



FACE . . .

The ELCA Bylaw on Ordination in Unusual Circumstances: Bridging the Gap

NORMAN W. WAHL

THE EVANGELICAL LUTHERAN CHURCH IN AMERICA HAS MADE EFFORTS TO BE an inclusive church in a variety of ways. At the 2001 ELCA Churchwide Assembly in Indianapolis, the voting members chose to embrace greater inclusivity by acknowledging a strong component of people who have served faithfully in the ELCA and predecessor bodies. The assembly, by a 683-330 vote, adopted a bylaw amendment on ordination in unusual circumstances that helps to bridge a significant gap created by the adoption of “Called to Common Mission” in 1999, the ELCA’s full partnership agreement with the Episcopal Church (USA).

The new amendment will allow synodical bishops to authorize a pastor (other than a bishop) to preside at ordinations. The flexibility afforded by this bylaw amendment is a good compromise that entirely satisfies neither of the extremes in the CCM debate. It does, however, indicate that the church is listening to the cry of its people. Especially heartening is then-Presiding Bishop H. George Anderson’s strong advocacy for the adoption of the bylaw and the strong leadership by the synodical bishops of the ELCA.

A college chaplain at one of the ELCA colleges recently said in a sermon that a sign of a dysfunctional family is the insistence that there is only one right way to do things. Conversely, the sign of a healthy family is the ability to reach a goal in a number of different ways. With the adoption of CCM, the ELCA committed itself to “one way” of installing bishops and ordaining pastors. As to the installation of bishops, the addition of the historic episcopate became the one way, and it came entirely from outside the American Lutheran experience of installing synod (or previously, district) leaders into office.

With CCM, there became “one way” to ordain pastors—that being with a bishop physically present and presiding over the ordination. While that practice is not foreign to American Lutheran experience and honors a strong segment of the ELCA, it does not take into account strong theological convictions of another segment of the church. The 2001 assembly helped to correct the “one way” approach to ordination. Certainly there are some doctrines in the church for which there can only be “one way” (Jesus as Savior, the Trinity, etc.), but ordination does not rise to

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TO FACE

The ELCA Bylaw on Ordination in Unusual Circumstances: Misdiagnosis and Mistreatment

JULIE A. SMITH

AN ELCA BISHOP RECENTLY WROTE, “THE BYLAW CHANGE WHICH ALLOWS FOR exceptions to ordinations was a gift from the whole church to a smaller group that objected theologically to the symbol of the historic episcopate. This decision will give us a chance to heal and focus on some important opportunities that face us.”*

When I was in elementary school a family friend died as the result of a brain tumor. He had been suffering from a whole host of symptoms for some time—headaches, forgetfulness, personality changes, lack of energy, confusion. The doctors he visited treated him for allergies, asthma, depression, hypertension, but they failed until it was much too late to detect the mass of renegade cells that had taken control of his brain. In fact, they did not even look for a brain tumor. It seems that, like the rest of us, the doctors did not allow themselves to think that there could be something horribly wrong with someone so young. In this case, errant diagnosis led to ineffective, fatally flawed treatment.

The 2001 ELCA Churchwide Assembly adopted the “unusual circumstances” bylaw after impassioned pleas by people on both sides of the debate over “Called to Common Mission.” The bylaw is being hailed as the start of a resolution to the deep divisions in the ELCA. It is seen as a compromise that may begin to repair the polarized atmosphere found in the church. For some, the fact that leaders of both sides spoke in favor of the bylaw is itself sufficient evidence that progress has been made in the battle over CCM. Not surprisingly, not everyone agrees with this analysis of the situation. I am opposed to this bylaw for several reasons. In this essay I will focus on two.

The first is simple. Giving bishops the authority to enforce or not enforce the laws of the church, solely at their own discretion, hardly seems like an improvement in the controversies surrounding our understanding of the office of oversight. The 1999 Churchwide Assembly adopted CCM and its attendant constitutional and bylaw changes by more than the necessary majority. Ordination by bishops was made a law of the ELCA. If ordination by bishops is the problem created by CCM, then that problem must be addressed by rescinding those portions of CCM and the

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*Craig Johnson, “Thoughts from the Bishop, A Synod on Track,” *InterActs* (Oct. 2001) 2.

that level. Instead, we Lutherans do well to honor various faithful traditions that have formed the ELCA.

Great encouragement is offered by the Standing Commission on Ecumenical Relations (SCER) of the Episcopal Church (USA). At a late October, 2001, meeting they issued a statement assessing the significance of the bylaw allowing ordination in unusual circumstances. The SCER affirms the Pauline word out of Ephesians that there is “one Lord, one faith, one baptism, one God and Father of all.” While restating the Episcopal Church’s commitment to the unity of Christ’s church, they also “recognize that increasing unity often requires us, like all Christians, ‘in all things of human ordering or human choice’ to be willing to ‘forego preferences of [our] own’ (Chicago Quadrilateral, 1886).” Clearly ordination belongs in the realm of human choice, thus not requiring a “one way” approach.

But, it could be argued, why could not those Lutherans who objected to CCM have seen fit to forego their preference in ordination, accepting the encumbrance of “bishop only” ordinations? The fact is that those who are theologically opposed to the necessity of the physical presence of a bishop at an ordination in order to receive the pastor onto the roster of the ELCA have never been opposed to those who would prefer to have the bishop present. Those who would seek freedom in the matter have made no attempt to force their own preferences on the whole church. Instead, they are happy to allow for diversity in this non-essential matter. They would choose to allow for an honoring of many faithful traditions within our church.

Few people are arguing that bishops are unnecessary in the matter of ordinations. In American Lutheran traditions the bishop (or president) of predecessor bodies has always been an overseer in the process of authorizing an ordination and has further authorized a pastor to preside at the ordination if not conducting the ordination him/herself. This satisfies the good order in the church that Lutherans appreciate. Only a few advocate free rein for pastors or congregations to ordain whomever they want whenever they want. In the cases in which ELCA pastors have ordained outside of a bishop’s authorization, discipline has been pursued.

However, to vest a special power of ordination exclusively in the office of bishop, outside of administration for the sake of good order, is to call into question the one office of ministry to which pastors are called. Some may serve in a parish, some may serve in a college or university, some may serve in a bishop’s office, but all serve in the one holy catholic church in the office of word and sacrament.

I am hopeful that the latitude allowed by this bylaw change will enable us in the ELCA to focus more clearly on the mission that is set before us with our ecumenical partners rather than the division that has brought separation within our own church. Let Episcopalians be Episcopalians; let Lutherans be Lutherans; let Moravians be Moravians. And let us move ahead with one Lord, one faith, one baptism. ⊕

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ELCA constitution that make ordination by bishops the regular practice of the church. That problem cannot be solved by simply giving bishops permission to ignore those elements of the agreement.

This leads to my second objection, and in fact, the core of my objection to the bylaw. It treats the symptom rather than the disease. Ordination by bishops is not the problem with CCM. Neither is the freedom of individual seminarians to decide who will ordain them the heart of the matter; the Lutheran church has never understood ordination to be subject to the whim, or even the deeply held wish, of the one being ordained. Further, the problem with CCM is not that a long-held tradition in American Lutheranism has been jettisoned for the sake of “visible unity.” The problem is deeper than that; it is one that I would describe as idolatry.

The church is always called to point beyond itself to Christ. We are not called to bear witness to our unity or our tradition or even our fidelity to the apostolic faith. We are called to bear witness to Jesus Christ, crucified and risen for our sake. The historic episcopate is the church pointing to itself. In adopting CCM, the ELCA has, in my opinion, effectively made an idol of the historic episcopate. It has made an idol of the office of bishop. It has made an idol of the church itself. This idolatry cannot be treated with a little constitutional tinkering.

The ELCA is a young church. It started out with much promise in the eyes of many. Finally, we thought, after all those generations, Lutherans were going to put aside ethnic differences and be the church together. But despite its youth, the ELCA has an advanced disease. We cannot close our eyes to that disease and just hope it goes away. We cannot treat the symptoms thinking that will provide a cure. This disease requires radical treatment. We need to revisit the assumptions that underlie the 1991 statement on ecumenism. We need to examine assumptions about ministry and the nature of the church that are deeply embedded in the ELCA constitution itself. The bylaw, by quieting some who have objected to ordination by bishops, steers the ELCA away from much-needed conversation about just what we think the church is called to do in the world. It simply puts a Band-Aid over the gaping wounds that were revealed with the passage of CCM.

Some have described the bylaw change as a gift, suggesting that the church has made an overture of peace toward a small but noisy bunch of folks who have spoken against CCM. Thinking of the bylaw as a gift reminds me of another famous gift: the citizens of Troy once received a gift from the Greeks. They would have been better off leaving that horse outside the gates. So would we. ⊕

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