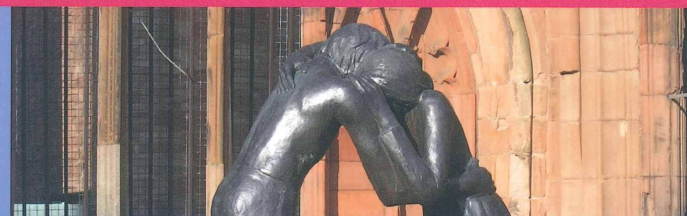


The Theological Conference between the Church of England and the Evangelical Church in Germany is a key component of the Meissen Declaration, which was adopted 30 years ago and to which the churches have committed themselves in order »to resolve the outstanding differences between the participating churches«. To highlight the importance of the relations in a time of political uncertainty, the 2019's conference was dedicated to »Revisiting the Meissen Declaration after 30 years«. Discussion focused on the interchangeability of ministries, with reference to the understanding of this by the church and episcopate.

The papers focus on significant ecclesial and historical/theological developments. They attend to questions about the church and the episcopate with regard to ecclesial identity and in light of contemporary European ecumenical developments as well as sociological changes over the last three decades.

Beihefte  
zur Ökumenischen Rundschau

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Mark Chapman | Friederike Nüssel | Matthias Grebe (Eds.)

## Revisiting the Meissen Declaration after 30 Years

Revisiting the Meissen Declaration after 30 Years

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## After Porvoo? Beyond Meissen?

*The Dialogue Process between the Evangelical Lutheran Church in Bavaria (ELKB) and The Episcopal Church (TEC)*

Bernd Oberdorfer •

### Introduction

In this paper, I would like to present a process of an ongoing dialogue, the results of which have not yet been officially received nor made accessible to the public. However, a document has been drafted which has been submitted to the Church boards of the respective churches in the dialogue by the working group of which I was part. But since the process of internal reception is still ongoing, the working group is not yet able to distribute the full text. This does not mean, however, that I will restrict myself to announcing a secret knowledge which – because it is secret knowledge – I am not able and willing to reveal. I will not follow the Barthian idea of a revelation which conceals itself at the same time it reveals, nor do I find pleasure in using ‘power knowledge’ (*Herrschaftswissen*). Rather, I would like to present the history and the basic ideas of the dialogical process between the Evangelical Lutheran Church in Bavaria (ELKB) and The Episcopal Church (TEC). I will start, first, with an outline of the concrete motives and structural setting of the dialogue. Second, I would like to share some ideas about *episcopé* and the different forms in which it is exercised, including episcopacy and synods, focusing on the basic challenge for achieving full communion between Anglican and Lutheran churches. Third, I will give some explanations of how the working group attempted to develop a theological consensus and practical solutions which might enable both churches to declare full communion. And fourth, very briefly, I will highlight some possible next steps which could come from this dialogue.

### *A Very Special Relationship: Why Bavarian Lutherans and US-American Anglicans Started a Dialogue*

Bavarian politicians are (or have been) well known for their worldwide ambitions; they travel to Moscow or Washington, establish offices in Brussels or invite people to Weißwurst breakfasts in Cape Town. Knowing this, the ambitious dialogue the ELKB initiated with the TEC might be less surprising. Nevertheless, a dialogue between Bavarian Lutherans and US Anglicans needs further explanation. The dialogue is not primarily motivated by cosmopolitan ambitions but by regional experiences. For many years in Bavaria, there have been three congregations of TEC’s European Convocation (in Munich, Augsburg, and Nuremberg), all of which were founded because of the presence of the US army, but did not cease to exist after the troops left the country in the 1990s. With these congregations, the ELKB always held strong ties of friendship, support, and communion, including, for example, the regular use of Lutheran churches for Anglican services. The ‘origin myth’ (*Ursprungsmythos*) of the dialogue claims that because of these strong relations, Landesbischof Heinrich Bedford-Strohm and then Presiding Bishop Katharine Jefferts Shori, thankfully praised both churches’ full communion at an official reception of TEC’s and ELKB’s Church Boards. Afterwards, however, their officers of ecumenical affairs had to inform them that there was no such ‘full communion’. Eventually, it turned out that there is, in fact, no formal agreement between the two churches at all. Therefore, both Church Boards decided to start a process of dialogue aiming at strengthening the bonds of communion and, if possible, producing an official document of agreement.

Considering the multiple Lutheran-Anglican dialogues of the past decades and their substantial results, it might be surprising to learn that there is no such agreement between ELKB and TEC. On the one hand, however, the Meissen agreement between the Church of England and the EKD, of which the ELKB is a member church, does not include the TEC. On the other hand, the *Called to Common Mission* (CCM) agreement between the TEC and the Evangelical Lutheran Church of America (ELCA) does not refer to the ELKB. Thus, although TEC lives in full communion with a Lutheran church and although the ELKB lives in, as it were, close-to-full communion with an Anglican Church – the Church of England – there is no explicit agreement between TEC and the ELKB.

*De facto*, the relations between ELKB and the congregations of TEC’s European Convocation follow the model of Meissen. The easiest way, therefore, would have been to make this implicit procedure an explicit

rule. According to the character of Meissen, this would mean to declare a very close relationship but not full communion. Because TEC, however, already lives in full communion with a Lutheran church, the idea arose as to whether TEC and the ELKB could also come to an agreement of full communion.

Presumably, everyone familiar with the ecumenical dialogues would now immediately refer to Porvoo. Indeed, after the signing of the Porvoo Agreement, the Church of England, together with some other Anglican churches, lives in full communion with some Northern European Lutheran churches. Thus, what might be called the 'Bavarian project' might look like a copy or an adaptation of Porvoo. And you may wonder why the Bavarians assume that they are able to achieve what the follow-ups of Meissen have not yet achieved: to extend the Porvoo concept of full communion to the context of German Protestant churches. However, it is not possible simply to copy Porvoo because the Nordic Lutheran churches represent a specific strand of Lutheran ecclesiology which places strong emphasis on episcopacy and includes the idea and practice of the historical episcopate. This is not the case in the German Lutheran tradition.

Because of the different regional context, moreover, it was also not possible simply to copy CCM. The challenge, therefore, was to find something like a 'differentiated consensus' with respect to the crucial issue of episcopacy in a way that reflected the theological background and the concrete structures of *episkopé* in both the ELKB and TEC.

Of course, this could not be, and was never intended to be, an isolated dialogue. The working group involved participants of the Church of England, the Anglican Communion, and the EKD. The involvement of the EKD was necessary because the ELKB, as a member of the EKD, cannot, and does not, want to act behind the back of the EKD. Additionally, the EKD involvement was necessary because the European Convocation of TEC, besides its Bavarian congregations, has congregations in Wiesbaden, Frankfurt and Karlsruhe, which are regions with United Protestant churches (Evangelical Church of Hessen and Nassau, Evangelical Church of Baden).

In the following, I will abstain from giving extended reports of the meetings of the working group in the years between 2014 and 2018. Instead, I will turn my attention to some ideas and reflections on *episkopé*, which I contributed to the process in order to give a realistic picture of the German Lutheran perspective on episcopacy. Based on these reflections, I will try to outline the proposed agreement with reference to this specific issue of episcopacy.

### *Episkopé and Apostolic Continuity*

The challenge for the Lutheran-Anglican dialogue in the German context always has been to try and build a bridge between a church which regards the ministry of bishops in general and the historical episcopate in particular as essential and a church which does not. From a Lutheran perspective, at least five prerequisites have to be accounted for:

- 1) Lutheran churches have always been, and still continue to be, established on both a regularly ordained ministry and the *episkopé*.
- 2) *Episkopé* and episcopacy have to be differentiated, with two consequences:
  - a) Episcopacy is a possible, but not necessary, form of *episkopé*; and
  - b) Episcopacy is not the only form of *episkopé*.
- 3) Episcopacy is a special function within the ordained ministry.
- 4) The structures of how episcopacy is exercised can differ (e.g., modes of election; forms of inauguration; limitation of tenure).
- 5) In Lutheran churches, there has always been a strong awareness of apostolic continuity of which the continuity of ordained ministry and *episkopé* is one crucial aspect.

On this basis it follows that the understanding of episcopacy and apostolic succession must be embedded in the broader context of apostolic continuity (and the plurality of ways to exercise and symbolise it) and *episkopé* (and the plurality of ways to exercise it). Within this context, the inauguration of bishops, including the act of laying on of hands, can be a meaningful sign of apostolic continuity. It must, however, be celebrated in a way that reflects the pluriformity of *episkopé* and apostolic continuity. It might be helpful to elaborate on these ideas with reference to the Lutheran confessions which I will do now in a series of respective theses:

- 1) The Lutheran Reformation insisted that in the one Church of Jesus Christ there is, and must be, a 'Ministry of teaching the Gospel and administering the Sacraments' which is "instituted" by God (CA 5; cf. CA 7). Although this is a 'ministry' of the whole church, the Lutherans clearly maintained that, in the church, there must always be persons with a special and continuous responsibility for the public teaching of the Gospel and the administration of the sacraments. Everyone who obtains this special ministry must be "regularly called" (*rite vocatus*, CA 14).

- 2) The Reformers marked a difference between essential elements of the Church which are indispensable and 'human traditions' (*traditiones humanae*, CA 7) with respect to which there can be diversity. As to the ministry, it has to be explored which aspects of it are essential and which are contingent (and therefore variable).
- 3) The Reformers were convinced that the Church does not consist in isolated, independent parish congregations, but there is, and must be, a trans-congregational responsibility. This becomes evident, for example:
  - a) in the search of consensus (Latin *consensus / magnus consensus*; cf. CA 7, CA 1) with respect to a common understanding of the Gospel and the sacraments as being the necessary and sufficient condition for the communion and unity of the church;
  - b) in 'visitations' as a form of trans-congregational counselling and support for the congregations; and
  - c) in maintaining the practice of ordaining ministers by other ministers who, in doing so, obtain the function of trans-congregational representation.
- 4) The Reformers retained the idea and practice of *episkopé*, which implies trans-congregational responsibility as being an indispensable function of the church. This function is not exclusively held by the ordained ministry (in the sixteenth century, for example, it was also held by the regional state authorities; nowadays, it is held particularly by the synods), but it also belongs constitutively to the tasks of the ordained ministry.
- 5) The Lutheran Reformers did not decline the Bishops' ministry on principle or in general. Rather, they were willing to accept it because it was the ordinary and historically established form of trans-congregational *episkopé*. They did not want to remove it, but simply reform it.
- 6) The Reformers' critique of the way the Western church practised the task of episcopacy focused on the co-mingling of the bishops' spiritual and secular authority (cf., particularly, CA 28).
- 7) The spiritual tasks of a bishop (according to CA 28) are
  - a) proclaiming the Gospel and administering the sacraments, while taking responsibility for the right doctrine of the Gospel and the right administration of the sacraments (*Lehrzucht*);
  - b) excommunication of 'persistent sinners' (*Kirchenzucht*); and
  - c) the ordination of ministers.
- 8) The authority of bishops is a *qualified* authority. The word of a bishop is not identical to the Word of God, and Christians have the capability and competence to operate within this distinction, that is, to measure the word of the bishop with reference to the Word of God.

- 9) The Lutheran Reformers in sixteenth century Germany experienced a time when the bishops in charge claimed that the understanding of the Gospel which the Reformers had learned from their studies of the Bible was heretical. This made them see that the institution of episcopacy is not suitable to ensure the church persists in the truth. Consequently, episcopacy, cannot be an essential element of the church. The (indispensable!) tasks of *episkopé* can also be achieved through means other than episcopacy. However, this affirmation is not an overall rejection of episcopacy. The church *need not* but *can* introduce bishops in order to fulfil its mission.
- 10) According to Lutheran doctrine, the ministry of a bishop is not a discrete ministry besides (or above) the ordained ministry. It is a specific form of the ordained ministry with particular tasks of trans-congregational governance and representation. The Reformers confirmed this position by referring to the tradition of the Ancient Church when the terms *presbyteros* and *episkopos* were often used synonymously. This has strong consequences:
  - a) *First*, the functions of *episkopé* can be fulfilled without acting bishops. In the time of the Reformation, ordination services were performed by ministers who were also ordained. From a Lutheran perspective, thus, there was not a time when there were no 'regularly called' pastors in Lutheran churches. There is no need to reflect upon an 'interruption' of 'apostolic succession', because such an 'interruption' does not exist.
  - b) *Second*, the installation of a bishop does not require a second ordination. The installation of a bishop is only the installation of a pastor who is already ordained into a new office, a new function.
- 11) Nevertheless, the act of inaugurating a bishop follows a specific rite that is appropriate to the specific function of a bishop. For example, the participation of officials with episcopal function from other churches of the same denomination or from other denominations can be a strong symbol for the worldwide ecumenical communion in which the new bishop takes part. However, this participation must not appear to be necessary to 'heal' a 'deficiency' supposedly caused by an alleged 'interruption' of 'apostolic succession'.
- 12) Liturgically, in the German Lutheran churches, the ordination of a minister as well as the inauguration of a bishop involves the act of laying on of hands and praying for the descent of the Holy Spirit, which are performed by one or more clerics who function as leaders in the church. Typically, there is also the participation of members of other

church-leading institutions like Synods who also fulfil the functions of *episkopé*.

- 13) This does not necessarily imply the concept of apostolic succession *by means of a bishop's laying on of hands*. Nevertheless, the German Lutheran churches, for quite some time, have *de facto* taken measures to ensure that ordinations only take place *with the participation of clergy with episcopal function*.
- 14) In the German Lutheran churches, *episkopé* is not exclusively realized by the bishop, but in a differentiated network of several church-leading institutions (*kirchenleitende Organe*) which cooperate in 'work-sharing communion and mutual responsibility' (*arbeitsteilige Gemeinschaft und wechselseitige Verantwortung*, art. 41 of the ELKB Constitution). As far as church doctrine is concerned, the bishop is ascribed the right of veto over, for example, the decisions of the Synod. But a complex system of checks and balances ensures that the bishop cannot block Synod decisions permanently. In general, the arrangements of the Church Constitution aim at achieving, as far as possible, a *consensus* among all church-leading institutions.

#### *Historic and Evangelical Succession – Episcopacy as a Sign of Apostolic Continuity*

Having outlined the conception of *episkopé* and episcopacy in this section I now move on to ask about its implications for the dialogue between TEC and the ELKB by exploring some of the key ideas of the proposed agreement. Encouraged by the experience of decades of a trustful relationship and fully aware of the signs of communion that already exist – such as Holy Scripture, sacraments, creeds etc. – the Agreement proposes that both churches enter into a relationship of full communion. As to the key issue, namely, 'the theology of ordained ministry, and in particular that of episcopal ministry and its relation to succession', the Agreement 'welcomes the consensus reached on this question through the *Porvoo Common Statement, Called to Common Mission*, and the *Waterloo Declaration* and affirms the theological contribution made by those agreements in moving towards a shared understanding'. Consequently, the Agreement does not affirm every argument or wording of the respective statements, but tries to adapt the consensus that has been reached to the specific TEC-ELKB context. With *Porvoo*, it underlines the apostolic tradition of the Church as a whole as being the 'primary manifestation of apostolic succession'.

With CCM, it confirms the mutual acknowledgement of both churches' ordained ministry and the shared conviction that *episkopé* is exercised not only by bishops but in a diversity of forms. Referring to CCM's argument regarding the historic episcopate as able to 'be locally adapted', it indicates that both churches within their history have more than once changed their structures of *episkopé*, i.e., developed a legitimate diversity of 'local' forms of exercising it. With the Anglican Bishops' *Appeal to All Christian People* of 1920 the Agreement declares that both churches have continuously maintained the ordained ministry.

Based on this consensus, the Agreement tackles the particularly challenging topic of succession. Both churches emphasise the 'continuity in the proclamation of the gospel' as being 'of primary importance in establishing the apostolic nature of the Church'. Succession is thus embedded in what I called 'apostolic continuity'. The Agreement is aware of the fact that both churches have developed different understandings of 'succession', but nevertheless, sees strong elements of convergence. Whereas the TEC, on the one hand, in the Anglican tradition, sees 'succession as the orderly succession of bishops ordained by their predecessors as integral to the preservation of apostolic continuity' and thus affirms historic succession in the sense of historic episcopate, it also asserts that 'the apostolic faith is preserved, not exclusively through the succession of bishops, but by the whole church'. The ELKB, on the other hand, along with the Lutheran tradition, although seeing apostolic succession to be 'rooted in the proclamation of the gospel and supported by the ordained ministry', does not ignore the fact that the Lutheran Reformers have always felt a responsibility to maintain structures and ministries of oversight (*episkopé*). In the ELKB, moreover, persons involved in oversight typically are installed through prayer and the laying on of hands.

Due to this convergence, TEC and ELKB might be able to adapt the CCM statement that both churches 'value and maintain a ministry of *episkopé* as one of the ways ... in which the apostolic succession of the church is visibly expressed and personally symbolized in fidelity to the gospel through the ages'. On this basis, the Agreement proposes both churches, in order to move 'forward together', 'commit to share an episcopal succession that is both evangelical and historic, including regularly one or more bishops of the other church to participate in the laying-on-of-hands at the ordinations/installations of their own bishops as a sign of the unity and apostolic continuity of the whole church'.

This is the key passage of the whole agreement, so it is important to notice exactly what it does and does *not* say.

- It does *not* say that the participation of a bishop of the respective other church is a necessary requisite for the validity of the ordination / installation.
- It also does *not* establish an asymmetry between the two. The presence of a Lutheran bishop at the ordination of an Episcopal bishop is no less relevant than the presence of an Episcopal bishop at the installation of a Lutheran *Landesbischof*.
- It does *not* say that both churches have to share a unanimous understanding of the visible sign of the laying on of hands. This means that the ELKB does not have to adopt the Anglican concept of historic succession. Conversely, the TEC is free to interpret the installation of a Lutheran bishop in accordance to its tradition of historic succession.

The Agreement, however, goes one step further which, in my opinion, is crucial for the Lutheran side. It recommends displaying the pluriformity of *episkopé* in the way the installation or ordination of a bishop is performed. In particular, it proposes to ensure the participation of at least one representative of the Synod in the laying on of hands in order to make visible that neither the apostolic continuity nor the apostolic succession is exclusively warranted by the succession of bishops. Moreover, this would give a more complete and adequate picture about the reality of *episkopé* in the Lutheran churches, especially in the ELKB. Moreover, it would help to mitigate Lutheran fears that accepting the sign of 'historic and evangelical succession' could result in an unbalanced clergy- and bishop-centred picture of the Church that would thwart the Reformers' vision of the priesthood of all believers.

#### *What's next?*

The Agreement, which I have briefly outlined, is still in a draft form. It has been handed out to both churches in order to initiate an internal process of discussion in the respective boards of ecumenical affairs. The working group has scheduled its next and final meeting in May 2020, in order to react to comments and critical remarks and to finalise the text which then is to be submitted to the decision-making boards of both churches. As has been the case from the very beginning, the dialogue included the EKD, the Anglican Communion, and the Church of England, so too will the reception process involve these churches

and church communions. The Bavarian-American-relationship may be a very special one, but its outcome might have more general implications.