

A RESPONSE TO MICHAEL ROOT

Dr. Root, I'm pleased to have this opportunity to respond to your creative and thought provoking paper. This paper exhibits the best of ecumenical scholarship in its honest appraisal of the current state of the Lutheran-Catholic dialogue, its challenges and its possibilities. As one of only a few Lutherans at a predominantly Roman Catholic conference, it would have been easy to fall into false irenicism and thereby avoid the difficult theological issues that currently separate Lutherans and Roman Catholics. This, however, does not serve the ecumenical movement well. Rather, what serves the ecumenical movement is an honest appraisal of the current state of the Lutheran-Catholic dialogue, despite the discomfort that this engenders for both dialogue partners, and then proposing a way forward. This you have done in your paper.

Time does not allow for a full exposition of the many points elucidated in Dr. Root's paper. Therefore, I will simply address the theology of the episcopate and the scalar categories Root suggests for moving the dialogue forward and raise some questions for our discussion.

Before I begin, let me explain the two lenses through which I read this paper. The first lens was that of an ecumenist who is a child of the post-Vatican II Church. As such, I have never known a time when Roman Catholics were not in dialogue, of one sort or another, with Lutherans. The second lens was as a Roman Catholic lay woman who has been influenced by the questions posed by feminist theologians. Thus, I am responding to this paper from the perspective of an ecumenist who is attentive to feminist sensibilities.

THE BOTTLENECK IN LUTHERAN-CATHOLIC DIALOGUE

When I first read this paper, I heard echoes of Harding Meyer and Heinz Schütte, who, twenty-five years ago, wrote the following about Lutheran-Catholic dialogue:

But what really causes trouble, so we hear time and again, are questions about the understanding of the church and, closely connected, are questions about the ministerial office, its self-understanding, its exercise, and its validity.¹

¹Harding Meyer and Heinz Schütte, "The Concept of the Church in the Augsburg Confession," in *Confessing One Faith*, trans. James L. Schaaf, ed. George Wolfgang Forell and James F. McCue (Minneapolis: Augsburg Publishing House, 1982) 194n3.

These questions are still causing trouble, to use their words, between Lutherans and Roman Catholics today.

Root identifies the Roman Catholic understanding of ministerial office, in particular the Catholic theology of the episcopate, as the cork in the bottleneck currently facing the Lutheran-Catholic dialogue. Until recently a similar bottleneck faced Anglicans and Lutherans but that has been resolved. Root tells us that for most of the twentieth century the sole issues separating Anglicans and Lutherans were those of episcopacy and episcopal succession. These are no longer the church dividing concerns that they once were thanks to the successful completion, reception and implementation of bilateral statements such as the *Porvoo Common Statement* (1993) between Anglicans and Lutherans in Northern European countries, *Called to Common Mission* (1999) between Lutherans and Episcopalians in the United States and *The Waterloo Declaration* (2000) between Anglicans and Lutherans in Canada. These and other Anglican-Lutheran agreements “have changed both the shape of Anglican-Lutheran relations and the ecumenical outlook of the two communions.”² The success of these dialogues gives me hope that our discussions today will be a contribution to uncorking the current bottleneck in the Lutheran-Catholic dialogue.

The theology of the episcopate has been a church dividing issue between Lutherans and Roman Catholics since the Reformation and this is the issue Root addresses in his paper. In the wake of the abovementioned Anglican-Lutheran statements, Lutherans no longer ask the question whether to accept an episcopacy in succession for they now do. Rather, Lutherans like Root ask, “How can the Lutheran episcopacy be brought into communion with the Catholic episcopacy, given the ‘nonrecognition of ministries, focused on a nonrecognition of the episcopate in such non-Catholic churches?’” Exploring this question Root identifies an internal tension within Roman Catholic theology “between what is said about such communities’ soteriological role and the communion that exists between them and the Catholic church, on the one hand, and what is said about the absence (not just defect) in them of the sacrament of order and thus of an authentic ordained ministry, on the other.” The fact that this question can even be asked indicates that advances have been made in the Lutheran-Catholic dialogue for this question could not have been posed one hundred years ago when Lutheran bishops were not as numerous as they are today. Nor could it have been posed even twenty years ago for the Lutheran theology of the episcopacy has undergone great changes in the wake of the Anglican-Lutheran agreed statements during the last decades of the twentieth century. Yet these statements have not had the impact upon the Roman Catholic evaluation of Lutheran orders that Root would like. Even so, before Lutherans and Catholics can address the questions of episcopacy that Root raises,

²Michael Root, “Porvoo in the Context of the Worldwide Anglican-Lutheran Dialogue,” in *Apostolicity and Unity: Essays on the Porvoo Common Statement*, ed. Ola Tjørhom (Grand Rapids MI: Eerdmans, 2002) 15.

they must first address the underlying ecclesiological question, “How do Lutherans and Roman Catholics understand themselves as church?” Hermann Pottmeyer has written, “Whoever wishes to speak of the ministry of the episcopacy must speak first of the mystery of the Church”³ and so I turn now to the ecclesiological question.

An ecumenical lesson regarding ecclesiology was learned during the process of responding to *Baptism, Eucharist and Ministry*.⁴ This process highlighted for the members of the World Council of Churches that there are often implicit and unarticulated ecclesiologies operating in ecumenical dialogues, both bilateral and multilateral. I would suggest that the Lutheran-Catholic dialogue is not immune to this and that the ecclesiological question needs to be addressed if not prior to, at least concurrent with, the discussions regarding the theology of the episcopate. Fortunately, the Faith and Order Commission of the World Council of Churches has recently published its ecclesiological text, *The Nature and Mission of the Church* and has invited responses to it.⁵ Thus, in the next few years, Lutherans and Roman Catholics will each be responding to this text. The questions that Root raises in this paper will be more easily addressed, I think, once these initial responses to *The Nature and Mission of the Church* have been written.

ECCLESIAL COMMUNITIES, *DEFECTUS* AND *DOMINUS JESUS*

The differences between the Lutheran and Roman Catholic understandings of church will not be easily resolved, however. These ecclesiological differences were brought to a painful head with the promulgation of *Dominus Jesus* in 2000.⁶ Lutherans confronted how their understanding of church differs from that presented by the Congregation for the Doctrine of the Faith in *Dominus Jesus*. Drawing upon Vatican II’s *Unitatis Redintegratio* 22 and Pope John Paul II’s *Ut Unum Sint* 14, the Congregation for the Doctrine of the Faith argued that

the ecclesial communities which have not preserved the valid Episcopate and the genuine and integral substance of the Eucharistic mystery are not Churches in the

³Hermann Pottmeyer, “The Episcopacy,” in *The Gift of the Church: A Textbook on Ecclesiology in Honor of Patrick Granfield, O.S.B.*, ed. Peter C. Phan (Collegeville MN: Liturgical Press, 2000) 337.

⁴*Baptism, Eucharist and Ministry*, Faith and Order Paper no. 111, the “Lima” text. (Geneva: World Council of Churches, 1982).

⁵*The Nature and Mission of the Church: A Stage on the Way to a Common Statement* (Geneva: World Council of Churches, 2005). Some of the questions the Faith and Order Commission has asked respondents to answer are: “Does this study document correctly identify our common ecclesiological convictions, as well as the issues that continue to divide us? Does this study document reflect an emerging convergence on the nature and mission of the Church?”

⁶Congregation for the Doctrine of the Faith, *Dominus Jesus: On the Unicity and Salvific Universality of Jesus Christ and the Church*, 2000. Hereafter cited as *DJ*.

proper sense. . . . these separated Churches and communities as such, though we believe they suffer from defects, have by no means been deprived of significance and importance in the mystery of salvation.⁷

Root takes exception to *Dominus Jesus* and its implication that a Lutheran Church could not be considered “Church” in the proper sense because it has not preserved the valid episcopate, especially in light of the recent advances made in Anglican-Lutheran dialogues on this topic. Passages like these, Root argues, demonstrate an internal tension or incoherence between Roman Catholic official judgements about non-Catholic Western communions and the soteriological claims mentioned above. Clearly this statement from *Dominus Jesus*, especially the phrases “ecclesial communities” and “suffering from defects” touches an ecumenical nerve that is still raw for Lutherans, even today, almost seven years after its promulgation. This highlights how important it is for Lutherans and Roman Catholics to discuss their respective understandings of church.

With respect to the Roman Catholic theology of the episcopacy and the Roman Catholic position that it has preserved the valid episcopate, Root argues that Vatican II’s doctrine of the episcopacy broke with the presbyter-centric focus of the medieval understanding of ministry even though the medieval understanding of ministry was not uniform. Whereas some canonists and theologians agreed that no distinction between bishops and presbyters existed, others differentiated them in terms of power.⁸ For those asserting that there was no distinction between bishops and presbyters, Jerome’s *Commentary on Titus*, his *Letter to Evangelus* and the Pastoral Epistles, Timothy and Titus, were often cited. These influenced Gratian and his *Decretum* and subsequent canon lawyers as well as theologians like Luther and other Reformers.⁹ But this was by no means the only position in the middle ages nor in the centuries before or after. Thomas O’Meara is just one of many theologians who have traced the different ways in which the relationships between presbyters and bishops have been understood throughout the millennia.¹⁰ He reminds us that there was no golden age for ministry, and one could extrapolate from this,

⁷DJ 17. Defect is one translation of the Latin *defectus*. Other possible translations include absence or lack.

⁸Michael Slusser, “Two Sacred Orders: Diaconate and Presbyterate,” in *The Church as Koinonia of Salvation: Its Structures and Ministries, Lutherans in Dialogue-X*, ed. Randall Lee and Jeffrey Gros, FSC (Washington DC: United States Conference of Catholic Bishops, 2005) 154.

⁹Scott S. Ickert, “The Office of the Bishop in Early Lutheranism with Particular Attention to the Identify and Distinction of Presbyter and Bishop,” in *The Church as Koinonia of Salvation: Its Structures and Ministries, Lutherans in Dialogue-X*, ed. Randall Lee and Jeffrey Gros, FSC (Washington DC: United States Conference of Catholic Bishops, 2005) 175.

¹⁰Thomas O’Meara, O.P., “The Metamorphoses of Ministry,” in *Theology of Ministry* (Mahwah NJ: Paulist Press, 1999) 80-138.

nor a golden age for understanding the presbyter-episcopal relationship. Each age responds anew to the Holy Spirit and the ministerial needs of the Church.¹¹

From an ecumenist's point of view, the questions raised in Dr. Root's paper are important ecumenical questions that need to be addressed if the scandal of disunity between Lutherans and Roman Catholics is to be overcome. Yet, from the perspective of a Roman Catholic lay woman I can't help wondering whether these are *the* pressing ecumenical and ecclesiological questions for Roman Catholic women. To recover and emphasize the medieval presbyter-centric understanding of the episcopacy may be laudable at first glance. Yet, as a lay woman, I urge caution. The distinctions between bishops and presbyters and the validity of orders are of less concern to Roman Catholic women than the distinctions between the clergy and laity. This latter separation has existed for over a millennium and has had negative consequences for lay women that are felt even today. The presbyter-centric focus of the episcopacy during the middle ages reinforced, rather than reduced, the distance between clergy and laity with disastrous results for women of faith. Thus its recovery in the twenty-first century would do little to overcome this split. Interest in the Lutheran-Catholic dialogue would be heightened for Roman Catholic women if the dialogue could reconceptualize the presbyter-episcopal relationship in creative ways that would help to overcome this division.

Roman Catholic women would also argue for increased female participation in church governance. In 1992 Philip Murnion reported that 85% of nonordained Roman Catholic ministries in the United States were exercised by women.¹² With the decreasing numbers of women religious and ordained priests, one can only presume that this number would be higher today. With respect to questions regarding church governance, women would not necessarily frame the question in terms of either the traditional understandings of the presbyterate or episcopate. With this in mind, we as ecumenists would do well to ask whether, in our discussions about episcopacy and the church, we are simply perpetuating a patriarchal and hierarchical understanding of the church and ministry? Or can we take seriously the experiences of women when we consider what it means to be church and what forms church governance should take? Women, I think, could contribute to a renewed understanding of the church and church governance that is appropriate for the twenty-first century, if given the chance.¹³ Dialogues with women in our respective communions is as important as dialogue between our communions.

¹¹Ibid., 136.

¹²Philip Murnion, *New Parish Ministers: Laity and Religious on Parish Staffs* (New York: National Pastoral Life Center, 1992).

¹³A survey of recent literature indicates that there are Roman Catholic women who are exploring ways in which to envision church and church governance. Some of these texts include Denise Lardner Carmody, *An Ideal Church: A Meditation* (Mahwah NJ: Paulist Press, 1999); Kaye Ashe, *The Feminization of the Church?* (Kansas City MO: Sheed & Ward, 1997). Elizabeth A. Johnson, ed. *The Church Women Want: Catholic Women in Dialogue* (New York: Crossroad, 2002).

Roman Catholic women also look with interest at the Lutheran experience which manifests, with each passing year, the increased feminization of the presbyterate and the episcopate and a growing number of women presidents of the Lutheran World Federation. Though women comprise about ten per cent of the Lutheran episcopate in the United States today, and women are almost at parity, in terms of numbers, with men in the Lutheran presbyterate, how have ecclesial structures and governance changed because of their presence? What evidence is there that patriarchal and hierarchical structures from former ages have disappeared or at least been modified by the presence of these women? What can Roman Catholics learn from the Lutheran experience of women presbyters and bishops that would help overcome the clergy-lay division that has been a hallmark of Roman Catholicism from at least the twelfth century, if not earlier? Once the ecclesiological questions are resolved, is there a way for ecumenists to rethink ministerial orders, including the episcopate and presbyterate, in a way that avoids perpetuating patriarchal and hierarchical structures, overcomes the divisions between clergy and laity, abandons the legalism and juridicism implicit in judgements regarding the validity of orders and truly incorporates women and women's experiences into its self-understanding?

REGIFTING CATHOLICS

Root's paper does not deal explicitly with these questions relating to women nor was that his intent. But he does suggest a way to uncork the bottleneck in Lutheran-Catholic dialogue today. Surprisingly he returns to what he describes as the much maligned terms "ecclesial communities" and *defectus*. On the surface this is an unusual methodological decision. Typically ecumenists try to avoid polemical (and often painful) language when rethinking church dividing concepts. Dr. Root, however, actually embraces the translation of *defectus* as defect. Why? Because by doing so he is engaging in the ecumenical equivalent of regifting the Roman Catholic Church. By using the language of the Roman Catholic Church he is providing Catholics with a way to acknowledge the presence of episcopacy and episcopal succession, albeit defective, in Lutheranism. If Roman Catholics accept this "gift" then any arguments based on the absence of ministerial order in Lutheranism are no longer acceptable. By embracing *defectus* as defect, not absence, Root gives Roman Catholics a way to dialogue with Lutherans as one episcopal church to another.

This regifting is linked to the ecclesiological question raised earlier. Root reminds Catholics that there is a "real, but imperfect salvific, and thus ecclesial role of the 'ecclesial communities.'" In other words, according to Catholics, the church is active within ecclesial communities like Lutheranism. This teaching begins with

the documents of Vatican II and continues in Catholic ecumenical documents such as *Ut Unum Sint*¹⁴ and the *Joint Declaration on Justification*.¹⁵

The challenge for the Lutheran-Catholic dialogue is whether Catholics can accept this regifting. Often the ecumenical movement is described as a mutual gift exchange. In this instance Root offers Catholics a gift in the form of a way out of the impasse brought about by the Catholic use of the all or nothing category of validity to assess the ministerial orders of Lutherans. But is this sufficient? Can Lutherans and Roman Catholics accept the way through this stalemate that he offers? Or will these terms, though creatively rethought, still be points of contention between our two communions?

The modern ecumenical movement is about dialogue and more important, listening. Dr. Root has offered a way out of the bottleneck facing the current Lutheran-Catholic dialogue. His suggestions invite further responses from both Lutherans and Roman Catholics. For the sake of the Church, our dialogue on these topics must continue.

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¹⁴John Paul II, *Ut unum sint: On commitment to ecumenism*, 1995.

¹⁵Lutheran World Federation and the Catholic Church, *Joint Declaration on the Doctrine of Justification*, 1999. Note 9: "The word 'church' is used in this Declaration to reflect the self-understandings of the participating churches, without intending to resolve all the ecclesiological issues related to this term."