

***The Ordination of Our Teaching Ministers:
A Swinging Pendulum in Practice in the Wisconsin Synod
Between 1991-2001***

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The Gospel ministry has many forms. The apostle Paul outlines the many different forms the Gospel ministry may take. In his letter to the Ephesians Paul writes in chapter four, verse twelve, "It was he [God] who gave some to apostles, some to be prophets, some to be evangelists and some to be pastors and teachers to prepare God's people for works of service, so that the body of Christ may be built up." The two most common forms of Gospel ministry in the Lutheran church are pastors and teachers. Pastors throughout the history of the church have been ordained into their office at their first installation. Male teachers have not been ordained, but installed. This is with the exception of a ten year period in the Wisconsin Synod. Up until 1991, only pastors in our ministerium have been ordained, teachers have not. In 1991, the Wisconsin Synod in convention resolved to ordain male teachers into the teaching ministry. Why the change? What implications would come about because of this change in practice?

In 2001, the Synod in convention resolved to rescind the 1991 resolution and adopted a resolution to commission male teachers instead. What brought the pendulum swing? What ramifications do the 2001 resolutions have upon our synod?

The Internal Revenue Service prior to 1955 did not recognize male teachers in our synod as "Ministers of the Gospel" for income tax purposes. On March 2, 1955 the IRS issued a private letter to the WELS stating that for tax purposes male teachers are considered "Ministers of the Gospel." In this letter the IRS asserts that male teachers can be called upon to serve in the place of the pastor and are "in effect duly ordained,

commissioned, or licensed ministers.”¹ The IRS had no problem with male teachers claiming to be “Ministers of the Gospel” and claiming tax advantages as such.

In the late 1970’s local tax officials were questioning male teacher’s, “Minister of the Gospel” status. The government was asking whether male teachers were entitled to take certain tax advantages that pastors are privileged to take. An ad hoc committee was formed at the request of the Conference of Presidents (COP). Professor Joel Gerlach of Wisconsin Lutheran Seminary, President George Boldt of the Southeastern Wisconsin District, Professor Edward Fredrich of Wisconsin Lutheran Seminary and Professor Robert Voss of Northwestern College were appointed to study the issue of the church and state relationship. The COP requested a report from the ad hoc committee, but it was not put into a Book of Reports and Memorials (BORAM). Professor Fredrich noted, “If a change was to be made, it should be done for internal reasons.”² Basically, if there was to be a change in practice to ordain male teachers in addition to pastors, it must be done not to fit neatly under the government’s definition of a “Minister of the Gospel,” but recognizing that ordination is a matter of adiaphora. During this time, the Lutheran Church-Missouri Synod (LCMS) was sympathetic to the problems arising in the Wisconsin Synod even though the LCMS did not have a problem with the government and their male teachers.

The difficulties continued over the course of the next decade with the government, local tax authorities in particular, and some male teachers within our synod. The proverbial straw that broke the camel’s back came at First Evangelical Lutheran Church in Racine, WI. Both a male and a female teacher were moved by the

¹ March 2, 1955 Private Letter from the Internal Revenue Service

² Pastor emeritus Joel Gerlach, interview by author, 8 March 2002, Mequon, Wisconsin Lutheran Seminary

church from one church owned property to another. At first it seems to be a normal move until the vacated premises were to be put back on to the local tax rolls and the new premises taken off the local tax rolls. The City Assessor of Racine balked and informed First Lutheran that property taxes would have to be paid on the new properties.

As a reaction to what the City Assessor told First Lutheran, Pastor Nathan Pope called upon Elton Huebner and the Synod's lawyer to explain the WELS position on male teachers being "Ministers of the Gospel." After a three hour meeting, the City Assessor of Racine gave in. Thinking that it would be a hassle for congregations in our synod to slowly and methodically explain to local tax authorities the nature of our male teachers, Pastor Pope felt he should address the situation to possibly ordain male teachers. He wrote a paper for the Southern Conference of the Southeastern Wisconsin District entitled, "Shall We Ordain Our Teaching Ministers?"³. The result of that paper was a memorial published in the 1989 BORAM for the synod in convention to appoint an ad hoc committee to report to the 1991 Synod Convention.

The memorial published in the 1989 BORAM, in a nutshell, characterized the difficulties that were taking place in certain areas in our synod. The memorial also notes the difference in the use of the term, ordination. Whereas 2) indicates that the WELS "defines ordain in a unique and obscure way, which makes for costly difficulties in communicating synod's doctrinal position to taxation authorities and to a world which understands ordain in its dictionary sense."⁴ The next two Whereas points indicate the use of the phrase, "ordain into the teaching ministry," being used by WELS

³ Unpublished Essay by Pastor Nathan Pope 1/10/89

⁴ 1989 Book of Reports and Memorials for the WELS 50th Biennial Convention p. 251

representatives and favored by the Southern Conference in the Southeastern Wisconsin District.

The memorial presented in the 1989 BORAM prompted the synod in convention to resolve that an ad hoc committee be formed and bring their recommendations to the 1991 synod convention. The resolution passed on the convention floor outlined many of the same points addressed in the memorial sent to the convention. Difficulty in communicating our term, ordain, to local tax authorities; the point that the phrase, "ordination into the teaching ministry" as general usage in the WELS would seem to make for a more consistent practice,⁵ characterized the memorial brought to the convention floor. One added item of interest in the resolution to appoint an ad hoc committee is in Whereas 4) which states, "The full doctrinal and legal implications of using this terminology are unknown."⁶ Doctrinal and legal implications would have to be carefully explored. The WELS was about to step into unfamiliar territory. For the duration of its existence, the WELS has ordained only pastors. The thought of ordaining male teachers was foreign to the thinking of many in our circles. Thus, at the request of the synod in convention, an ad hoc committee was formed by President Mischke and Vice Presidents Lauersdorf and Zink to study the terminology, "ordination into the teaching ministry."

Five men were appointed to serve on the ad hoc committee to study the term, ordain. Pastor Joel Gerlach, Teacher Arlyn Boll, Professor Wilbert Gawrisch, Professor John Isch and President Carl Voss were appointed to serve. These men were asked to serve in a letter dated November 2, 1989 by President Carl Mischke. Pastor Gerlach

⁵ 1989 Proceedings of the WELS 50th Biennial Convention

⁶ 1989 Proceedings of the WELS 50th Biennial Convention p. 251

was appointed as chairman and Professor Isch was appointed as secretary of the committee.

The committee first met on July 26, 1990 at Wisconsin Lutheran Seminary. They reviewed their assignment from President Mischke and proceeded to discuss the "Theses on Ordination, Installation and Induction," from 1979. Historical and legal implications were discussed as to how they might apply to the ordination of male teachers. Throughout the discussion, Pastor Nathan Pope's paper, "Shall We Ordain Our Teaching Ministers?" was referenced.

In this initial meeting, two proposals were examined with the possibility of ordaining male teachers. The first proposal explored the possibility of using the phrases, "ordination into the pastoral ministry" and "ordination into the teaching ministry." These terms would be used for the first installation into the respective offices. This proposal also called for a different way of listing pastors and teachers in the Synod Yearbook. Pastors would be listed as "ordained into the pastoral ministry," and teachers listed as "ordained into the teaching ministry."⁷ Comments followed this proposal stating that this would be a "modest change." There would still be one ministerial office, but a further distinction would be made between the pastoral and teaching ministry. It was suggested that the implementation of such a change would be dependent upon individual congregations.⁸ This, however, would later lead to confusion within our synod.

The second proposal the committee discussed dealt with the possibility of a district or synodical resolution to "confer ordination on all who have received and

⁷ Minutes from ad hoc committee meeting July 26, 1990 p. 1

⁸ Ibid.

accepted their first call into the public ministry.”⁹ This would be applied to pastors, male and female teachers alike. The rite performed on the congregational level would still be in place and called ordination, installation or induction. The ceremony performed at the district or synod level would demonstrate to the government that those ordained in this ceremony have been set aside for work in the church. This proposal suggests making a change for the sake of meeting the standards set up by the government as to who can or cannot receive tax benefits that Ministers of the Gospel receive. The committee noted that this would be a consistent practice. The actual ordination and installation would still take place at the local congregation, but a synod or district resolution to recognize ordinations taking place would be a formality.

There were questions that remained unanswered. Four questions were raised in this meeting.

1. Would either resolve the legal difficulties we are currently experiencing?
2. Would either complicate or change the legal status of women teachers (e.g. social security, income tax)?
3. Would either confuse or cause offense regarding the position of women teachers?
4. Would either be sufficiently flexible to include new forms of the public ministry?

These questions would eventually be answered in the years following the 1991 Synod Convention.

The decision was made not to change the practice of ordination to accommodate the government’s definition, but to make the change in practice to educate God’s people that ordination is an adiaphoron. Another reason to make a change in practice is for congregations to develop an equal respect for both pastors and teachers as ministers of

⁹ Ibid.

Christ. A third reason, the committee felt, using the term ordination for all forms of ministry "may have an incidental benefit of educating persons on the scriptural directives regarding the role of women in the public ministry."¹⁰ The point of the final statement was to use different terms in conveying the role of men and women in the teaching ministry instead of using the term, ordination.

The committee met again at Wisconsin Lutheran Seminary on September 7, 1990. Attorney Warren Kreunen from von Briesen & Purtell presented the legal implications of using the term ordination. Attorney Kreunen made the following observations:

1. The courts define ordination in a different manner than does the church.
2. The Synod expends a considerable amount of money litigating various property tax cases relating to the status of male teachers.
3. Most, if not all these cases could be resolved without expensive legal proceedings if male teachers would be ordained.
4. The Synod should not apply the term ordination too broadly to include positions which do not include the legal criteria of ordained ministers. Such a watering down of the term could occur if women and some types of staff ministers were ordained.
5. Gender discrimination would likely not be a legal issue if male teachers were ordained and female teachers were not. The First Amendment should restrain the courts from pursuing discrimination suits.
6. The Synod should describe the status of women teachers more clearly.
7. The distinction between ordination into the preaching ministry and ordination into the teaching ministry should be made "lower" in the explanation.
8. There is nothing in this advice to change the practice of the Synod as to the use of the term ordination which compromises the integrity of Synod.¹¹

The committee thanked Attorney Kreunen for his observations.

After discussing Mr. Kreunen's presentation, Professor Gawrisch was appointed to prepare the initial report to the Conference of Presidents and to the synod in

¹⁰ Ibid.

convention. Included in this report would be a careful study of scripture passages talking about the laying on of hands and the liberty Christians have in recognizing those called to serve in the church. Legal and doctrinal implications and possible forthcoming ramifications would be spelled out in this report. One important doctrinal implication would be on the role of man and woman because of other problems arising within the WELS.

The committee felt that three points needed to be stressed in the report to the synod in convention. The first point is to indicate the historical use of the term ordination. The second point is to present the doctrinal and legal implications of the change in practice from ordaining only pastors to ordaining pastors and male teachers. The third point was to explore possible alternatives to ordaining male teachers. Regarding point three, there was discussion to employ the term commission for teachers. It was noted that the term commissioning is used when sending missionaries to home and world fields. It was felt that the use of the term commission would only cause confusion because of how it is currently used. It was finally the opinion of the committee that installation should be retained for the first and subsequent calls and ordination be restricted to male teachers and pastors.

The meeting was adjourned until January 14, 1991. In the time between the meetings, Professor Gawrisch penned the first draft of the report that would be presented to the Conference of Presidents and to the Synod Convention. During the meeting on January 14, 1991, the report was presented to the committee for review and discussion. Corrections were made to clarify language and the final draft was prepared for the 1991 BORAM. The report was comprised of the points discussed at the previous

¹¹ Minutes from September 7, 1990 Meeting

meeting. The report itself can be found in Appendix C¹² of the Conference of Presidents report in the 1991 Book of Reports and Memorials.

The report of the ad hoc committee to study the matter of ordaining male teachers was assigned to Floor Committee Four at the Synod Convention. Professor David Kuske of Wisconsin Lutheran Seminary was appointed as the chairman of the floor committee. At this convention, the matter of ordination was not as widely discussed as some in 2001 may have thought. The reason was the doctrine of the role of man and woman loomed large throughout the entire convention, but ordination of male teachers was still a topic that elicited some discussion.

The floor committee discussed the matter of ordination and brought a resolution to the convention floor to adopt the terminology ordination into the teaching ministry. This resolution was defeated by a "60/40 division," according to Professor Kuske. According to the minutes from the convention there was a division of the house called and the count was 156-115¹³ to defeat the motion to adopt the resolution. There was some discussion about the difficulties congregations were facing with their male teachers in different areas of the country in regard to property taxes and dealings with local tax authorities. It was the sense of those who defeated the motion that something should be done to alleviate the difficulties male teachers were facing. Others stood on the side of the historical usage of the term ordination saying that pastors have historically been ordained. They were not saying that pastors were higher than teachers, but that the scope of the call was different.

¹²1991 Book of Reports and Memorials for the WELS 51st Biennial Convention p. 168-174

¹³ Minutes from 51st Biennial Convention of the WELS at DMLC – New Ulm, MN, Thursday Evening Session

Later in the convention, there was a motion to reconsider the resolution. After more discussion of the motion to reconsider the previous resolution, it was passed by a standing vote of 150-149. Following the adoption of the motion to reconsider the resolution there was a motion to refer the resolution back to the floor committee. That motion was defeated. It was finally moved, seconded and passed that the resolution previously passed stand as is and implemented as soon as possible.¹⁴

For the first time in our synod's history the male teachers of the class of 1992 were ordained and installed into the teaching ministry. The 1992 Report to the Twelve Districts reported that the COP developed a certificate of ordination for male teachers and commissioned the Commission on Worship to develop a rite of ordination for ordaining male teachers in to the teaching ministry.¹⁵

Although the practice of ordaining male teachers into the teaching ministry had begun, there were still those within the synod who let their voices be heard that confusion regarding the term ordination was starting to appear. Thirteen pastors appended their names to a memorial printed in the 1993 BORAM calling for the rescinding of the 1991 resolution to ordain male teachers. Reasons for rescinding included: tax exemption is a privilege, not a right; misusing the term ordination as it was originally intended (for the pastoral office); giving the impression that congregations are trying to avoid paying property taxes that the government has the right to levy; the Lutheran Church-Missouri Synod has found a way to communicate the nature of their called workers to the government.¹⁶ The memorial was discussed again by Floor Committee Four – Conference of Presidents. A resolution was brought to the floor and

¹⁴ Ibid.

¹⁵ 1992 Report to the Twelve Districts p. 102

adopted to appoint an ad hoc committee to restudy the term ordination in consultation with legal representatives of the Board of Trustees and other advisors deemed necessary.¹⁷

In response to the resolution to form another ad hoc committee to study the term ordination, the COP appointed Professor emeritus Armin Schuetze, Dr. Arthur Schulz, Pastor David Tetzlaff, President Carl Voss of the Northern Wisconsin District and Teacher Arden Wentzel. The committee reviewed the report presented at the 1991 convention and formulated a report of their own in 1994.

The contents of the report revisit what the ad hoc committee in 1990-1991 had reported to the synod in convention. It was noted that the Bible references were descriptive and not prescriptive passages, thus making the matter of ordination an adiaphoron. The committee emphasized the fact that a person having a call, not being ordained, makes him a part of the public ministry. This point was applied to both pastors and teachers. The committee also made the observation that there were problems within our circles in communicating the status of male teachers being "Ministers of the Gospel." They also observed that in 1991 the synod in convention resolved to ordain male teachers into the teaching ministry. The committee recognized this as an adiaphoron, but surmised other questions and difficulties may arise. One such question is, "Should female teachers be ordained?" The answer to that question is, no. The reason is Scripture restricts their service to situations in which they will not have authority over men.¹⁸ Another question raised is, "Where is the line drawn as to who is ordained and not ordained into their respective offices? (i.e. Staff Ministers.)"

¹⁶ 1993 Book of Reports and Memorials for the 52nd Biennial Convention p. 423-426

¹⁷ 1993 Proceedings for the 52nd Biennial Convention p. 57

The Staff Ministry program had recently been approved from the previous synod convention. The question raised about ordaining staff ministers, male staff ministers, is part of a small snowball of questions that grows as the staff ministry program develops.

Finally the committee asked in its report, "Whose first installation should be called 'ordination?' What criteria will be used to draw the line? Is our practice consistent with our doctrine? Will our practice or change in practice be understood by our people? Will we be seen as consistent by legal advisors and civil authorities? Will the latter always be possible?"¹⁹

The committee concluded their report by reemphasizing that the call, not ordination makes one a public minister. They wrote of how ordination is adiaphoron and what Scripture teaches about the call is doctrine and our practice must not contradict Scripture in the doctrine of the call.²⁰

The ad hoc committee felt that "there was no compelling reason to say we shouldn't ordain male teachers. If it (ordaining male teachers) will serve these men, we won't argue too much," according to Professor Schuetze. The committee presented their report to the Conference of Presidents. The COP did not feel that rescinding the 1991 resolution would be in the best interest for the synod, but the COP was favorable to continue to restudy the matter of ordination. The ad hoc committee's report was never brought to the attention of the synod by the BORAM. The matter of ordination had been put to rest for a time until it came up again in 1999.

During the time from 1991 through 2001, there were inconsistencies in practice. Some male teachers were ordained, others were not. Some of those who were not

¹⁹ Ibid. p. 3

ordained had no idea the Synod passed a resolution in 1991 to ordain male teachers into the teaching ministry. There were still problems with communicating to local tax authorities that male teachers who have been ordained into the teaching ministry have the same status of "Minister of the Gospel" as pastors.

From outside of the WELS, there were those who were claiming the WELS was equivocating on their position and doctrine of church and ministry. According to Pastor Joel Gerlach, "Some said we are discriminating against women by differentiating between male and female teachers and obscuring the role of men and women in the church." This was during the time St. James in St. Paul, Minnesota was making waves in the WELS over the woman's role in the church and society. Confusion was on the rise regarding the WELS view of ordination into the public ministry. Questions raised by the 1994 ad hoc committee were coming to the fore. These questions needed to be answered.

Since the completion of *Christian Worship: A Lutheran Hymnal*, the Commission on Worship embarked on new projects to supplement the new hymnal. Projects such as: *Christian Worship Manual*, *Christian Worship Handbook*, *Christian Worship Altar Book* and *Christian Worship Occasional Services*. While the latter two books were in the process of being written, there were prayers and rites posted on the Internet for field testing in our churches. Among the rites field-tested was a rite for ordaining pastors and a rite for ordaining male teachers. The rites were similar except each rite delineated between the scopes of the calls issued. There was also a rite for ordaining male staff ministers that was later added. The Commission on Worship raised the question with the COP as to what to include in the final version of *Christian Worship Occasional*

²⁰ Ibid.

Services in respect to ordaining male teachers and staff ministers. The COP appointed another ad hoc committee to restudy the term ordination and its possible use among staff ministers.

In 1999 Pastors Paul Janke, Paul Naumann, David Kolander, Professors John Brenner, Philip Leyrer, Lawrence Olson, Professor emeritus Armin Schuetze, Teachers Timothy McNeill, Stephen Schultz and Pastor Richard Lauersdorf – Vice President of Mission and Ministry of the Wisconsin Synod, were appointed to serve on the latest ad hoc committee. Pastor Janke was appointed as the chairman of the committee.

The committee first met on April 27, 1999. Copies from the two previous ad hoc committee reports were distributed for discussion. Professor Schuetze indicated the results of the previous ad hoc committee work saying they were thanked for their work, but the matter of ordination had been dropped. Pastor Janke told of how he was serving on the committee to write Christian Worship Occasional Services. He told the committee about the struggle the Commission on Worship was having to develop a rite for ordaining called workers in respect to the scope of their calls. Pastor Lauersdorf spoke about the COP's concern about the propriety of ordaining uncertified (not synod certified) male teachers.

It was the observation of some of the members of the committee that the practice of ordaining male teachers has been applied inconsistently. Some were being ordained and installed, others were only installed. Mr. McNeill and Mr. Schultz indicated not many male teachers have been ordained nor has it been a matter of concern to male teachers. Professor Olson wondered if there is different terminology that can be used to demonstrate the difference between the duties and scopes of office for called workers.

He later stated, "that if we had standardized terminology using another term that could have avoided confusion."²¹

There was further discussion about the meaning of the term ordain. The way the WELS uses the term ordain and the way the government (local, state, or federal) uses the term ordain are two different things. The WELS uses the term ordain in its historical, ecclesiastical usage reserving the term for one who has completed a prescribed course of study to carry out ministry in its broadest scope in the pastoral ministry. The government defines on who is ordained is able to perform sacerdotal functions such as administer the sacraments. In the midst of this discussion, Professor Schuetze related to the committee his being uncomfortable with the term, "ordination into the teaching ministry." He wondered about the wisdom of adopting terminology simply to comply with the government's understanding of ordination. He feared that by using the term in this way the synod is operating under the government's definition of ordination which does not clearly communicate scriptural truths.²²

Pastor Naumann communicated to the committee the impression the WELS has been giving in regard to the doctrine of Church and Ministry. He referred to Gottfried Herrmann's article published in the *Wisconsin Lutheran Quarterly* entitled, "The Theological Development of the WELS With Particular Reference to Its Doctrine of Church and Ministry." In the article, Herrmann notes the concern expressed by brothers overseas regarding the WELS doctrine. Outsiders were looking in at the Wisconsin Synod and were confused about the WELS position on Church and Ministry in regard to ordination. Pastor Naumann also referenced papers presented at a Ministry

²¹ Church and Ministry Committee Minutes, 4/21/99, p. 3

²² Ibid. p. 2

Symposium held at Northwestern College in 1992. He refers to papers by Professor David Valleskey of Wisconsin Lutheran Seminary, Professor emeritus Edward Fredrich of Wisconsin Lutheran Seminary and Professor Arnold Koelpin of Dr. Martin Luther College. Pastor Naumann noted how well respected voices in the WELS were putting into print their concerns over the expediency of the 1991 Synod Convention to use the terminology, "ordination into the teaching ministry." Mr. McNeill indicated that this matter of ordination is a matter of semantics since ordination and installation demonstrate that an individual is properly trained and called.

At the same time Pastor Lauersdorf opined that there would be greater confusion if the synod reversed its decision to ordain male teachers because there is nothing in scripture that commands the ordination of ministers of the gospel. He read a quote from a letter from von Briesen & Purtell regarding the weight of the term ordination in the eyes of the government. Pastor Lauersdorf was looking out for the legal side of the issue in regards to whether or not to ordain male teachers.

Near the end of the meeting, the perception and understanding that people have about ordination was discussed. Following the 1991 synod convention, there was much concern for acting too quickly as a synod to ordain male teachers. Paul's words from I Corinthians 10:23, "Everything is permissible – but not everything is beneficial," were quoted in discussions that followed the 1991 convention regarding ordination. The discussion of the meeting concluded with the thought that perception and clear communication are very scriptural concerns.²³ Careful and patient instruction would have to take place to educate persons inside and outside our circles.

²³ Ibid. p. 4

The committee met again on July 21, 1999 at Wisconsin Lutheran Seminary. Professor Brenner read his report, "Brief Overview of the History of Ordination." He made mention of Philip Melanchthon who wrote two of our confessions, was never ordained. He also added the point that those churches that ordain ministers often view ordination as a sacrament. After Pastor Lauersdorf added that there are different views of ordination throughout church history, Professor Brenner further added that the Lutheran church has historically ordained only pastors.

Pastor Lauersdorf reported on the legal implications and ramifications for not ordaining male teachers. He read a letter from William Pickering of von Briesen, Purtell & Roper. Mr. Pickering wrote, "We believe it prudent to continue to ordain male teachers...it is possible that staff ministers may be deemed ministers of the gospel for federal tax purposes."²⁴ With that in mind, Pastor Lauersdorf concluded that by reversing the 1991 decision to ordain male teachers there could be trouble with the IRS. But there are those who believe that the IRS would not be a problem.

Professor Brenner commented that the 1991 decision was made too quickly without much time at all to carefully instruct people about the implications and ramifications of ordaining male teachers. Pastor Lauersdorf agreed, but felt that there is a misunderstanding by people on the doctrine of church and ministry and fears that by reversing the decision there would be even more confusion than at present. Nevertheless, he felt the people must still be instructed about what ordination means.

Still more discussion about terminology continued. There was talk of using the term deacon/deaconess instead of staff minister. The reason for considering the former term over the latter was because it would be better understood by those outside of our

fellowship. Professor Brenner asserted the danger of adopting the terminology of others, lest we adopt their theology.²⁵ The focus turned from deacon vs. staff minister to "installation." Mr. McNeill spoke of how we use the term installation for our Lutheran Elementary School Teachers, Sunday School teachers and church officers and asked about the difference. Professor Brenner replied that elders in some congregations were called upon to perform the sacerdotal function of assisting with the administration of the sacrament and they are not ordained. What qualifies a person to perform a sacerdotal function is the scope of the call.

Further discussion ensued including the reiteration of what ordination is and what can be done to clarify our position and practice regarding ordination. The question was raised regarding the possible difficulties LCMS teachers were facing with tax authorities. Professor Olson commented they had not had any problems. Along those same lines, Professor Schuetze voiced his concern over our using LCMS terminology to say that forms of ministry are derived from the pastoral ministry. He believes that such terminology safeguards their false teaching. This seems to be a battle of semantics among various church bodies, but the way we define our terms needs to be done carefully so as not to give the impression that we are following false doctrine.

Finally, Professor Brenner moved for the chair to appoint someone to write a summary of the controversy and offer a position to which the committee can react. Professor Brenner and Pastor Naumann were appointed to prepare such a paper for the next meeting.

²⁴ Church and Ministry Committee Minutes, 7/21/99 p.1-2

²⁵ Ibid. p. 3

The third meeting of the Church and Ministry Committee took place October 17, 1999. Professor Brenner and Pastor Naumann presented the position paper they had written. They presented four options for the committee to consider in the matter whether or not to continue to ordain male teachers. Professor Olson suggested a fifth option: to not ordain anyone, but commission everyone to satisfy the requirements for the IRS and use three different terms for our own use.²⁶ At the end of a lengthy discussion, Professor Olson moved that the fourth option presented by Professor Brenner and Pastor Naumann be recommended to the Conference of Presidents. This option after it was amended read, "The Wisconsin Synod should return to the former practice of ordaining only pastors and choose other appropriate terms for the first installation of teachers and staff ministers."²⁷ Chairman Janke called the question. The motion passed with two dissenting votes. Pastor Lauersdorf and Professor Leyrer requested their no votes to be recorded. They wanted to receive clarification from legal counsel regarding the term commission versus the term ordain and what ramifications each term carries. It was at that time Chairman Janke directed Pastor Lauersdorf to seek legal counsel regarding the matter and directed Professor Brenner and Pastor Naumann to write a proposal to the Conference of Presidents for their review.

The final meeting of the appointed ad hoc committee met at Wisconsin Lutheran Seminary on August 20, 2000. Pastor Lauersdorf presented the correspondence from William Pickering from von Briesen, Purtell & Roper. The letter from Mr. Pickering elicited a debate among the members of the committee regarding the intent of the legal counsel. Pastor Janke pointed out that whatever the committee decides it will be

²⁶ Church and Ministry Committee Minutes 10/17/99 p. 1

²⁷ Ibid.

reviewed by the Synodical Council and the Conference of Presidents and the legal ramifications would most likely be checked by the Synodical Council.

Professor Brenner and Pastor Naumann presented their proposal to rescind the 1991 resolution to ordain male teachers for the committee to review. Discussion followed and corrections were made. At the end of the discussion it was moved and seconded to adopt the report as amended. Chairman Janke called the vote. The report was adopted with one dissenting vote. Pastor Lauersdorf dissented and requested that his no vote be recorded in the minutes.

The committee report was presented to the Conference of Presidents for their review. They thanked the committee for their work, but were not going to bring this to the convention floor. According to Professor Brenner, "The COP felt that by rescinding the 1991 resolution we as a Synod would be opening a can of worms."²⁸ Professor emeritus Armin Schuetze added, "The COP didn't accept the recommendations in 1999. They wanted to retain the 1991 resolution. In addition they wanted to extend the line of ordaining called workers to staff ministers."²⁹ It was at this time Pastor Naumann decided to act. He decided to prepare a memorial for the 2001 BORAM calling for the rescinding of the resolution made in 1991 to ordain male teachers. He received much support and many suggestions in writing the memorial. The memorial was signed by thirty-one men among who was Pastor Nathan Pope who had penned the memorial in 1989 to appoint an ad hoc committee to consider ordaining male teachers. Pastor Pope admitted, "In 1989 I didn't think of the ramifications of the confusion that would be

²⁸ Professor John Brenner of Wisconsin Lutheran Seminary, interviewed by author, 14 March 2002, Mequon, Wisconsin Lutheran Seminary.

²⁹ Professor emeritus Armin Schuetze, interviewed by author, 15 March 2002, Watertown Wisconsin.

created in our circles.”³⁰ At the formation of the latest ad hoc committee, he sent his paper, “Shall We Ordain Our Teaching Ministers?” along with his repudiation to be discussed by the committee. Thus he signed the memorial printed in the 2001 BORAM.

From the time the Book of Reports and Memorials came out and until the matter was resolved at the Synod Convention, a great deal of discussion took place at district conferences. At one conference in particular, one of the lay delegates stood up and passionately plead with the other delegates to not rescind the 1991 resolution to ordain male teachers. His reason was that it legitimizes the call for male teachers if they are ordained. Still another layman and some teachers spoke to that same effect. Some pastors on the side of retaining the 1991 resolution stated that more confusion would come about if the synod in convention rescinded the 1991 resolution to ordain male teachers. Yet, there were those pastors and teachers alike who advocated rescinding the 1991 resolution citing the return to the historical ecclesiastical usage of the term ordain.

A month and a half following the district conferences, the Synod convened to consider curriculum changes in our synod schools, fellowship with Latvia and Ukraine, and whether or not to continue ordaining male teachers. The Conference of Presidents assigned the matter of ordination to Floor Committee Four – Conference of Presidents. The floor committee was chaired by Pastor Mark Riecke. The floor committee began meeting the night before the beginning of the convention. Layman Gary Gray recounts the experience:

Drafting a resolution for rescinding the 1991 resolution to ordain male teachers took up three-fourths of the time we met as a committee. It was felt that we didn’t have the entire big picture from what was presented in

³⁰Pastor Nathan Pope, interview by author, 13 March 2002, phone interview.

the BORAM. We also felt there was too much going on in the memorial listed in the BORAM. We had someone come in who was present at the 1991 convention come and speak to us about what took place then and what happened between then and now. After that we had two separate drafts of resolutions drawn up to rescind the 1991 resolution to ordain male teachers. It was felt by the committee that the first draft put the spotlight on the IRS and the second draft focused more on what the WELS believes and teaches. The committee wanted to deal with scriptural reasons for changing and did not want to come out saying that a person cannot be ordained if they are not a pastor. The committee also concluded that those male teachers who were already ordained that cannot be taken away from them.³¹

The second draft for rescinding the 1991 resolution was brought to the convention floor.

When the resolution was brought to the floor for the consideration of the delegates, a lively discussion followed. Both sides of the issue spoke passionately and somewhat emotionally. Not unlike the discussions that some witnessed at district conferences, some stood up in turn and spoke of the difficulties some were still facing in paying property taxes on church owned property. Others felt that the fact they were ordained legitimized their call so that they can perform the sacerdotal function of administering the sacrament. Still others thought the confusion in terminology would be even greater if the synod in convention decided to rescind the resolution to ordain male teachers from the 1991 convention. Teachers were not the only ones in favor of retaining the resolution from the 1991 convention, but some pastors and laymen as well.

Those in favor of rescinding the previous resolution spoke of how the 1991 resolution did not solve the tax problems as perceived. It was noted by many who stood up in favor of rescinding that the practice of ordaining male teachers was inconsistent in our synod. It was stated that there were many male teachers who had graduated from (D)MLC did not realize that they could be ordained into the teaching ministry. The point

³¹Gary Gray, interview by author, 7 March 2002, phone interview.

that was repeated was the WELS should return to the historical practice of ordaining only pastors. These points made were not only made by pastors, but by pastors and teachers. The teachers who stood up felt they were being accorded something they didn't feel they should have – ordination. Some might think that this matter of ordination is a debate between pastors and teachers when in all actuality the matter had both pastors and teachers on both sides.

The question of rescinding the 1991 resolution to ordain male teachers was finally called by President Karl Gurgel. The resolution to rescind³² was adopted by a voice vote with some dissenting votes, but no division of the house called. Floor Committee Four immediately presented a resolution to commission male and female teachers and staff ministers upon their first installation. The reason cited to commission these called workers was in keeping with how the IRS recognizes the term commission to identify ministers of the gospel. This resolution was passed with little discussion and an even smaller portion of the body dissenting than from the previous resolution.

After over 140 years of ordaining only pastors followed by ten years of ordaining pastors and male teachers, the synod in convention resolved to return to the historic practice of ordaining only pastors. The Wisconsin Synod wrestled with the adiaphoron of ordaining and not ordaining male teachers. That stemmed from a misconception in regard to what lay at the heart of the matter of whether to ordain male teachers or not. Many felt that by ordaining male teachers, they would receive some sort of tax benefit. Over the ten years the WELS ordained male teachers, money was not saved on taxes. The issue was not about saving money for teachers, but for congregations. There were those who thought that by ordaining male teachers they could perform sacerdotal

functions, namely assist with the distribution of the Lord's Supper. That privilege is afforded to elders or other lay leaders in the congregation who are not ordained, but they have been regularly called³³ by the pastor who acts on behalf of the congregation.

Following the 1991 resolution for male teachers to be ordained into the teaching ministry, the clear distinction between the scopes of ministry of pastors and teachers was clouded over. Indeed pastors and teachers are all ministers of the Gospel serving in the public ministry. The training and scope of call between the two forms of Gospel ministry are quite different. The scope of the call for the pastoral office is the most comprehensive in the forms of public ministry, whereas the scope of the call for a teacher is much narrower in focus. The terminology approved at the 1991 Synod Convention attempted to retain the distinction between the pastoral and teaching ministry, but "the 1991 resolution may actually be fostering among us the government's misunderstanding of ordination, namely that it confers the 'authority to perform the sacraments' (1991 BORAM, p. 174)."³⁴ That is why ad hoc committees were formed to study the use of the term ordination in our circles.

The residual effects of the work of the most recent ad hoc committee produced a memorial that led a resolution by the Synod in convention to rescind the 1991 resolution to ordain male teachers. This rescinding was not to demonstrate the pastoral office is higher or better than other forms of ministry, but to make a clear distinction between the scope and forms of public ministry. "This distinction is not intended to denigrate the other forms of Gospel ministry. When a second grader says to his VBS teacher, 'I'm sorry,' and the teacher responds, 'I forgive you, and God forgives you, too,' that

³² This resolution is in Appendix A

³³ Augsburg Confession, Article XIV – Concordia Triglotta p. 49

forgiveness is just as valid and certain when coming from her lips as it is when coming from a pastor's lips."³⁵ But historically, according to Pastor Paul Naumann "the Lutheran church has always reserved the rite of ordination for that one form of the Gospel ministry that requires the highest level of training and the broadest scope of responsibilities," namely the pastoral office.

Was the action of the 1991 Synod Convention to ordain male teachers legitimate? Certainly. Ordination is an adiaphoron. While the rite of ordination is in and of itself an adiaphoron, what makes a person a "Minister of the Gospel" is the call. That fact will not change. May we make use of what God has neither commanded nor forbidden, the rite of ordination, to His glory.

³⁴ 2001 Book of Reports and Memorials p. 157

³⁵ E-mail attachment by Pastor Paul Naumann in an e-mail to the author on April 10, 2002

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Appendix A

*2001 Proceedings of the 56th Biennial Convention of the Wisconsin Synod
Floor Committee Four: Resolution No. 3*

Subject: Report of the Conference of Presidents *Ordination of Male Teachers and Staff Ministers*

- Whereas 1) Scripture teaches that the Lord has given his church on earth the public ministry, i.e. that the Lord wants groups of believers to call qualified individuals to use the means of grace both for their benefit and in their place; and
- Whereas 2) Scripture teaches that a call rather than ordination places an individual into the public ministry; and
- Whereas 3) the church rite of ordination is neither commanded nor forbidden in Scripture; and
- Whereas 4) the historic church rite of ordination as practiced in Lutheran churches (including the WELS until 1991) recognized the longer and more intensive training required to be eligible for the pastoral ministry, which generally includes the broadest scope of responsibilities in the public ministry; and
- Whereas 5) the 1991 convention of the WELS resolved to introduce the practice of ordaining men into the teaching ministry and thereby altered the historical meaning of the term *ordination*; and
- Whereas 6) this change in terminology and practice has cause confusion within our synod and has raised questions both inside and outside our synodical fellowship regarding our doctrine of the call and practice of ordination; and
- Whereas 7) this 1991 resolution has been implemented inconsistently; and
- Whereas 8) some have suggested the WELS broaden its practice to further include the ordination of other called workers; and
- Whereas 9) the tax status of male teachers as "ministers of the gospel" was established by an IRS private letter ruling in 1955 and was not affected by the 1991 resolution; and
- Whereas 10) the WELS would be wise to establish consistent terminology and practice regarding ordination prior to the development of the publication *Christian Worship: Occasional Services*, which will contain the rites to be used for the installation of called workers into various forms of the public ministry;

therefore be it

- Resolved, a) That the WELS reaffirm its long-held confession that there is but one public gospel ministry as we confess in our church's doctrinal statement *Doctrinal Statements of the WELS* (1997) Part D, Point 6, Page 50. "The one public ministry of the Gospel may assume various forms, as circumstances demand...In spite of the great diversity in the external forms of the ministerial work, the ministry is essentially one. The various offices for the public preaching of the Gospel...are all gifts of the exalted Christ to His Church."...; and be it further
- Resolved, b) That WELS rescind the resolution of its 1991 convention to ordain men into the teaching ministry and that it return to the common and historic Lutheran practice of ordaining only those men who have been trained to hold the most comprehensive form of the Gospel ministry, namely, the pastoral office; and be it further
- Resolved, c) That, we urge the Conference of Presidents to communicate our terminology and practice regarding church and ministry to calling bodies within the WELS; and be it finally
- Resolved, d) That Commission on Worship use language that reflects this change as it develops rites for the installation of called workers for inclusion into the publication *Christian Worship: Occasional Services*.