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**Apostolic Succession in the order of Bishop as an Obstacle to Christian Unity
(Catholic-Lutheran Dialogue)**

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INTRODUCTION

Promoting the restoration of unity among all Christians has been the chief concern of the Second Vatican Council. In its introduction, the council's "Decree on Ecumenism," *Unitatis Redintegratio*, stated that although Christ established only one Church, many Christian communions present themselves as his true heritage and proclaim themselves as his disciples. Yet, their convictions clash and their paths diverge, as though Christ himself were divided. The Decree continued, "Without doubt, this discord openly contradicts the will of Christ, provides a stumbling block to the world, and inflicts damage on the most holy cause of proclaiming the good news to every creature."¹

Breaking with pre-Vatican II parlance, *Unitatis Redintegratio* addressed non-Catholic Christians no longer as heretics and schismatics but as separated brethren. Furthermore, to a surprise of many, it acknowledged that "at times, men of both sides were to blame"² for the break in communion among Christians. In the Decree, the council acknowledged that the ecumenical movement was a sign of the times and it considered the promotion of this movement to be one of the council's principal tasks. In the aftermath of Vatican II, *Unitatis Redintegratio* became the document with the greatest impact on the whole of Christendom.

Indeed, much has been achieved during that last four decades since Vatican II. Separated Christians no longer regard one another as strangers, competitors or even enemies, but as brothers and sisters. They have largely removed the former lack of understanding, prejudice and indifference. They pray together, they give witness together to their common faith and, in many fields, they work trustingly together. They agree that what unites them is greater than what divides them. Such a change was hardly conceivable half a century ago.³

¹ *Unitatis Redintegratio* 1. In this paper I will be using the *Documents of Vatican II* edited by Walter M. Abbott, 1966 edition by America Press.

² *Unitatis Redintegratio* 3.

³ Walter Kasper, *That They May All Be One: The Call to Unity Today* (New York: Burns & Oates, 2004), 14.

Nonetheless, the visible unity among the separated Christian Churches,⁴ which is the ultimate goal of ecumenism, has not yet been established. The ultimate goal is to be able to share the Eucharistic table. The doctrinal consensus achieved so far is not complete enough to warrant full Church communion. There are several obstacles preventing this from happening. One of them is the issue of apostolic succession in the office of bishop. For Catholics (and Orthodox), the powers and authority which the Church's ordained ministers receive come by an unbroken succession from the apostles themselves. This historical continuity with the Church's original witnesses and office bearers is called the apostolic succession. The Churches born of the Protestant Reformation, for historical and theological reasons, do not insist on the historical succession of office as essential to the Church's structure and apostolicity. Because they lack apostolic succession in the full Catholic sense, the Catholic Church does not recognize a valid exercise of Orders and, consequently, of the Eucharist.⁵ This explains why the study of the issue of apostolic succession is one of the central topics in ecumenism. There can be no sharing at the Eucharistic table without first reaching agreement on this matter.

In this paper I will examine the question of apostolic succession as an obstacle to unity from the perspective of the Catholic-Lutheran dialogue. By referring to some of the statements of the Roman Catholic-Lutheran Joint Commission, I will identify what are the points of consonance and dissonance. I will evaluate what is the present status of the dialogue on the issue and discuss some proposals regarding a further advancement on this matter.

To achieve my objective, I will first present where the Catholics and the Lutherans stood on the divisive issue of apostolic succession before the ecumenical dialogue started. Then, I will present three common statements which represent a significant advancement on the issue. Through them, I will indicate the areas in which

⁴ I will be using the word "Church" in a loose and not strictly theological sense, as expounded in a 2007 CDF document titled *Responses to Some Questions Regarding Certain Aspects of the Doctrine on the Church*. I will not be distinguishing between "Churches" and "Ecclesial Communities."

⁵ Thomas M. Kocik, *Apostolic Succession in an Ecumenical Context* (New York: Alba House, 1996), xix-xx.

progress has been made and identify the obstacles which still prevent the reunion of these two Churches. Finally, I will offer some proposals for recognition of Lutheran ministries.

PART 1: THE STATE OF THE QUESTION PRIOR TO THE START OF THE CATHOLIC-LUTHERAN DIALOGUE

Unitatis Redintegratio distinguishes between the degrees of communion which exist among the Catholic Church, on the one hand, and the Eastern Churches and the Churches and Ecclesial Communities in the West, on the other. The criterion it uses is that of apostolic succession. To illustrate the point I will quote from the Decree itself. The relevant text referring to the Eastern Churches states:

Although these Churches are separated from us, they possess true sacraments, above all – by apostolic succession – the priesthood and the Eucharist, whereby they are still joined to us in a very close relationship. Therefore, given suitable circumstances and the approval of Church authority, some worship in common is not merely possible but recommended.⁶

About the ecclesial communities that arose from the Reformation, the Decree says:

The ecclesial Communities separated from us lack that fullness of unity with us which should flow from baptism, and we believe that especially because of the lack of the sacrament of orders they have not preserved the genuine and total reality of the Eucharistic mystery. . . . For these reasons, dialogue should be undertaken concerning the true meaning of the Lord's Supper, the other sacraments, and the Church's worship and ministry.⁷

These two examples suffice to make plain that, according to Vatican II, those Christian ecclesial communities which do not enjoy apostolic succession in the sacrament of Orders are deprived of a constitutive element of the Church; in fact, for this reason they cannot be properly called Churches. Through these statements in *Unitatis Redintegratio*, the Catholic Church expressed the conviction that its identity depends on the fact that her bishops have received their authority in a linear sequence from the apostles and, behind them, from Christ. As the successors of the apostles, bishops validly exercise the functions of the apostles: teaching, governing, and sanctifying.

⁶ *Unitatis Redintegratio* 15.

⁷ *Ibid.*, 22

It would not be correct to think that the Reformers' original intention was to dissolve the connection of the bishop's office to historical succession. Walter Kasper explains that, according to the Reformers, the bishop had to allow the sermon to interpret the Gospel in the sense of the Reformation doctrine of justification. When, however, no bishops in the Holy Roman Empire were prepared to convert and appoint office bearers for communities that joined the Reformation, a few office bearers were consciously appointed as an emergency measure. On one hand, it was believed that this measure was justified because Jerome basically had equated the pastoral office with the bishop's office and, on the other hand, because the Reformers were convinced that the Church's apostolicity inhered in the Church as a whole.⁸ Thus, the Churches born of the Protestant Reformation, for historical and theological reasons, do not insist on the historical succession of office as essential to the Church's structure and apostolicity.

Before the start of the Catholic-Lutheran dialogue, the Catholic understanding of the apostolic succession was often viewed by the Protestant position as the unfolding of a purely mechanical succession. This is not so unjustifiable if one considers that the apostolic succession was described by Catholics as the doctrine of a ministry in unbroken succession from the apostles. According to this doctrine, the Twelve apostles, ordained by Jesus himself, ordained successors to their office and authority and these successors ordained other men to take their place and so on continuing to the present day. These successors to the apostles are the bishops of the Church. Consequently, only those bishops in a tactile chain of succession from the apostles have the power to ordain to major orders and consecrate other bishops. Only the priests ordained by bishops in that chain can validly preside at the Eucharist so that the body and blood of Christ become sacramentally present. Only such ordained priests can absolve from sins and sacramentally anoint the sick.⁹

As way of summary, in the beginning of the Catholic-Lutheran dialogue, the Catholic Church considered the succession of authority realized in the succession of the

⁸ Walter Kasper, "Apostolic Succession in the Office of Bishop as an Ecumenical Problem," *Theology Today* 47, no. 3 (Fall 2000): 207.

⁹ Philip S. Kaufman, "Intercommunion and Union." *Journal of Ecumenical Studies* 22, no. 3 (1985): 597.

office of bishop. The ordination by other bishop was the condition *sine qua non* for an apostolic succession in authority. From the Lutheran perspective, apostolic succession in the order of bishop was not considered as a theologically constitutive element of apostolicity. A Church belongs to the apostolic succession as long as it proclaims the Gospel and lives according to it. Thus, one can conclude that the resolution of differences in understanding of apostolic succession is the chief ecumenical issue in the Catholic-Lutheran dialogue.

PART 2: THE CATHOLIC-LUTHERAN DIALOGUE IN ACTION

Preliminary Comments

Apostolic Succession is part of a larger ecclesiological subject – apostolicity. According to Francis Sullivan, “of the four properties which most Christians profess the church to have when they recite their creed, apostolicity is the one that involves the questions on which Christians are the most deeply divided.”¹⁰ Though one can hardly imagine a Christian Church which would not claim that its faith and ministry are apostolic, the problem begins when each Church attempts to explain how it demonstrates that it indeed professes apostolic faith and continues the apostolic ministry.

The differences on this question are essentially about the different weight Christian Churches give to post-New Testament Tradition, as compared with the text of the New Testament. For instance, some will insist that the sole norm of apostolicity in faith is found in the New Testament and, consequently, only what is explicitly set down in the New Testament writings has any claim to be normative for the apostolicity of Christian faith. Others, in addition to the New Testament, will also insist on the normative role of Tradition as a vehicle by which the Church has handed on its understanding and its practice of the apostolic faith. They will see the apostolicity of their faith also shown in their adherence to the teaching of the Church Fathers, and to the doctrinal decisions of the great ecumenical councils.¹¹ Lutherans belong to the latter

¹⁰ Francis A. Sullivan, *The Church We Believe In: One, Holy, Catholic and Apostolic* (Mahwah, N.J.: Paulist Press, 1988), 185.

¹¹ Sullivan, *The Church We Believe In*, 185.

group. Nevertheless, they differ from Catholics in employing different set of criteria as the basis of their claim to apostolicity of ministry. This will be demonstrated in the succeeding pages of this paper.

The Dialogue Itself

The Malta Report

The dialogue between the Vatican Secretariat for Promoting Christian Unity and the Lutheran World Federation has been conducted by a Joint Commission since 1967. It has been one of the most productive bilateral ecumenical dialogues. The first document which, among others, addressed the question of the apostolic succession was issued in 1972 with the title “The Gospel and the Church.” It is also known as the “Malta Report.” Under the heading “The Understanding of Apostolic Succession,” article 57 states the following:

(57) The basic intention of the doctrine of apostolic succession is to indicate that, throughout all historical changes in its proclamation and structures, the church is at all times referred back to its apostolic origin. The details of this doctrine seem to us today to be more complicated than before. In the New Testament and the early fathers, the emphasis was obviously placed more on the substance of apostolicity, i.e., on succession in apostolic teaching. In this sense the entire church as the *ecclesia apostolica* stands in the apostolic succession. Within this general sense of succession, there is a more specific meaning: the succession of the uninterrupted line of the transmission of office. In the early church, primarily in connection with defense against heresies, it was a sign of the unimpaired transmission of the gospel and a sign of unity in the faith. It is in these terms that Catholics today are trying once again to develop a deeper understanding of apostolic succession in the ministerial office. Lutherans on their side can grant the importance of a special succession if the preeminence of succession in teaching is recognized and if the uninterrupted line of transmission of office is not viewed as an *ipso facto* certain guarantee of the continuity of the right proclamation of the gospel.¹²

¹² “Report of the Joint Lutheran-Roman Catholic Study Commission on ‘The Gospel and the Church,’” 1972 (‘Malta Report’), 57, in *Growth in Agreement: Reports and Agreed Statements of Ecumenical Conversations on a World Level (Ecumenical Documents II)*, ed. Harding Meyer and Lukas Vischer (New York: Paulist Press, 1984), 181-182.

The Ministry in the Church

In 1981, the Lutheran-Catholic Joint Commission returned to the question of apostolicity when it issued the document titled “The Ministry in the Church.” Building upon the “Malta Report,” the new document expressed greater confidence that agreement was developing between the two Churches on the fundamental issue of the apostolic succession. The chief reason for the development in agreement had to do with the fact that the ecumenical dialogue was resulting in a more comprehensive notion of apostolicity than either party would have been willing to acknowledge in a climate of confessional controversy, which characterized the period from Trent to Vatican II. The relevant section of the document states:

(59) The most important question regarding the theology of the Episcopal office and regarding the mutual recognition of ministries is the problem of apostolic succession. This is normally taken to mean the unbroken ministerial succession of bishops in a church. But apostolic succession is often understood to refer in the substantive sense to the apostolicity of the church in faith.

(60) The starting point must be the apostolicity of the church in the substantive sense. “The basic intention of the doctrine of apostolic succession is to indicate that, throughout all historical changes in its proclamation and structures, the church is at all times referred back to its apostolic origin. In the New Testament and in the period of the early fathers, the emphasis was placed more on the substantive understanding of the apostolic succession in faith and life. The Lutheran tradition speaks in this connection of a *successio verbi*. In present-day Catholic theology, more and more often the view is adopted that the substantive understanding of apostolicity is primary. Far-reaching agreement on this understanding of apostolic succession is therefore developing.

(61) As regards the succession of the ministers, the joint starting point for both Catholic and Lutherans is that there is an integral relation between the witness of the gospel and witnesses to the gospel. The witness to the gospel has been entrusted to the church as a whole. Therefore, the whole church as the *ecclesia apostolica* stands in the apostolic succession. Succession in the sense of the succession of ministers must be seen within the succession of the whole church in the apostolic faith.¹³

It is a necessary fact of the ecumenical dialogue that the participants are required to clarify their positions for the other party. Thus, the documents which result from the

¹³ “The Ministry in the Church, 1981,” 59-61, in *Growth in Agreement*, 266-267.

dialogue not only show the development of a convergence on the notion of apostolicity, but they also provide some clear expressions of the divergences that remain to be overcome.¹⁴ I will now present how the Lutherans have explained what is distinctive in their understanding of the apostolicity of ministry. The most suitable exposition of their point of view is found in the aforementioned document “Ministry in the Church.” The relevant sections are as follows:

(63) For the Lutheran tradition also the apostolic succession is necessary and constitutive for both the church and for its ministry. Its confessional writings claim to stand in the authentic Catholic tradition, and emphasize the historical continuity of the church which has never ceased to exist.

(64) For the Lutherans in the sixteenth century, the authenticity of apostolic succession in the form of historic succession in the Episcopal office was called in question because it failed to witness to agreement in the proclamation of the gospel, and because the episcopate refused fellowship with them, especially by denying them the service of ordaining their preachers, and thus deprived them of the historic succession of office. For them, therefore, apostolic succession came to focus on the right preaching of the gospel, which always included the ministry, and on faith and the testimony of a Christian life. Yet they were convinced that the gospel had been given to the church as a whole and that, with the right preaching of the Word and the celebration of the sacraments according to the gospel, apostolic succession in the substantive sense continued within the congregation. Based on this, the ordination of ministers by ministers continued to be performed in the Lutheran church. This ordination remained oriented towards the entire church and towards recognition by its ministers.

(65) Thus despite diverse historical developments, the Lutheran Reformation affirmed and intended to preserve the historical continuity of church order as an expression of the unity of the apostolic church among all peoples and throughout all centuries, presupposing, of course, that the gospel is rightly proclaimed . . .

(66) These considerations provide the basis for a Lutheran evaluation of the historic succession as a sign of such unity. The Lutheran conviction is that acceptance of communion with the episcopal office in the historic succession is meaningful not as an isolated act, but only as it contributes to the unity of the church in faith and witnesses to the universality of the gospel of reconciliation.¹⁵

From these quotations one can deduce that there is a difference in terms of what function apostolic succession plays within Church’s apostolicity. The most the Lutherans can do

¹⁴ Sullivan, *The Church We Believe In*, 197.

¹⁵ “The Ministry in the Church, 1981,” 64-66, in *Growth in Agreement*, 268-269.

is to recognize the succession of ordination as a *symbol*, though not a *criterion*, of apostolicity. Nevertheless, there is a far more positive attitude toward historic succession in the episcopate expressed in this Lutheran statement than that found, for instance, in the statements by the Baptists, the Reformed, and the Methodists.¹⁶

From the previous text it is also clear that the Lutherans at the time of Reformation did not renounce the historic episcopate in order to return to a pattern of ministry modeled explicitly on the New Testament. Rather, it was their fidelity to the gospel which, according to their view, led them to the break with the episcopate. In their own words they state:

(42) The *Lutheran Confessions* wanted to retain the Episcopal polity of the church and with it the differentiation of the ministerial office on the condition that the bishops grant freedom and opportunity for the right proclamation of the gospel and the right administration of the sacraments and not prevent these by the formal requirements of obedience. The fact that it was impossible at this time to arrive at an agreement in doctrine and to persuade the bishops to ordain Reformation ministers led perforce to forsaking continuity with previous order. In this emergency situation the installation of ministers by non-episcopal ministers or even by the congregation appeared legitimate provided it took place *rite*, i.e. publicly and in the name of the whole church . . .

(43) In view of the emergency situation, the Lutheran confessions avoided prescribing any specific form of *episcopé* in the sense of regional church leadership. Episcopacy, to be sure, was normal at least for the Confessio Augustana. The loss of this office in its historic character has nevertheless had certain consequences for the Lutherans understanding of the church's ministerial structure. The Lutheran office of pastor, comparable to that of presbyter, has really taken over the spiritual functions of the bishop's office, and was even at times theologically interpreted as identical with it. This was seen as a return to an earlier ministerial structure in church history in which the bishop's office was a local one. Within this context the function of *episcopé* was retained as necessary for the church; but its concrete ordering was taken to be a human and historical matter. The holders of this superordinated office are at present given a variety of titles: bishop, church president, superintendent. In some Lutheran areas, where this was possible, the historical continuity of the Episcopal office has been maintained.¹⁷

¹⁶ Sullivan, *The Church We Believe In*, 201-202.

¹⁷ "The Ministry in the Church, 1981," 42-43, in *Growth in Agreement*, 262-263.

The last sentence refers to the Lutheran Churches of Sweden and Finland which have claimed the historical continuity of the episcopal office, yet they still consider the ministry in those Lutheran churches which have not maintained episcopal succession as valid. Francis Sullivan explains that this is in keeping with what transpires as the fundamental Lutheran position; namely, that “while church ministry, including some form of *episcopé*, is necessary and can even be described as of divine institution, its concrete ordering is seen as an historical and human matter.”¹⁸ At the same time, it seems obvious that Lutherans do have respect for Christian tradition. Furthermore, they regret that at the time of Reformation, for most of them it was impossible to maintain continuity with the ancient church in the unbroken succession of episcopal ordination. They unmistakably acknowledge the positive value of such continuity as a sign and expression of the unity of the church throughout the ages.

Facing Unity

In 1985, the Roman Catholic-Lutheran Joint Commission published a report entitled “Facing Unity. Models, Forms and Phases of Catholic-Lutheran Fellowship.”¹⁹ This statement builds in large part on the consensus achieved in the previous dialogue. It first seeks to clarify the kind of unity that is sought, and then it outlines how such unity could be achieved. The unity is described as “complete fellowship in word, sacrament and ministry.” The statement does not envision this to mean uniformity but “unity in reconciled diversity.” There are four phases in the process of achieving such unity: (1) preliminary forms of a joint exercise of pastoral leadership; (2) an initial act of mutual recognition, whereby each Church would formally recognize that the Church of Christ is realized in the other, and would declare its will to live in fellowship with it; (3) the collegial exercise of *episcopé*, whereby the Catholic bishop and the Lutheran pastor with episcopal responsibility in each area would exercise their ministry conjointly, including

¹⁸ Sullivan, *The Church We Believe In*, 203.

¹⁹ Roman Catholic/Lutheran Joint Commission, “Facing Unity. Models, Forms and Phases of Catholic-Lutheran Fellowship,” (The Lutheran World Federation, 1985).

the ministry of ordaining candidates to the ministry; and (4) transition to a common ordained ministry, as the eventual result of the joint exercise of ministry of ordaining,²⁰

These four steps are an example of the positive assessment by each Church of the apostolicity of the other's faith and ministry. In addition, they indicate positive steps to be taken to deal with the fact that the Catholic Church does not recognize the full apostolicity of Lutheran ministry. This is how "Facing Unity" articulates what is the problem and its possible solution.

(95) While according to the Lutheran understanding of church, the existence of ministry in the Catholic Church is not to be called into question, Catholics cannot yet fully recognize the ordained ministry in Lutheran churches because, according to their view, these churches lack the fullness of the ordained ministry since they "lack of the sacrament of orders." This would only be possible through a process of "acceptance of full church communion," of which fellowship in the historical episcopacy is an essential part.

(96) Catholics and Lutherans share the conviction that the ordained ministry of the church which, because it is "instituted by Jesus Christ" "stands over against the community as well as within the community," is "essential" for the church. Nevertheless it is *possible* for Lutherans, and in this they differ from Catholics, to give a theological description of the church without making explicit mention of the ministry, because it is either "presupposed" or implied by the proclamation of the word and the administration of the sacraments.

(97) Lutherans, like Catholic, can recognize as "the action of the Spirit" the historical differentiation of the one apostolic ministry into more local ministry and more regional forms, and they can consider "the function of *episcopé* ... as necessary for the church. Likewise, Lutherans feel free "to face up to the call for communion with the historic episcopal office, i.e., the historically evolved pattern of episcopal ministry in the form of the office of bishop standing in apostolic succession. Nevertheless, Lutherans and Catholics place different accents on the significance of that historic episcopal office for the church.

(98) The two problems are closely related: The "lack of the sacrament of orders" that the Catholic side claims to be inherent in the ministry of the Lutheran churches cannot, because of its very nature, be annulled solely by theological declarations and decisions, as, for example, by the theological and canonical act of recognizing these ministries. What is needed, rather, is acceptance of the fellowship in ecclesial ministry, and this, ultimately, means acceptance of the fellowship in episcopal ministry which stands in apostolic succession. Lutherans are fundamentally free and open to accept such fellowship in the episcopal office. Yet within this understanding of the importance or significance of the episcopal

²⁰ Sullivan, *The Church We Believe In*, 207.

office for the catholicity, apostolicity and unity of the church, Lutherans are inclined to place the accent differently from Catholics.²¹

Progress Resulting from the Dialogue

From the survey of the common statements between the Catholics and the Lutherans presented in the previous section, one can identify three areas in which progress has been made on the question of apostolicity in general and apostolic succession in particular. First, the ecumenical dialogue brought a more comprehensive notion of apostolicity. While in the past, Lutherans tended to identify apostolicity with faithfulness to apostolic doctrine, and Catholics tended to identify it with apostolic succession in ministry, the notion of apostolicity as expressed in the joint ecumenical statements is generally well balanced, including all its major components.²²

Secondly, another fruit of the dialogue refers to the fact that both parties, by the very nature of the dialogue, had to clarify their positions to each other. This clarification is helpful because each side knows exactly where the other one stands on the issue, which leads to elimination of false impressions and misunderstandings that have often made differences seem greater than they really were. At the same time, it shows what still needs to be overcome in order to achieve full communion. Thirdly, coming to full understanding of the other's point of view led to a recognition that the positions each Church holds are not so far apart as they had thought to be.²³

The progress that has been achieved through the ecumenical dialogue indicates that on the issue of apostolic succession Catholics and Lutherans have reached a certain level of consensus. One can speak about a growing recognition, on the part of the Catholics, of the apostolic character of the faith, life and ministry of Protestant Churches, and a growing appreciation, on the part of the Protestants, of the importance of episcopal ordination as a sign of the apostolicity of ministry. Still, the differences concerning apostolicity raise significant obstacles in the way to Church unity, especially with regard

²¹ Facing Unity, no. 95-98.

²² Sullivan, *The Church We Believe In*, 187.

²³ *Ibid.*, 188.

to the necessity of episcopal ordination in apostolic succession for the validity of orders and ministry.²⁴

PART 3: PROPOSALS CONCERNING THE RECOGNITION OF MINISTRIES

Article 98 of “Facing Unity” states that consensus statements cannot suffice to bring about reunion. What is needed first is “acceptance of the fellowship in ecclesial ministry.” This is a bold proposal. Considering that, according to the Lutheran understanding of Church, “the existence of ministry in the Catholic Church is not to be called into question,”²⁵ this proposal is mainly challenging the Catholic Church which cannot yet fully recognize the ministry in Lutheran Churches. This may seem an out of place statement since the Catholic Church understands itself as the Church in which the elements of that Church which God has in mind are already fully present.²⁶ Catholic understanding implies that the Catholic Church needs to modify nothing in its doctrine and practice, has nothing to learn from the separated Christians, and that the final goal of ecumenism is essentially the return of all Christians to the Catholic Church. Is this not, however, at odds with the “Decree on Ecumenism” in which the Second Vatican Council urged the Catholic Church to get involved in ecumenical movement and engage actively in *reunion* of divided Christianity? Why speak of reunion, why urge *all* to “undertake with vigor the task of renewal and *reform*,”²⁷ why call for a “renewal of the Church

²⁴ Ibid., 209.

²⁵ “Facing Unity” 95.

²⁶ Cf. *Unitatis Redintegratio* 4, *Ut Unum Sint* 14, *Dominus Iesus* 17.

²⁷ Cf. *Unitatis Redintegratio* 4, emphasis mine. I realize that I am quoting from the same document (*Unitatis Redintegratio*) and I use it as a support both for and against ideas which are in mutually exclusive relationship. This is, however, part of the dialectical nature of Vatican II documents. Because of the inability to reach consensus on certain issues, the council fathers allowed statements difficult to reconcile with each other to be placed side by side. Thus, one can sometimes appeal to the same article in a document in support of a certain position and, at the same time, against it. This constitutes a significant difficulty for interpretation of Vatican II texts. Otto Hermann Pesch calls this feature of Vatican II texts a “compromise of contradictory pluralism.” See Otto Hermann Pesch, *Druhý Vatikánský Koncil 1962 – 1965. Příprava, Průběh, Odkaz*, trans. Karel Floss at al. (Praha: Vyšehrad, 1996), 150; from the German original, *Das Zweite Vatikanische Konzil. Vorgeschichte – Verlauf – Ergebnisse – Nachgeschichte* (Würzburg: Echter Verlag, 1994).

[which] essentially consists in an increase of fidelity to her own calling,²⁸ why issue a mandate to “come to understand the outlook of our separated brethren,”²⁹ and why enter into an ecumenical *dialogue* with various Christian denominations, if all that is needed is for the separated brethren to *return* to the Catholic Church?

In this section of the paper I will propose that the Catholic Church can modify its understanding of apostolic succession to the degree that it will no longer be an obstacle toward the reunion with the Christians of Lutheran tradition. The modification will involve: (1) abandoning the notion of apostolic succession as a tactile chain of succession from the apostles to the present-day bishops and drawing consequences from it; (2) understanding sacraments in such a way that it would not be suggested that they work somewhat “magically,” as if in the sacrament of ordination, for instance, a kind of fluid is poured from one validly ordained consecrator to the next.

First Proposal

The standard Catholic understanding of apostolic succession involves a claim that the powers and authority which Church’s ordained ministers receive come by an unbroken linear succession from the apostles themselves. In part 1, I showed that Vatican II’s “Decree on Ecumenism” differentiated between the separated Churches of the East and West on the basis of this traditional understanding of apostolic succession. In spite of significant progress which resulted from the Catholic-Lutheran dialogue,³⁰ the Catholic Church still argues that the Lutheran Churches lack the fullness of the ordained ministry since they lack the sacrament of orders. This lack is the result of historical discontinuity with the Church’s original witnesses and office bearers.

Some current biblical scholarship undermines the chain theory of apostolic succession. The chain lacks a beginning. There is no evidence that Jesus ordained anyone or that the “Twelve” who were present at the Last Supper appointed and ordained their successors. Passages from Luke 22:19, “Do this in commemoration of me,” and

²⁸ Cf. *Ibid.*, 6.

²⁹ Cf. *Ibid.*, 9.

³⁰ See the end of chapter 2.

from John 20:23, “If you forgive sins . . .,” if used to prove that Jesus ordained at the Last Supper and gave power to forgive sins on the first Easter Sunday, would be considered as an example of eisegesis – the reading back into the text of ideas of later generations not intended by the original author.³¹

Raymond Brown, one of the most prominent Catholic biblical scholars in the post-Vatican II period, studied the issue for a number of years. His conclusions can be summarized as follows: (1) according to the New Testament thought, there can be no successors to the Twelve as such;³² (2) it cannot be affirmed that all the bishops of the early Christian Church could trace their appointments or ordinations to the apostles;³³ (3) there is nothing in the New Testament about a regular process or ordination; furthermore, there is nothing to support the thesis that, by a chain of laying on of hands, every local presbyter-bishop could trace a lineage of ordination back to the apostles;³⁴ (4) it is likely that in Paul’s lifetime some of his Churches which had no bishops lived in fellowship with Churches that had bishops; and (5) it is likely that not all presbyter-bishops of the years 80-110 could trace their position back to appointment or ordination by an apostle.³⁵

Cardinal Kasper, presupposing the findings of biblical scholarship like that of Brown’s, writes this about the linear sense of apostolic succession:

Apostolic succession is not a matter of linear succession in the sense of a chain of office bearers, but a cooptation and incorporation of new members into the apostolic college and its mission through time. . . . The establishment of apostolic succession in the church’s *communio* shows that the individual bishop does not stand in apostolic succession. His ordination is not part of an uninterrupted chain of the laying on of hands that goes back to his predecessors and ultimately to one of the apostles. . . . It is more correct to say that the individual bishop stands in

³¹ Kaufman, “Intercommunion and Union,” 599.

³² See Raymond E. Brown, *Priest and Bishop: Biblical Reflections* (New York: The Missionary Society of St. Paul, 1970; reprint, Eugene, Oregon: Wipf and Stock Publishers, 1999), 55 (page citations are to the reprint edition).

³³ *Ibid.*, 73.

³⁴ Raymond E. Brown, “*Episkopé* and *Episkopos*: The New Testament Evidence,” *Theological Studies* 41 (June, 1980): 332.

³⁵ Brown, *Priest and Bishop*, 83.

apostolic succession and that he is accepted into the college of the apostles and the bishops who stand in the apostles' stead. . . .³⁶

Part of the chain theory of apostolic succession is also the assertion that only bishops can perform ordinations of priests. Based on this, an objection arises to the effect that the Reformers could not ordain priests validly because they were not bishops. This objection, however, does not withstand a historical scrutiny since there is ample evidence of pre-Reformation ordinations by presbyters.³⁷ Cardinal Kasper's explanation on this point is helpful:

Unfortunately, the awareness of the inner solidarity of tradition and succession was weakened during the Middle Ages. . . . The office of bishop was no longer understood as sacramental but as possessing more *potestas* and *dignitas* over against the "simple" priest. Against this background it is understandable that in individual cases non-bishops, with full papal authority, consecrated priests.³⁸

Now I turn to two magisterial pronouncements which, presupposing the chain theory of apostolic succession, denied the validity of Protestant ministries. The first pronouncement is from the Council of Trent and it has been used to prove that Trent denied the validity of Protestant ministries.³⁹ Harry McSorley argues, however, that Trent did not pronounce Protestant ministries invalid, but simply illegitimate since they violated the traditional discipline of the Church.⁴⁰ Thomas Kocik pointed out that McSorley's argument seems to be supported by no less an authority than Cardinal Ratzinger.⁴¹

³⁶ Kasper, "Apostolic Succession in the Office of Bishop," 205-206.

³⁷ See Arthur C. Piepkorn, "A Lutheran View of the Validity of Lutheran Orders," In *Lutherans and Catholics in Dialogue*, vol. 4, *Eucharist and Ministry* (Washington, D.C.: United States Catholic Conference, 1970), 216-224.

³⁸ Kasper, "Apostolic Succession in the Office of Bishop," 206-207.

³⁹ The Council of Trent, *Doctrine of the Sacrament of Order, Canon 7*.

⁴⁰ Harry J. McSorley, "Trent and the Question: Can Protestant Ministers Consecrate the Eucharist? In *Lutherans and Catholic in Dialogue*, Vol. 4, 283-299.

⁴¹ See Kocik, *Apostolic Succession in an Ecumenical Context*, 115. He quotes from Joseph Cardinal Ratzinger, *Principles of Catholic Theology. Building Stones for a Fundamental Theology*, trans. Sister Mary Frances McCarthy, S.N.D. (San Francisco: Ignatius Press, 1987), 236.

The second magisterial statement is from Vatican II's "Decree on Ecumenism." Dealing with the sacramental life of the Reformation Churches, the Decree speaks of a *defectus* of the sacrament of Order of ordination.⁴² According to the traditional Catholic canonical thought, this meant the declaration of invalidity, in the sense that ordination and ministry did not exist in Protestant Churches. This is not, however, the only interpretation of the pronouncement at hand. The term *defectus* can refer to either a complete "absence" of something or simply a "defect." Catholic commentators after the council moved back and forth in their interpretations. According to Harding Meyer, the post-conciliar dialogue between Catholics and Lutherans points toward the latter reading. Based on this reading, the *defectus* is understood as a lack of the *full* form of the Church ministry, since the ministry in the Lutheran Churches lacks the element of historical succession in the ministry.⁴³ In agreement with Meyer, Cardinal Kasper explains:

Just as there are *vestigia ecclesiae* outside the visible bounds of the church, so also outside of visible succession there are *vestigia successionis et ministerii*. It is in this sense that Vatican II speaks of a *defectus* in the Reformation churches, i.e., a lack in the full substance and form of their office, but not a complete deficiency. Without a partial acknowledgement of office in the Reformation churches, the close official contact with leading personalities of the Reformation churches would have no theological foundation.⁴⁴

Since *Unitatis Redintegratio* was not meant as the final statement on the subject of ecumenism, is it not preferable and legitimate today, having in mind all the progress in ecumenical dialogue, to interpret and defend the statement about the *defectus ordinis* in the sense described by Meyer and Kasper, at least in its application to the Lutheran Churches? Furthermore, if biblical scholarship shows the probability that in Paul's lifetime some of the Churches that had no bishops lived in fellowship with Churches that had bishops, could it not be possible for two such Churches to live in union today? And lastly, if there is a likelihood that not all the presbyter-bishops of the years 80-110 could trace their position back to appointment or ordination by an apostle, could the Catholic

⁴² Cf. *Unitatis Redintegratio* 22.

⁴³ Harding Meyer, "The Decree on Ecumenism: A Protestant Viewpoint." *Ecumenical Review* 37 (July, 1985): 323.

⁴⁴ Kasper, "Apostolic Succession in the Office of Bishop," 209.

Church today not be open to Churches with an episcopate that, by our standards, is not in historical succession to the apostles? Bearing in mind the progress achieved through the Catholic-Lutheran dialogue, especially the understanding of apostolicity of the Church in the substantive sense,⁴⁵ and the findings of biblical and historical scholarship regarding the chain theory of apostolic succession, is there not enough ground to accept the validity of the Lutheran ministry?

Second Proposal

The second proposal has to do with how the sacraments work. Presupposing the classical chain theory of apostolic succession, is it possible to avoid the impression that sacraments work somewhat “magically,” as if, as long as one performs proper ritual actions accompanied by the right formulas, something automatically happens in the realm of the spiritual? Applying this to the sacrament of Orders, is it not suggested that in the act of ordination “a kind of fluid” is poured from one validly ordained consecrator to the next? In the long run, the quality of faith and community life according to the Gospel, including that of the minister, matter little provided that the minister has been validly ordained.

It is through an act of faith that we recognize the realities signified in the sacramental actions. To the world of the senses, the Eucharistic bread and the regular bread are indistinguishable. Similarly, one cannot determine who is baptized, confirmed, or reconciled with God just by appealing to the senses. What can be seen, however, are the fruits of the faith – which is nourished and strengthened by the sacraments – in those who, first eating the bread of life, become the bread for others. Likewise, what can be encountered is a human person who lives like a new creation, who is anointed by God’s Spirit, and who lives in peace with God and the neighbor. Can one honestly say, that the fruits of faith referred to above can be found only in those Churches which preserved apostolic succession in an unbroken line from the apostles to the present because their ministers possess the sacred power with which they sanctify the faithful through sacramental actions?

⁴⁵ Cf. “The Ministry in the Church, 1981” 60, pg. 7 in this paper.

It might be a mistake to claim spiritual validity for a ministry as though this could be asserted at face-value or measured when such a validity can only be an object of hope. On the other hand, the Catholic concept of canonical validity can only apply “to visible facts falling under the judgment of the Church’s leaders... and such a concept cannot apply to what takes place only in the realm of the Spirit’s free and sometimes unforeseen activity.”⁴⁶ I already suggested that the ministry of Word and Sacrament is in the Lutheran Churches attested by its fruits. Now I propose that on the account of the fruits of their ministry, the Catholic Church might recognize Lutheran ministries, despite the differences in the way apostolic succession is interpreted by these two Churches.

In the meeting of the Catholic Theological Society of America in 2007, a Lutheran theologian Michael Root challenged the Catholic teaching for its incoherence in positions on ministry and ecumenism. He argued that there is an internal tension in official Catholic teaching on ordained ministry, on the one hand, and Catholicism’s imperfect communion with other Christian bodies on the other. Root observed that it is possible, according to the Catholic teaching, to affirm that the Church of Christ is present and operative in the Churches and ecclesial communities not yet fully in communion with the Catholic Church, that they are instruments of salvation for their members, and they have preserved basic truths of the Gospel. At the same time, however, Catholicism holds that these Churches lack valid ordained ministries, meaning, in effect, that they do not have bishops.⁴⁷

The logical conclusion, according to Root, is that bishops are therefore not essential to ecclesial communion, to the presence of the Church, to the means of grace that lead to salvation, or to the teaching office. Otherwise, he suggested, it would be impossible to explain the presence of those qualities in communities that do not have bishops. He further argued, that if one takes Catholic teaching at face value, it would imply that ordained ministry and episcopacy are less significant for Catholics than they even are for Lutherans, which is obviously not true.

⁴⁶ George H. Tavard, “The Function of the Minister in the Eucharistic Concelebration,” *Journal of Ecumenical Studies* 4 (1967): 643.

⁴⁷ John L. Allen, “Lutheran Finds ‘Incoherence’ in the Catholic Teaching on Ministry, Ecumenism,” *National Catholic Reporter*, 8 June 2007; available from www.natcath.org; accessed 9 June 2007.

CONCLUSION

Since the time of the 16th century, Christians in the West have lived in division. For over four hundred years of the broken communion, it was not uncommon for them to fight over territories, exchange insults, call each other heretics, and – as Vatican II’s Decree on Ecumenism would say it – by their example contradict the will of Christ, provide a stumbling block to the world, and inflict damage on the most holy cause of proclaiming the good news to every creature.⁴⁸

With the Second Vatican Council (1962-1965) this has changed. Though initially opposing the ecumenical movement, the Catholic Church made an unequivocal commitment to ecumenism. It got involved in “Faith and Order Commission” of the *World Council of Churches* and began to work toward reunion with the separated brethren through multiple bilateral dialogues. One such a bilateral commission was formed between the Catholics and the Lutherans.

In this paper I discussed the issue of apostolic succession in the order of bishop from the perspective of the Catholic-Lutheran dialogue which started in 1967. I examined three joint statements and identified the points of consonance and dissonance before and after the dialogue. I concluded that the dialogue yielded significant progress: (1) a more comprehensive notion of apostolicity; (2) clarification of each other’s positions; and (3) a positive assessment of the other’s point of view.

The core of the problem, however, remains; namely that the Catholic Church is still unwilling to have reciprocity with the Lutheran Church. The reason is that, according to the Catholic view, the Lutheran Church lacks apostolic succession and, therefore, the real presence of Christ in the Eucharist. Intercommunion is thus impossible. I also noted that progress on the question of apostolicity of ministry depends also on the progress made on the basic question of the normative role of Scripture and Tradition.

In the last section of the paper, I discussed two proposals of how the Catholic Church could modify its understanding of apostolic succession so that this issue would no longer constitute an obstacle for the reunion between the Catholics and the Lutherans. I

⁴⁸ Cf. *Unitatis Redintegratio* 1.

proposed that the Catholic Church abandons the notion of apostolic succession as a tactile chain of succession from the apostles to the present-day bishops, which is without foundation in Scripture or the earliest practice of the Church, and no longer uses this argument as the criterion to judge the Lutheran ministry to be invalid. I also proposed that, on account of its fruits, the ministry of Word and Sacrament in the Lutheran Church could be recognized as valid.

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