received in the particular local church and faithfully handed on within that church. They are thereby guardians of the unity of the local church.

56. Secondly, ‘as members of the episcopal college and legitimate successors of the apostles, the individual bishops, through the institution and command of Christ, are bound to be concerned about the whole church...’ (LG 23). They have a duty to promote and defend the unity of the faith handed down from the apostles. Thus bishops have oversight in order to maintain the unity of the church: both the communion of the local church and the communion of local churches.

57. Episcopal collegiality demonstrates that the universal church is a communion of local churches: ‘in and from these particular churches there exists the one unique catholic church’ (LG 23). The proper responsibility of the bishop for the local church corresponds to the teaching of the council that each particular church is truly church, insofar as in it the church realises itself as a community of believers. The collegial responsibility of the bishops for the whole church corresponds to the structure of the universal church as a communion of churches. The ministry of bishop participates in and preserves the communion of the church.

58. The reforms of the Second Vatican Council were partly the result of a long study of the ancient sources. The clear intention of the bishops at the Council was the renewal of the church’s understanding of ministry in the light of the ancient common tradition. The Catholic Church’s understanding of this ecumenical principle has deepened since the Council and was expressed clearly in the encyclical *Ut unum sint*: ‘in its historical survey, the Council Decree *Unitatis redintegratio* has in mind the unity which, in spite of everything, was experienced in the first millennium and in a certain sense now serves as a kind of model’ (n.55). Further developments in the exercise of authority in general and of the office of bishops in particular may continue as the understanding of the ancient common tradition is deepened.

Separate Pathways out of a Common Tradition

59. Our study thus far shows that the way that the ministry of oversight finds expression in the office of bishop/president has been continually developing in the life of the church. At each stage the church has had to articulate its understanding of ministry in the light of the gospel. Since the Reformation, however, Lutherans and Roman Catholics have taken separate paths in reflecting on the nature and purpose of episcopal oversight. A distinct part of the Roman Catholic experience has been the renewal of the theology and practice of ministry since the Second Vatican Council. While Lutherans and Roman Catholics hold much in common, it is not surprising that there are basic theological differences between us. In the following sections these differences will be identified and explored through dialogue. We thus hope to overcome any long-held misunderstanding of each other’s exercise of episcopal oversight. Through dialogue we each expect to be challenged by the other to better understand this ministry in the light of the gospel and to be faithful to it in our practice.

2. A Divinely Instituted Ministry

60. The New Testament establishes that oversight is integral to the pastoral ministry of word and sacrament that the Lord has entrusted to the church through the apostles. From apostolic times the church has recognised that the task of oversight has been given by God to the church. Roman Catholics and Lutherans therefore readily agree that oversight in the church is of divine institution, since it was mandated by the word of Christ, who is himself the chief shepherd and overseer (*episkopos*) of the flock (1 Pet 2:25; 5:4). However, historically we have differed in our understanding of the divine origin of the office of bishop or president.

Roman Catholic Understanding

61. Roman Catholics believe that the office of bishop belongs to the faith of the church. The Council of Trent decreed that ‘a hierarchy consisting of bishops, priests and ministers (was) instituted by divine appointment (*divina ordinatione institutam*)’ (can. 6). Earlier, in can. 2, it decreed that order or ordination is ‘a true and proper sacrament instituted (*institutum*) by Christ’. The Second Vatican Council presents a more developmental understanding by way of a series of statements in *Lumen gentium* n.20:

...this divine mission, entrusted by Christ to the apostles, will continue to the end of the world... [The apostles] therefore appointed such men and then ordered (*ordinationem dederunt*) them that when they died other approved men would take on their ministry. Among the different ministries that have been carried on in the church right from the earliest times, as tradition witnesses, the chief place belongs to the task of those who, having been appointed to the episcopate through a succession that goes back to the beginning, possess the shoots that have grown from the apostolic seed. ... Therefore the synod teaches that by divine institution (*ex divina institutione*) the bishops have succeeded to the place of the apostles as shepherds of the church.

62. Roman Catholics would not normally use the expressions *ius divinum* and *ius humanum* when speaking of God’s plan for the episcopal ordering of the church.²⁹ It is clear, however, that they believe that the office of bishops was given to the church by God. When they teach that bishops have succeeded to the place of the apostles by divine institution they do not necessarily look to specific words of Christ to ground their affirmation. Rather than claiming that the episcopacy is an ‘institution’ originating in the ministry of Jesus, they understand that this ministry of bishops developed in the church out of fidelity to the divine mission, under the direction of the Holy Spirit. In this teaching Catholics are not asked to believe that there were not other forms of order in the early church. Rather, this particular form of church order was eventually recognised as being faithful to the will of God, and in this sense was recognised as ‘instituted’ by God.

63. In time, episcopal order was received into the life of the church, indicating that the church understood it to be normative for its life. Hence, when Roman Catholics claim that the office of bishops is of ‘divine institution’ they do so out of a dynamic understanding of this phrase. They appeal to a principle of divine institution already witnessed to in the Bible: the discernment and decision in the community under the direction of the Holy Spirit. They recall the promise of Jesus in the fourth gospel to send another Advocate who would lead them into all truth (John 16:13). The Holy Spirit thus helps the church to deepen its understanding of what Jesus said and wished. By analogy with another text relating to church life, it can be said that Roman Catholics are confident that the episcopal ordering in the church is of divine institution on the basis that ‘it seemed good to the Holy Spirit and to us’ (Acts 15:28).

²⁹ *Ius divinum* and *ius humanum* refer to divine law and human law respectively.

Lutheran Understanding

64. Lutherans believe that not only the pastoral office, but also the ministry of oversight inherent in it is of divine institution. The command to make disciples, baptise and teach (Matt 28:18-20), to forgive and retain sins (John 20:21-24), to celebrate the eucharist (1 Cor 11:23-26), to feed lambs and tend sheep (John 21:15-17) is a command to exercise spiritual oversight. In the same vein, the presbyters of the church in Ephesus are solemnly charged: 'Keep watch over yourselves and over all the flock, of which the Holy Spirit has made you overseers (*episkopoi*), to shepherd the church of God that he obtained with the blood of his own Son' (Acts 20:28). A similar exhortation in 1 Peter charges presbyters to 'exercise oversight (*episkopeo*), not under compulsion but willingly, as God would have you do it' (1 Pet 5:1-2).

65. Since for Lutherans the ministry of oversight is clearly mandated in Scripture, they affirm that this ministry is of divine institution (*de iure divino*). At the same time Lutherans maintain that particular, concrete expressions or forms of this ministry have come into being by human arrangement (*de iure humano*), and developed in the life of the church as the mandate to maintain the ministry of oversight was applied to the needs of specific mission contexts. While Lutherans have arranged the ministry of oversight differently in different contexts, they have always ensured that this divinely mandated ministry has been properly ordered. For example, the specific office of 'president' in the Lutheran Church of Australia is regarded as a human arrangement made by the synod of the church, ever seeking the Spirit's guidance, for carrying out the divinely mandated ministry of oversight for Lutheran Christians in the Australian context. Lutherans are in fact echoing Luther's insistence that 'the Word of God, and no one else, not even an angel, should establish articles of faith'.

66. Lutherans have always been respectful of the church's tradition, not only because 'the Fathers had good and useful reasons for instituting ecclesiastical discipline' (*Ap.* 14.1) but more especially because of their confession that 'one holy Christian church will be and remain forever' (*CA* 7.1). Early Lutherans testified that it was their 'deep desire to maintain the church polity and various ranks of the ecclesiastical hierarchy' while maintaining that 'they were created by human authority' (*Ap.* 14.1). This willingness to retain or restore wherever possible a catholic continuity in church practice has been maintained, because Lutherans are deeply conscious of the leading of the Holy Spirit in the history and life of the church, and of the biblical exhortation to 'make every effort to maintain the unity of the Spirit in the bond of peace' (Eph 4:3). This is evidenced by the fact that many Lutheran churches today are presided over by bishops, and even in churches that use some other title, e.g. 'president', that person functions as a bishop.

Common Understanding

67. Our dialogue on this issue has suggested that when Lutherans hear Roman Catholics say 'by divine institution' Lutherans understand this in a far narrower sense than that intended by Roman Catholics. Thus Catholics are quite comfortable in acknowledging that the episcopal structure of the church was not fully established until the end of the second century, but it is still by divine institution. Similarly, when Roman Catholics hear Lutherans saying *de iure humano* Catholics understand this to mean far less than Lutherans intend. Lutherans do not mean oversight as such is optional or insignificant or not divinely instituted, but that the ordering of oversight is seen as a task of the church under the guidance of the Holy Spirit.

68. As a result of this agreement we can both say that the ministry of oversight was established in the church under the guidance of the Holy Spirit; we both recognise the action of the Holy Spirit in the on-going life of the church; and we both agree that the ministry of presidents and bishops is an enduring gift of God to the church.

3. A Gift of God in the Church

69. In *Communion and Mission* Australian Lutherans and Roman Catholics expressed agreement about the church:

Lutherans and Catholics agree on the universal and salvific nature of the church's presence and action in the world. As the body of Christ, the church is used by God to proclaim the divine love through word and sacrament and to model that communion which is the product of the gracious work of the Holy Spirit. It is an essential part of the church's being to be sent out into the whole world on God's mission. ... It is the manifestation of the mystery of God's gracious purpose for the whole of humanity and of the divine plan to gather all things together under the headship of Jesus Christ (Eph 1:9-10). Accordingly, the church does not exist for its own sake but it is God's servant in and for the world. (n.63-64)

70. From this agreement on the church we can speak with a common voice about the place of oversight in the church. Oversight is essential to the church; it is exercised by the church and within the church. It is exercised in relation to the preaching of the gospel and the celebration of the sacraments. In its exercise for the building up of the church the mystery of God's gracious purpose for the whole of humanity is manifest. Hence we see the office of oversight as a visible, graced reality. Through its exercise the church continues to be a sign and instrument of God's plan for the unity of humanity and their union with God.

71. Within this agreement Lutherans and Roman Catholics have traditionally emphasised different aspects of the relationship between church and the bishop/president. The possibility of reconciling these differences will depend on how together we answer the following questions. In affirming that Christ is the locus of the church's unity, to what extent can we speak of the bishop/president as a visible expression of that unity? What is the relationship between the bishop/president and the wider church? How is the bishop/president connected to a diocese/district? What is the relationship between the bishop/president and the congregation? What place does a teaching authority have in the church? How do we see the respective authorities of president and pastor or bishop and priest? We believe that consideration of these questions may offer deeper insights into the nature of episcopal ministry and its exercise.

Lutheran Concerns and Emphases

72. When Lutherans consider the relationship between the church and the episcopal office they wish to safeguard the spiritual reality of the church as the whole people of God in Christ Jesus. The focus of all ministry is Christ himself (it is his word and his sacraments; the church is his body). The unity and communion of the church is manifest in the liturgical presence of Christ: his gospel is read and preached; the church gathers to receive the sacrament of his body and blood. Only in a mediated sense do pastor and president manifest the church's unity – and they do so by ensuring that Jesus Christ is given his proper place as Lord of the church. 'Whoever hears you, hears me' (Luke 10:16). An essential task of the one office of the ministry of word and sacrament is oversight. In accordance with the command of Christ (Matt 28:18-20, John 20:1-23), there must be spiritual oversight of the church, whether that be at the parish, regional, or national level. Pastors exercise spiritual authority over the flock entrusted to their care. District presidents and the national president exercise a wider spiritual authority both over the parishes within their region and the pastors serving in them.

73. Lutherans see the office of president as an episcopal ministry, a ministry of oversight that fosters the one mission of the church and promotes unity in faith, hope and love. The essence of this oversight is not administrative or institutional, but is always pastoral, always exercised personally, collegially, and communally. The ministry of presidents is a service within the ministry of the church, and is understood as a distinct form of the one pastoral order, not a separate order. Presidents are themselves

pastoral ministers of word and sacrament, representing the ministry of Christ toward the church. The Lutheran Confessions state that, ‘...according to the Gospel, the power of the keys or the power of the bishops is the power of God’s mandate to preach the Gospel, to forgive and retain sins, and to administer the sacraments. For Christ sent out the apostles with this command (John 20:21–23): “As the Father has sent me, so I send you...Receive the Holy Spirit”.’ (CA 28: 6, 7) Presidents exercise oversight and are servants of the Lord and the church. The Lordship of Christ, exercised through the office of oversight, is the locus of the church’s unity and communion.

74. Lutherans teach that the church is nurtured and preserved in the apostolic faith by means of the Spirit at work in the faithful exercise of oversight through the office of word and sacrament. They also stress that the apostolic witness is passed on to successive generations by the living confession of all the faithful. Through baptism all believers enter the priesthood of Christ and are called to participate in, and share responsibility for the mission of the church: its worship, witness and service. Presidents, as ordained pastors, exercise a public ministry, which belongs to God’s gifts to the church, and is essential for the church to fulfil its mission.

75. For Australian Lutherans a president exercises oversight over a regional grouping of pastors and the congregations they serve. Lutherans, in continuity with one aspect of the early church, have generally understood the congregation as local church in the full sense. Lutherans teach that the church (*una sancta ecclesia*) finds outward and visible expression wherever people assemble around the gospel proclaimed in word and sacrament. In this face-to-face assembly the faithful participate in Christ through the preached word and the sacramental gifts administered by pastors in obedience to Christ and on his behalf. While the LCA presidents do not preside over a local congregation, they preside over synodical gatherings, exercise primary responsibility for the ministry of word and sacrament in synod and its congregations, and in this way, connect all local churches in a region to each other and to the whole church. In this way presidential exercise of oversight is not only personal and collegial but also communal.

Roman Catholic Concerns and Emphases

76. Roman Catholics teach that the specific role of the bishop is to be a focus of the church’s unity and mission. This is understood in a sacramental sense, viz. that God’s grace is mediated through human realities. Thus the bishop is, like other people, a ‘weak’ human being, but one who has received authority to exercise ministry through the gift of the Holy Spirit in episcopal ordination. Hence bishops possess a proper authority in the church. ‘This teaching function is not above the word of God but stands at its service, teaching nothing but what is handed down, according as it devotedly listens, reverently preserves and faithfully transmits the word of God, by divine command and with the help of the Holy Spirit’ (DV 10). By their ministry bishops remind the whole church of the gospel proclaimed by Christ and call the church to fidelity to the gospel.

77. Roman Catholics regard the bishop as a member of the pilgrim people of God. They are confident that the instinct for the faith (*sensus fidei*) of the whole people of God – which is a gift of the Spirit – will keep the church in the faith of the apostles. While bishops have a particular task to discern and articulate the faith of the people of God (*sensus fidelium*), they confess the apostolic faith together with all the baptised.

78. Roman Catholics understand the bishop to have oversight in a particular, local church – a diocese – and to be the sign of communion with other local churches. This is manifest most clearly in the celebration of the eucharist, over which the bishop presides in the diocese. Every celebration of the eucharist in a diocese is linked in a sacramental way to the bishop.

Common Affirmations

79. *Both Lutherans and Roman Catholics affirm that bishops/presidents are a gift from God to the church because their role is to ensure that the word of God is handed on and received in the church, that the sacraments are celebrated, and that the unity of the church is thereby preserved.*

In this sense we see the bishop/president as a visible expression of unity. We affirm that this gift is bestowed on a person by the action of the Holy Spirit through the ministry of the church. We affirm that episcopal ministry is exercised personally, collegially and communally, thereby demonstrating that the church is a communion.

80. *We affirm that the office of bishop/president depends on the word of God, and is exercised as a ministry of the word.*

Through the life and ministry of the bishop/president, the Holy Spirit makes present the word of God. The bishop/president has a prophetic role in the church: he proclaims the word of God to the church and to the world. Through the ministry of the word the bishop/president demonstrates the unity of the church across time and space. There is one word of God. This one word is handed on and received in different places and contexts around the world, and the bishop/president oversees this process in a particular location. A Lutheran president preaches in worship at synods and conferences of the church, in regular congregational life, at the ordination and installation of pastors, and on other occasions. A Roman Catholic bishop preaches authoritatively within the liturgical assembly. Traditionally he listens to the reading of the gospel and teaches it from his seat (*cathedra*) in the cathedral church. Both bishops and presidents speak the word publicly on behalf of the church when addressing particular moral or social questions. This proclamation – within the church, and in society-at-large – is grounded in Jesus' promise, 'The one who hears you hears me' (Luke 10:16).

81. *Both Lutherans and Roman Catholics recognise that there is an inter-relationship between bishops/presidents and the eucharist in respect to the manifestation of the unity of the church.*

In the early church the bishop presided at the eucharist celebrated in the local church of which he had oversight. The link between this eucharist and other local celebrations of the eucharist was maintained by the naming of the bishop in the Eucharistic Prayer. This practice is still continued in the Roman Catholic Church. In the Lutheran Church in Australia the president is often named in the prayer of the faithful. Lutherans also express the link between eucharist and the office of oversight in the fact that the celebration of the eucharist at synod and other church-wide celebrations is presided over by the president. A Roman Catholic bishop regularly presides in the cathedral at the diocesan eucharist.

82. *Within our respective churches, bishops/presidents are connected to each other in a collegial relationship.*

In the LCA presidents belong to the College of Presidents. For Roman Catholics, all bishops throughout the world belong to the College of Bishops. Likewise, in both our churches episcopal ministry is exercised in a particular region that is bigger than a local congregation or parish.

4. Apostolic Succession

83. Lutherans and Roman Catholics agree it is essential that the ministry of presidents and bishops have apostolic validity. We differ regarding the way such validity is determined and what it means.

Roman Catholic Concerns and Emphases

84. For Roman Catholics, in purely canonical or juridical terms, a requirement for the validity of episcopal ministry is the ‘apostolic succession of bishops’. Accordingly, it is canonically determined first that each bishop be ordained by a bishop who is assisted by two other bishops, all of whom are members of the college of bishops, and second that the ordination be duly authorised by the universal church.

85. The spiritual and theological meaning of apostolic succession should always inform its juridical determination. It is a spiritual reality, which is both ecclesiological and sacramental. This meaning is expressed succinctly in Roman Catholic teaching in these words: ‘through those who were appointed bishops by the apostles and through their successors right down to us, the apostolic tradition is manifested and safeguarded all over the world’ (LG 20). The succession of bishops exists for the apostolic faith. According to ancient practice, by the succession of bishops ‘the tradition of the apostles in the church and the preaching of the truth have come down to us. And this is the most complete demonstration that one and the same life-giving faith which is in the church from the apostles until now has been preserved and handed down in truth’.³⁰ Roman Catholics understand that the handing on of the apostolic faith originates with Christ and is sustained by the Holy Spirit: ‘tradition preserves the word of God as it was entrusted to the apostles by Christ our Lord and the Holy Spirit, and transmits it to their successors, so these in turn, enlightened by the Spirit of truth, may faithfully preserve, expound and disseminate the word by their preaching’ (DV, 9). Apostolic succession (*successio*) is at the service of the apostolic faith (*traditio*).

86. Apostolic succession exists so that the teaching of the apostles, which has been faithfully received in a particular (local) church, may continue to be handed on in that church. In this way the continuity of a local church with the apostolic church is demonstrated as well as the continuity of its bishop with the original apostolic ministry. Furthermore, apostolic succession is meant to ensure that the apostolic teaching handed on in each local church is the same faith received and handed on in the whole church. Bishops always exercise their office as an act of communion. Apostolic succession tells us something about the church throughout the world today. It is an expression of the communion of bishops, and of the communion of local churches. It exists to enable the whole church to continue to hand on what the apostles received from Christ (cf. 2 Tim 2:2), and to ensure that the church remains ‘built on the foundation of the apostles’ (Eph 2:20). An individual bishop is said to be in the apostolic succession when it is determined that this bishop properly belongs to the college of bishops, which is the successor to the apostolic college. Apostolic succession is an expression of both the apostolicity and the catholicity of the whole church. We can therefore say that apostolic succession (*successio*) is related to the communion (*communio*) of the church.³¹

Lutheran Concerns and Emphases

87. For Lutherans, in purely juridical terms, the ‘apostolic succession of bishops’ in its concrete and historical sense is not a requirement for the validity of episcopal ministry, nor does it guarantee it. They acknowledge, however, that it may constitute a useful symbol of the continuity of the apostolic faith and teaching, and that its adoption for the sake of the unity and well-being of the church may be beneficial. For Lutherans the validity of episcopal ministry resides essentially in the validity of the ordained ministry. This is grounded in the authority which Christ has given to the church, by which

³⁰ Irenaeus, *Adv. Haer.* III.3.3.

³¹ The relationship between *successio*, *traditio* and *communio* is explored at some length by Walter Kasper, *Leadership in the Church* (New York: Crossroad, 2003), 114-143.

the pastor is ordained and consecrated. In current Australian Lutheran practice, ordination to the pastoral ministry is authorised by the College of Presidents, that is, the president of the church and the district presidents, working together collegially, and the president of the church performs the ordination as a demonstration of the unity of the church. However, the validity of the pastoral, and therefore episcopal, ministry does not reside in these elements.

88. For Lutherans apostolic succession is the succession of the apostolic faith. The faithful service of the gospel in the exercise of the pastoral office – which includes the ministry of bishop and president – ensures continuity of the apostolic faith. For Australian Lutherans apostolic succession resides in the continuity and succession of the apostolic faith as taught and enacted by the apostolic ministry. As they stated in *Pastor and Priest*, an earlier statement of this dialogue:

The apostolic succession of the church is constituted by its succession in the faith and ministry of the apostles. The unity of faith created by the Spirit down through the centuries, through the succession of word and sacrament, establishes identity between the church of our time and the church of the apostles.³²

89. In ordination, the pastor is ‘authorised to preach the pure gospel, and thus to be a successor to the apostles’.³³ For Lutherans it is apostolic succession in this understanding that guarantees that the apostolic teaching handed on in each local parish is the same faith received and handed on in the whole church. Within this understanding there is a special role for the bishop/president. ‘The power and authority of [the bishop/president] implies a personal responsibility for guiding [the] church in its faithfulness to the common apostolic faith’.³⁴ The practice of the office of oversight requires a shared exercise of authority together with other bishops/presidents, and in consultation with pastors and lay people. This unity of the church (*communio*) is expressed when the church comes together in synod. In Australia, General Synod is presided over by the president of the church. This expression of unity continues between synods as the president of the church, working collegially with the College of Presidents in consultation with General Church Council – a body which includes elected pastors and lay representatives from each district – oversees the church. There is a growing expression of this communion globally as the bishops and presidents of the synods in each country interact collegially in joint episcopal ordinations and formal and informal consultations.

Working Towards Mutual Recognition

90. For Roman Catholics the recognition of the episcopal ministry in each part of the church by the whole church is an essential expression of the catholicity of the church. The Roman Catholic Church recognises the presence of the salvific act of God in the Lutheran Church; it recognises that ‘all who have been justified by faith in baptism are members of Christ’s body...and so are deservedly recognised as sisters and brothers in the Lord.’ The Council teaches that other Christian churches ‘have by no means been deprived of significance and importance in the mystery of salvation’ (*UR*, 3). As a consequence of this forthright statement made at the Second Vatican Council it could be argued that there is already implied a kind of recognition of oversight in the Lutheran Church. Full recognition will be possible as both churches move to address the question of the ‘*defectus ordinis*’ that the Roman Catholic Church attributes to the ministry of the churches of the Reformation (cf. *UR*, 22). Apostolic succession, which concerns both the succession of bishops and the apostolicity of the church, is always a factor in mutual recognition. A proper consideration of the nexus between bishop and church would thus be part of any process leading to a Roman Catholic recognition of the president in the Lutheran Church.

91. For Lutherans at the Reformation the model of oversight that they earnestly desired to keep was that which has continued in the Roman Catholic Church and other communions to the present day, that

³² *Pastor and Priest*, §58.

³³ *Pastor and Priest*, §16.

³⁴ Günther Gassmann, ‘The Power of the Bishops: A Lutheran perspective’, *Lutheran Forum* (Easter/Spring 2003) 16.

is, bishops in apostolic succession (*Ap.* 14.1,2,5). Following the Reformation it was not possible for historical reasons to retain this practice in many countries, and over the centuries in those countries the unavoidable loss of this practice has tended to become a matter of tradition. For Lutherans, there is in essence no bar to recognising the episcopal ministry of the Roman Catholic Church, so long as its bishops continue to preach the gospel (*CA* 28.5).

92. Together Roman Catholics and Lutherans acknowledge a growing convergence in our understanding of apostolic succession and its place in the life of the church. We both hold as our common objective the continuity of the apostolic faith, which brings about communion in the church, both local and universal. We both insist on the continuity of ministry in the church. However, the process by which these are guaranteed varies in each church. For Lutherans it is presbyteral succession (the succession of pastors) that serves and gives expression to the continuity of the word. For Roman Catholics it is the succession of bishops. The question that faces us is: to what extent are these processes and the way in which we each view them divisive?

93. We are convinced that the process of recognition will take place in stages as our two churches deepen their communion in all aspects of church life. Each church will bring its particular gifts to this process of mutual recognition. On the Roman Catholic side the gifts will include the reminder that the handing on of the apostolic faith is a concrete, historical task, and that communion in the apostolic faith is linked to communion in the church. This amounts to a call for a clearer connection between apostolic succession, apostolic faith and the communion of the church. On the Lutheran side the gifts will include the constant reminder that it is inadequate to describe apostolic succession simply in terms of an unbroken line of bishops, and that the essence of succession is the faithful preaching of the gospel. This amounts to a call for a clearer connection between apostolic succession and the word of God. Lutherans recognise the episcopal ministry in the Roman Catholic Church in the faithful proclamation of the gospel. While the Roman Catholic Church has made a juridical determination that the succession of bishops is lacking in the Lutheran Church, ongoing theological dialogue may determine that the tradition of the faith there is truly and fully in continuity with the faith taught by the apostles, and that the intention of the ministry in the Lutheran Church is to exercise the ministry divinely instituted in the church. Such a theological assessment would be the basis for Lutherans and Roman Catholics to address together any outstanding juridical issues. The juridical problem can only be fully addressed from within the context of agreement in the faith.

5. Bishops, Presidents and Synodality

94. While both our churches give a central place to the ministry of bishops/presidents in the life of the church, we also both emphasize the fundamental importance of synodality, understood as the participation of the whole community in the life of the church. The word synodality comes from the Greek *synhodos*, which means the common way. It refers to the community of disciples following the way of Jesus together.

Synodality in the Roman Catholic Church

95. The Roman Catholic Church has traditionally given a central place to bishops in the life of the church, but it has not always been attentive to structures of participation. The Second Vatican Council called the Roman Catholic Church to a more collegial way of being.

96. The Council insists on the participation of the whole community of the faithful in the life of the church. A prime example is found in the first document produced by the Council, the *Constitution on the Sacred Liturgy*. Its most fundamental guiding principle for the reform of the liturgy is the ‘full, conscious and active participation’ (SC 14) of all God’s people in the liturgical life of the church.

97. A second example is found in the Council’s *Dogmatic Constitution on the Church*. Instead of beginning with the hierarchy of the church, the Constitution begins with two chapters on the whole community of the baptised. It thus gives priority to the participation of the baptised in the life of the church before going on to consider the specific ministries of the ordained and the vocation of the laity. This theology of participation is grounded in the ancient theological understanding of the church as a communion in the Spirit.

98. The Council proclaims that the lay faithful participate fully in the mission of the church by living in fidelity to the kingdom of God in the midst of secular affairs. It declares that this vocation comes directly from Christ, and is given to all the faithful by their baptism (LG 31-33). The whole community of the faithful is anointed by the Spirit and cannot be mistaken in belief because of the ‘sense of the faith’ that belongs to the whole people. The Holy Spirit gives charismatic gifts to all the members of the church, for the renewal and the building up of the community (LG 12). The whole church is called to holiness (LG 40). Each member of the church is called to follow the way of Jesus.

99. In discussing bishops, the council teaches that bishops are ordained into an episcopal college. Episcopal collegiality is an important expression of synodality. In the tradition of the church collegiality found expression in the bonds of communion between bishops of various dioceses, in their communion with the bishop of Rome, in councils of the church, including the great ecumenical councils, and in the participation of a number of bishops in the ordination of a new bishop. The Second Vatican Council returns to this ancient view of collegiality. It teaches that the episcopal college, when acting with its head, the bishop of Rome, and only then, is ‘the subject of full, supreme and universal power’ in the church. It sees this college as giving expression to the variety and diversity of the People of God (LG 22). The authority of this college is expressed in a solemn way in an ecumenical council. It also finds expression when bishops from around the world act in unity with the bishop of Rome.

100. In its *Decree on the Pastoral Office of Bishops in the Church*, the Council provides for bishops to come from various parts of the world to assist the bishop of Rome in a Synod of Bishops, and so manifest the responsibility that all bishops share for the universal church (CD 5). To give expression to the collegiality of bishops the Council encourages the increased use of regional synods and councils, and sets out guidelines for national or regional episcopal conferences (CD 38).

101. Since the Council much has been done to involve the whole people of God more fully in the liturgical and apostolic life of the church and in a variety of ministries. Participatory structures in local churches include diocesan synods, diocesan pastoral councils, councils of priests, parish pastoral councils and parish finance councils. In response to the Second Vatican Council, the Roman Catholic Church has adopted a more synodical form of government at many levels. While this is clearly a great

step forward, these new structures are restricted to a consultative role. Lay people are not involved in structures like the Synod of Bishops, and many would think that there is room for a fuller participation of the baptized in the decision-making processes of the church.

Synodality in the Lutheran Church of Australia

102. The Lutheran understanding of synodality is grounded in word and sacrament. Those who are baptised into the body of Christ are called to grow in grace and ‘walk by the Spirit’ (Gal 5:16,25), and to confess the truth together in love (Eph 4:15). Guided by the word, and nourished by the eucharist, the faithful are knit into a fellowship that journeys together. From the very beginning Lutherans in Australia have had a distinctive self-understanding of being ‘synod’ – a people ‘walking together’. Australian Lutheranism has four inter-related ways of ‘walking together’ – the congregation, the District, the Lutheran Church of Australia (LCA) and international Lutheran bodies.

103. Synods and Conventions are the people of God taking seriously the mission and commission of God entrusted to the whole church. The particular structure is not divinely mandated but the need to act synodically is from God and his Spirit. Synods do not create doctrine but one of their roles is to receive advice from the General Pastors Conference and to help resolve doctrinal issues that arise and to ensure that the doctrinal position expressed in the Lutheran Confessions is adhered to. Presidents exercise oversight in accord with Scripture, the Confessions and synodical resolutions. Synod and the president are both at the heart of oversight. The president presides at the eucharist at Conventions, and symbolizes the unity of synod.

104. The Convention of General Synod is the ultimate decision-making body of the LCA. It consists of lay delegates from each parish and pastor delegates from each District. Between conventions General Church Council attends to the business of synod and can seek votes from the delegates who continue to act during the synodical term. Matters such as theology, worship, pastoral training, overseas mission cooperation, and interchurch relations (including National Council of Churches in Australia) are concerns of the LCA.

105. Parish pastors exercise oversight at the local level. Through Pastors Conferences, pastors act collegially and assist in exercising a wider oversight. General Pastors Conference acts as the theological adviser to General Convention and General Church Council refers agenda items with confessional and theological import to it so it can provide opinions and recommendations to the Convention of General Synod.

106. District synodical conventions are subsidiary gatherings and deal with issues like state-based ecumenical relations, cooperative ministries in evangelism, education, youth ministry, and aged and community care. Districts are in a way ‘intermediaries’. Congregations often relate to the LCA through their District and vice versa.

107. The people of God gather in local congregations, which are true manifestations of the one, holy catholic and apostolic church. As far as visible organisation is concerned, a local congregation joins the LCA by being received into membership of a District. Such a congregation is then considered to be the LCA in a given locality in a District. The local congregation lives within the confession and terms of reference set by its membership in the LCA. Members of parishes work with their pastors in the oversight of the local people of God. Congregations can be fully involved in the work of the church by sending proposals to conventions and having their delegates speak on the issues before the church at District and General Synods. The presidents and needs of the District and LCA are regularly included in the prayer of the faithful on Sundays. Newsletters from presidents are made available to members. Delegates are kept informed about synodical matters, and in turn keep members informed of what is happening in the wider church.

108. The lay and pastoral delegates, on the basis of nominations put before convention by the respective pastors conferences, elect the President of the Church (LCA) and District Presidents. In exercising their oversight presidents are responsible to their respective synods, as seen in the comprehensive reports they provide conventions. The President of the Church and District Presidents

act collegially through the College of Presidents, for instance in exercising pastoral care for the pastors and in approving candidates for ordination.

109. Presidential and pastoral collegiality exemplifies the Australian Lutheran commitment to act synodically. In the LCA, presidents, synods, pastors and people interact in mutually supportive ways to enable all members to ‘walk together’ in the mission and commission entrusted to God’s people, under the local, District and church-wide offices of oversight.

110. Australian Lutherans seek to express synodality with Lutherans overseas. Internationally they relate to the Lutheran World Federation (LWF) as an associate member, the International Lutheran Council (ILC) also as an associate member, and to individual Lutheran churches. Some examples of the latter are: Papua New Guinean Lutheran churches because of mission history; Lutheran Church Canada because of confessional similarity; Lutheran Church Missouri Synod and Evangelical Lutheran Church in America because of similarity in language and background; various Lutheran churches in Indonesia and Malaysia because of geographic and regional proximity as well as mission and identity needs.

Common Affirmations

111. Both our churches recognise that the whole people of God participates in the life of the church as those who follow in the way of Jesus. Concerning this synodal dimension to our common life we make the following affirmations.

112. *Together we assert the primacy of baptism in our understanding of the church.*

It is the whole baptised community who are the Body of Christ. All distinctions within the life of the church are to be understood in the light of the common baptismal dignity of the whole People of God. The Spirit of God is given to all the baptised. All are called to mission, all are called to holiness, all are called to participate in the life and worship of the church.

113. *Together Roman Catholics and Lutherans believe that our participation in the church is grounded in the fact that we share in the communion or fellowship (koinonia) of the Holy Spirit (2 Cor 13:13).*

In this fellowship of the Holy Spirit we are brought into communion with the trinitarian God and with one another. The eucharistic bread and wine we receive is our communion or fellowship (*koinonia*) in the body and blood of Christ (1 Cor 10:16-17). Both churches believe that those who participate not only receive Christ in Holy Communion, but also form a communion with one another in Christ and in the Spirit. This idea of the church as a communion or fellowship in Christ and the Spirit is an important theological foundation for the participation of all believers in the life of the church. We hold this in common despite the fact we cannot yet celebrate the eucharist together.

114. *Together we assert the fundamental and central importance for the life of the church of synods and/or councils.*

It is only through the great councils of the church that the Christian community was able to proclaim the deep mysteries of the Incarnation and the Blessed Trinity with one voice. We are convinced that synodal structures are essential to the life of both the Lutheran and the Roman Catholic churches. While the pastoral office represents the unity of the church, synodal or conciliar structures enable the diversity of the Spirit’s gifts within the communion of the one church to receive expression. Both are necessary.

Learning from each other

115. While we both hold to the fundamental importance of synodal structures, we recognize that the history of our two communities has meant that there are differences between us on the practice of synodality. The Roman Catholic community has a strong conviction about the role of the bishop in the church. We suggest that the Lutheran community may have something to learn from this understanding of the bishop as the focus of unity of the church. The Lutheran community in Australia,

and elsewhere, has a strong history of participation through synodical structures. We suggest that the Roman Catholic Church, as it attempts to bring about more effective participation, may have something to learn from the synodical practices of the Lutheran community.

6. Pastor and Bishop

116. Lutherans and Roman Catholics agree on the divine institution of the pastoral ministry in the church. They agree that this apostolic ministry is conferred by a rite of ordination that includes the laying on of hands. They agree on the distinction within the one ministry of the pastor/priest and the president/bishop. Both churches see these as united in the one pastoral ministry of the church. Where we have differed is that Lutherans see the pastorate as a full expression of ordained ministry, while Roman Catholics see the episcopate as the fullness of ordained ministry.

Roman Catholic Understanding

117. The Second Vatican Council teaches that the bishop possesses the fullness of the sacrament of orders (LG 21). It sees the bishop as a member of the college of bishops and as a successor to the apostles. By ordination with the laying on of hands, the one apostolic ministry is entrusted in varying degrees to bishops, priests and deacons: 'Thus the divinely established ecclesiastical ministry is exercised on different levels by those who from antiquity have been called bishops, priests, and deacons' (LG 28). With the phrase 'from antiquity', the Council can be seen as recognizing complexity and diversity in the way ministry was understood and practised in the early church, as well as affirming the long and ancient tradition of the three-fold order.

118. In fact, the Second Vatican Council instituted a major reform of the Roman Catholic understanding of the ministry, bringing it into closer relation to the dominant patristic tradition and the Eastern churches. Before the Council – and indeed in the sixteenth century – one strand of Catholic theology, which has a history that goes all the way back to St Jerome, could hold that the priesthood is the full expression of ordained ministry. In this theology, what was distinctive about the bishop was thought of as simply the new authority (jurisdiction) conferred on him. One result of this strand of theology was that, while the bishop was always seen as the ordinary minister of ordination, there were extraordinary cases where priests ordained other priests and deacons.

119. Another implication of the Council's teaching affirms the Roman Catholic conviction that the bishop receives a particular gift of the Spirit in episcopal ordination. Through this consecration he remains a bishop for life.

120. With the Second Vatican Council, the Roman Catholic Church embraced the theology in which the bishop is ordained as sign and agent of the communion of the church in a particular place. The reform of the Council means that the presbyterate, along with the diaconate, belongs to the one sacrament of ordained ministry, which is understood to be exercised in its fullness by the bishop.

Lutheran Understanding

121. Lutherans speak of unity in the ministry of pastor and president/bishop and see the foundation for this in the unity of presbyter/bishops in New Testament communities, in the early church and in later times. This unitive view of ordained ministry is also expressive of the primacy and predominance in the church of the proclamation of the one gospel in word and sacrament for the sake of arousing saving faith in the one Lord, Jesus Christ ('In order that we may obtain this faith, the ministry of teaching the gospel ... was instituted', CA 5). Whether pastor or bishop, the focus is on the one word of God's grace in Christ, which is proclaimed, celebrated sacramentally and witnessed to in word and deed; 'the one who hears you hears me' (Luke 10:16). Although Lutherans have not seen the need to have an additional ordination of president or bishop, the President of the Church with representatives of the college of presidents installs presidents with laying on of hands and prayer for the Holy Spirit. Lutherans regard ordained ministry as a form of apostolic succession, namely the succession of the ministry of the apostolic word.

122. Lutherans could speak here in terms of a dynamic co-inherence of one office in the other rather than in hierarchical terms. This is not to deny difference or to collapse one into the other. Oversight is

essential and belongs to all pastors in their ministry. From this perspective, the Lutheran view is that the office of bishop subsists in the pastoral office. Because of his calling to exercise oversight over a wider region, the bishop is pastor of the pastors and therefore first amongst equals.

123. As we have seen, ordination by presbyters preceded the Reformation. The Reformers employed such ordination in the emergency situation they faced. Nevertheless, they fundamentally upheld the idea of episcopal succession of office and listed the ordained ministry, rightly understood, as a mark of the church (*LW* 41, 154). Speaking of the office of bishop, the *Apology* said, ‘Our earnest desire is to keep it’ (*Ap.* 14.1, 2).

Towards reconciliation

124. The recognition by Roman Catholics of a theology in their own history, where the fullness of ordained ministry was found in the presbyterate, can help them appreciate the historical circumstances that have led to the Lutheran position.

125. Lutherans recognise that in their own church life, something of the oversight exercised regionally by the president (himself an overseer and shepherd), is brought to the local parish and congregation in the shepherding role of pastors. This can help them appreciate the current Roman Catholic understanding of the relationship between bishop and priest.

7. Future Steps

126. The dialogue about ministry between Lutherans and Roman Catholics now takes place in an entirely new context, because of our fundamental agreements on the doctrines of justification and the eucharist.

127. Lutheran concerns about Roman Catholic ministry once were primarily centred on the doctrine of justification, and on the Roman Catholic view of the eucharist, particularly its view of transubstantiation and sacrifice. We have reached substantial agreement on these issues, and Lutherans reaffirm their recognition of the authenticity of Roman Catholic ordination and eucharistic celebrations.

128. Lutherans ask Roman Catholics to respect their conviction that God has been with them in their church order and their pastoral ministry. Whether the title president or bishop is used, the office of oversight helps Lutherans to preserve and promote the primacy of the gospel of Jesus Christ by responsibly exercising a ministry of oversight in loving service of Christ and his church.

129. Roman Catholics hope that Australian Lutherans will come to share more fully with them in a common theology of the bishop in the life of the church. While this may involve a change of language from president to bishop, the more significant change would be part of that on-going reform, embracing in ever deeper ways the ancient common tradition of the church, in which the bishop was seen as sign and agent of communion in a local church.

130. We see the future in terms of steps towards full mutual recognition and reconciliation of our ministries in a reconciled church. This mutual recognition will be based upon our common understandings of such fundamentals as the gospel we preach, justification, baptism, the eucharist and the apostolic ministry in the life of the church.

131. In finding common ground and acknowledging our differences, we believe we have opened a way for greater mutual recognition of how Roman Catholics and Lutherans safeguard the ministry of oversight in the office of bishop/president. In particular, we see the need for our bishops and presidents to proclaim the gospel with a unified voice to our Australian community. Because Jesus prayed 'that they may all be one' (John 17:21), we believe that God is calling our churches to consider practical ways in which the office of bishop and the office of president may be so ordered as to facilitate the move towards full communion. Moving in the direction of full communion will demand that we address the following challenges.

Challenges

132. In different ways in the theology of both our churches there is an understanding that the apostolic ministry can be preserved in certain circumstances even when there are variations in structure.

133. In Roman Catholic theology, there is an understanding that in the life of the church God can offer grace even when institutional structures are seen as inadequate by standards of another time or place. In the light of our new context, that of fundamental agreement on the doctrines of justification and the eucharist, and in the light of our growth towards agreement on oversight and the office of the bishop within the common tradition of the church, Roman Catholic members of the dialogue ask their church authorities to consider that the Spirit of God might be leading them to recognize the authenticity of the Lutheran ministry and of eucharistic celebrations of the Lutheran Church.

134. In Lutheran theology, there is an awareness that in the life of the church, the grace of God continues to work effectively wherever the gospel is preached and the sacraments are faithfully administered, even at times when the outward structures of church government and oversight have been lacking or are flawed. At the same time Lutheran members of the dialogue ask their church to remember that it was not the office of bishop that was at the heart of the Lutheran critique of bishops, but the way that the office was exercised in a particular historical situation. The Augsburg Confession does not call into question the office of bishop. In light of recent agreements with Roman Catholics, the renewal that has taken place in the Catholic Church, and our own history and theology, it is a good

time to continue to explore the Lutheran understanding of the role and function of presidents. The Lutheran members also encourage the Lutheran Church of Australia to recognise and uphold the distinctiveness and unifying role of the office of president/bishop, and to build upon, renew and deepen its understanding of the apostolic and catholic nature of the office.

With gratitude to God, we the participants in the dialogue, entrust to our churches the results of our work, prayer and reflection on the ministry of oversight.

Lutheran members

The Rev Stephen Haar
The Rev Michael Hassold (until November 2004)
Mrs Margaret Hunt
Ms Wendy Mayer (until August 2004)
The Rev Fraser Pearce (from March 2005)
The Rev Andrew Pfeiffer (from May 2005)
The Rev Maurice Schild
The Rev Lance Steicke
Mr Mervyn Wagner
The Rev Roger Whittall
The Rev Mark Worthing (until November 2006)
The Rev Dean Zweck (co-chair)

Roman Catholic members

The Rev Greg Brett CM (until August 2006)
Sr Mary Cresp RSJ
The Rev Denis Edwards (co-chair)
The Most Rev Leonard Faulkner, Archbishop of Adelaide (until August 2002)
The Rev Gerard Kelly
Ms Josephine Laffin (from August 2004)
The Rev James McEvoy
The Rev Laurence McNamara CM (from March 2007)
The Most Rev Gregory O’Kelly SJ, auxiliary bishop in Adelaide (from March 2007)
The Rev Kevin O’Loughlin (until November 2006)
The Rev Michael Rodger (until November 2003)
Ms Marie Turner
The Most Rev Philip Wilson, Archbishop of Adelaide (from March 2002)

August 2007

Commonly used Abbreviations

Ap	<i>Apology of the Augsburg Confession</i>
CA	<i>Confessio Augustana</i> , The Augsburg Confession
CD	<i>Christus Dominus</i> , Decree on the Pastoral Office of Bishops in the Church (Second Vatican Council)
DV	<i>Dei Verbum</i> , Dogmatic Constitution on Divine Revelation (Vatican II)
LCA	Lutheran Church of Australia
LG	<i>Lumen Gentium</i> , Dogmatic Constitution on the Church (Vatican II)
LW	<i>Luther's Works</i>
SC	<i>Sacrosanctum Concilium</i> , Decree on the Liturgy (Vatican II)
UR	<i>Unitatis Redintegratio</i> , Decree on Ecumenism (Vatican II)