

## CURRENT THEOLOGY

### MINISTRY AND INTERCOMMUNION: RECENT ECUMENICAL STATEMENTS AND DEBATES

Vatican II, in its Decree on Ecumenism, recommended theological dialogue among competent experts from different Churches and communions as a means of progressing toward a common celebration of the Eucharist and the restoration of Christian unity.<sup>1</sup> In a later section the same Decree observed that the Protestant Churches, "especially because of the lack (*defectum*) of the sacrament of orders . . . have not preserved the genuine and total reality of the Eucharistic mystery."<sup>2</sup> For these reasons, said the Council, "dialogue should be undertaken concerning the true meaning of the Lord's Supper, the other sacraments, and the Church's worship and ministry."<sup>3</sup>

In the ecumenical consultations since the Council, the subjects here proposed by the Decree on Ecumenism have received a major share of attention. The conversations between Roman Catholics and other Christians in the United States have dealt extensively with the questions of Eucharist and ministry.<sup>4</sup> Noteworthy advances have been made in the two volumes published by the Lutheran-Catholic Consultation on *The Eucharist as Sacrifice*<sup>5</sup> and *Eucharist and Ministry*<sup>6</sup> and in the statement on "Ministry in the Church" issued by the Theology Section

<sup>1</sup> *Unitatis redintegratio*, no. 4.

<sup>2</sup> *Ibid.*, no. 22, according to the translation in W. M. Abbott, S.J., and Joseph Gallagher, *The Documents of Vatican II* (New York, 1966) p. 364. The Latin reads: "praesertim propter sacramenti Ordinis defectum, genuinam atque integram substantiam Mysterii eucharistici non servasse." The term *defectus* does not necessarily mean "lack." Thus the Faith and Order Paper on Ministry, prepared for the Louvain meeting of 1971, can declare: "the Second Vatican Council held that there is a defect or deficiency in—not a total absence of—ordination in the Protestant Churches. Accordingly, the Council regarded the eucharistic celebrations of Protestant Churches as lacking 'the genuine and integral substance of the eucharistic mystery.' But it resolutely and explicitly rejected a proposal to the effect that because of the deficiency in Protestant ordinations the Protestant Churches simply have not preserved the eucharist" (*Faith and Order: Louvain, 1971* [Faith and Order Paper 59; Geneva, 1971] pp. 98–99).

<sup>3</sup> *Unitatis redintegratio*, no. 22, No. 23 of the same Decree suggests that the ecumenical dialogue with Protestants could start with discussion concerning the application of the gospel to moral questions—a proposal that has not as yet been vigorously pursued.

<sup>4</sup> See the report "The Bilateral Consultations between the Roman Catholic Church in the United States and Other Christian Communities" submitted to the Catholic Theological Society of America in July 1972, *Proceedings of the C.T.S.A.* 27 (Bronx, N.Y., 1973) 179–232. The consensus statements and official reports are listed by subject matter on p. 183.

<sup>5</sup> Volume 3 of *Lutherans and Catholics in Dialogue* (New York and Washington, 1968).

<sup>6</sup> Volume 4 of *Lutherans and Catholics in Dialogue* (New York and Washington, 1970).

of the Roman Catholic/Presbyterian-Reformed Consultation on October 30, 1971.<sup>7</sup>

On the international level the Protestant-Anglican-Catholic dialogues have reflected a similar emphasis.<sup>8</sup> In 1971 important agreements were achieved in the Lutheran-Catholic consensus statement on "The Gospel and the Church" (also known as the Malta Report),<sup>9</sup> in the Anglican/Roman Catholic consensus statement on the Eucharist (the Windsor Statement),<sup>10</sup> and in the Faith and Order Study "The Ordained Ministry," presented to the Louvain meeting of the Faith and Order Commission in August 1971.<sup>11</sup>

In the present article no effort will be made to review the findings of these earlier discussions. Our primary focus will be on some more recent statements touching on the mutual recognition of ministries and on intercommunion.

#### THE GROUP OF LES DOMBES: EUCHARIST AND MINISTRY

In France several highly significant recent documents have been issued by the "Groupe des Dombes," a team of French and Swiss theologians of the Lutheran, Reformed, and Catholic communions founded by the Abbé Paul Couturier in 1937.<sup>12</sup> On March 13, 1972, this group issued an ecumenical agreement on the Eucharist,<sup>13</sup> patterned primarily on the résumé "The Eucharist in Ecumenical Thought," pre-

<sup>7</sup> "Ministry in the Church," *Journal of Ecumenical Studies* 9 (1972) 589-612.

<sup>8</sup> See Nils Ehrenström and Günther Gassmann, *Confessions in Dialogue: A Survey of Bilateral Conversations among World Confessional Families 1962-1971* (Geneva, 1972). The Table of Topic Frequencies lists as the most repeatedly discussed subjects: Eucharist and Intercommunion (18); Gospel, Scripture, and Tradition (15); Creeds and Confessions (14); Ministry and Priesthood (13). The results of these conversations on Eucharist, intercommunion, and ministry are surveyed on pages 117-38.

<sup>9</sup> "Report of the Joint Lutheran/Roman Catholic Study Commission on 'The Gospel and the Church,'" *Lutheran World* 19 (1972) 259-73.

<sup>10</sup> Text in *Documents on Anglican/Roman Catholic Relations* (Washington, 1972) pp. 45-50. For the present writer's assessment of this important statement, see *Commonweal* 96 (1972) 447-50.

<sup>11</sup> *Faith and Order: Louvain, 1971*, pp. 78-101.

<sup>12</sup> On this group see Maurice Villain, "History of the Inter-Confessional Group of Les Dombes," in Patrick C. Rodger (ed.), *Ecumenical Dialogue in Europe* (Richmond, 1966); also Hébert Roux, "Interdenominational Dialogue in France (Les Dombes)," *Concilium* 74 (The Plurality of Ministries) (New York, 1972) 133-38. The group derives its title from the Trappist monastery at Les Dombes, where it has held the majority of its meetings.

<sup>13</sup> "Accord doctrinal entre catholiques et protestants sur l'Eucharistie," *Documentation catholique*, no. 1606 (April 2, 1972) 334-38. This statement, composed at the meeting of Sept. 6-9, 1971, is signed by thirty-two priests, brothers, and pastors, including such well-known figures as Père Pierre Michalon, Pastor Hébert Roux, Frère Max Thurian, and Père Maurice Villain.

sented by the Faith and Order Working Committee at the Uppsala Assembly of 1968.<sup>14</sup> Without being profoundly original, the Dombes statement recapitulates many of the best points in earlier declarations and thus solidifies the farguing consensus that may be said to exist in the ecumenical theological community in our time.

Like the Faith and Order report just mentioned, the Dombes statement emphasizes that the Eucharist is an anamnesis (memorial) not only of the death of Jesus but also of His entire life and resurrection—an anamnesis in which Jesus Himself is personally present and not simply commemorated (par. 9). Remarkable in the Dombes paper is the constructive treatment given to duration of the real presence, the reservation of the Blessed Sacrament, and Communion to the sick. In paragraph 19 it states that “by virtue of the creative word of Christ and by the power of the Holy Spirit” the bread and wine become “in their ultimate truth” the body and blood of Christ. In paragraph 20 a double request is made:

—That, on the Catholic side, it be recalled, especially in catechesis and preaching, that the primary purpose of the reservation of the Eucharist is the distribution of Communion to the sick and absent (cf. *Eucharisticum mysterium*, May 25, 1967, nos. 49 and 50);

—That, on the Protestant side, provision be made for the best manner of expressing the reverence due to the elements that have served for the Eucharistic celebration, that is to say, their eventual consumption, including their use for the Communion of the sick.

With regard to the presidency at the Eucharist, the Dombes statement declares that the presiding minister manifests the dependence of the community on the initiative of God and the bonds of union connecting the local community with other communities in the universal Church (34).

In its conclusion the statement points out the limits of the consensus thus far achieved because of the remaining disagreements regarding ministry:

37. We recognize, however, that there is still need of further clarification regarding the permanence of the sacramental presence and the precise form of apostolic succession in the ministry. It seems to us that any common participation in the Eucharist requires a real effort to overcome these difficulties and, eventually, on both sides, the abandonment of everything that is marked by polemics in the formulation of confessional positions.

<sup>14</sup> *Study Encounter* 5 (1969) 94–105; reprinted in *Faith and Order: Louvain, 1971*, pp. 71–77.

On intercommunion, the statement adds the modest but important observation (39) that persons who subscribe to the Dombes accord should not be refused Communion on account of their beliefs concerning the Eucharist. In a footnote, however, it is remarked that Christians who ask for Communion are not thereby dispensed from examining whether their request is legitimate, considering the quality of their motives and the discipline of their own Church. The authors of the agreement, moreover, ask the authorities of their respective Churches to consider attentively the new situation created by the agreement itself when they have to discern the merit of the requests for Eucharistic hospitality addressed to them (40).

In view of the allusion in this document to the need of further discussions on the apostolic succession in the ministry, it is not surprising that the Dombes group, at its meeting of September 4-8, 1972, composed a document "Towards a Reconciliation of Ministries: Elements of Agreement between Catholics and Protestants."<sup>15</sup> As the title indicates, the agreement does not purport to be complete. Nevertheless, most readers will probably be impressed by the theological firmness, ecumenical tact, and pastoral sensitivity of this splendid statement. Building on the results of many earlier consensus documents, the Dombes theologians include in their agreement the following highly significant points:

The whole Church is apostolic, but within it there is a special apostolic succession in the ministry instituted by Christ. "The fullness of apostolic succession in the ministry implies continuity in the transmission of the ministerial office, fidelity of one's preaching to the teaching of the apostles, and conformity of one's life to the gospel and to the demands of mission" (13).

The pastoral office must assure, and show forth symbolically, the Church's dependence on Christ, the continuity of its mission in the world, and the mutual intercommunion of Christian communities (20). "This implies the union of the minister with those of other times and places in one and the same college, issuing from the apostles" (21).

The essential tasks of the pastoral office are three: the proclamation of the word, the celebration of the sacraments, and the gathering of the community (25).

35. The ordination of ministers is simultaneously:

a) The invocation of God in order that He may grant the gifts of the Holy Spirit in view of the ministry;

<sup>15</sup>Text in *Documentation catholique*, no 1625 (Feb. 4, 1973) 132-37. Forty-one theologians, including all those named in n. 13 above, are listed as having taken part in the meeting at which this statement was composed.

- b) The sacramental sign of the granting of this prayer by the Lord who gives the necessary charisms;
- c) The reception by the whole Church of a new servant and his incorporation in the college of ministers;
- d) The engagement of the minister, who commits himself to the ministry entrusted to him.

The ministry is permanent in its fundamental reality. Its exercise may be interrupted without the necessity of reordination (36).

On the basis of the preceding paragraphs—here summarized with many omissions—the Dombes theologians affirm (37) that they are in fundamental agreement regarding the nature and meaning of the pastoral ministry in the mystery of the Church. The agreement, however, is not yet complete because difficulties remain, especially in two areas. First and most important, the Churches differ in assessing the concrete historical forms taken by the apostolic succession of ministries; secondly, they have different patterns in the organization of ministries.

The prerequisites of a fuller Christian unity, according to the Dombes theologians (38–39), include not only a fundamental theological agreement but also formal ecclesial acts of mutual reconciliation. On the Catholic side, for example, it would be fitting to acknowledge officially that, in spite of the common sin of separation, God has given to believing Protestant communities a ministry of word and of sacraments, whose value is attested by its fruits (40). On the Protestant side, it would be appropriate to recognize the reality of the ministry of word and sacraments in the Catholic Church (43). Protestant Churches should also confess that by reason of the rupture in the sixteenth century they have been deprived, not indeed of the apostolic succession itself, but of the fullness of the sign of that succession (43). The statement further proposes that the significance of episcopal ministry as a sign of unity be reaffirmed in the Protestant Churches, and that those Churches which have allowed laymen to preach and officiate at the Lord's Supper should no longer do so (44–45).

On the basis of this double movement of conversion in the respective Churches, the Dombes theologians look forward to a future reconciliation of ministries, which they suggest might fittingly take place in a ceremony of mutual laying-on of hands, not unlike that proposed in certain church union negotiations.<sup>16</sup> The imposition of hands, they explain, would be at once a penitential act acknowledging the deficiency

<sup>16</sup> Compare, e.g., the "Act Uniting the Ordained Ministries" in *A Plan of Union for the Church of Christ Uniting* (Princeton: COCU, 1970) pp. 86–89.

of one's own Church and an invocation of the Holy Spirit for a fuller investiture of the ministers with respect to all the Churches concerned (46). Recognizing that the reconciliation of ministries involves the ministry of unity of the whole Church, the Dombes theologians promise to take up this problem in their next meetings.

The Dombes agreement of ministries, in my opinion, contains proposals of great value. If the contents of this statement were to be formally accepted by the Churches themselves, some of the most serious obstacles to intercommunion and reunion would be removed. I have some difficulty, however, in understanding the precise significance of the ceremony of reconciliation recommended. Full mutual reconciliation, I believe, cannot be responsibly achieved until each Church is prepared to authorize the ministers of the other to preach and celebrate the Eucharist on a regular basis for the faithful of its own community. This would presuppose a fundamental consensus between the Churches not only regarding ministry but also regarding all those doctrines, structures, and principles considered essential to Christian faith and life. The Dombes statement, while contributing importantly to such a consensus, does not fully establish it.

#### FAITH AND ORDER: MARSEILLES CONSULTATION ON MINISTRY

For purposes of comparison, it may be of interest to turn now to another ecumenical statement drawn up only slightly later than the Dombes paper on ministry. In September 1972 the Secretariat on Faith and Order of the World Council of Churches held at Marseilles an international consultation that drafted a statement "The Ordained Ministry in Ecumenical Perspective."<sup>17</sup> This statement is a preliminary draft, to be revised prior to the next meeting of the Faith and Order Commission in 1974. It relies heavily on the previously mentioned Faith and Order Study "The Ordained Ministry," submitted at Louvain in 1971, and on the comments of the Louvain meeting on that document. The new draft draws also on the Dombes statement on ministry, which had just become available in manuscript form.

In an effort to reach a very diversified constituency, the Faith and Order study seeks to embrace and reconcile a wide variety of positions. This is apparent from the way in which this statement, in continuity with the Louvain report,<sup>18</sup> admits three ways of validating ministry:

5. Implied in all the above data is the increasing awareness that there is more than one way to validate or legitimate the ministries of the various churches.

<sup>17</sup> *Study Encounter* 8/4 (1972) 1-22.

<sup>18</sup> *Faith and Order: Louvain, 1971*, p. 99.

Ordination by a bishop, which has been called ritual validation, is one way. Therefore episcopal as over against presbyteral church order cannot be regarded as an adequate justification of division. There can also be what has been termed an ecclesiological validation (which argues from a true manifestation of the Church which Christ founded to true ministry). There is also a charismatic validation, which argues from charismatic church order to the possibility of having such a non-episcopal charismatic church order today.<sup>19</sup>

One does not wish to be unduly critical of a document that is obviously trying to bring together a wide variety of ecclesiologies, but the statement, as it stands, is less than clear. Even when read in context, these sentences leave many questions unanswered. For example: Does an ordination by presbyters fall within the first or the second type of validation? What is necessary to make an individual a duly constituted minister in a "true manifestation of the Church"? Is the church order at Corinth adequately described as "charismatic"? What is necessary to validate a charismatic ministry today? Does such validation give additional force or efficacy to the charismatic ministry?

The conclusion of the preceding paragraph would seem to be that episcopal ordinations are unnecessary. But the Marseilles statement leaves some doubt even on this point. A little later it states: "More and more churches, including those in church union negotiations, are expressing willingness to see episcopacy as a pre-eminent sign of the apostolic succession of the whole Church in faith, life, and doctrine, and as such, something that ought to be striven for if absent."<sup>20</sup> Is the apostolic succession incomplete where there is no episcopacy? If the authors cannot agree in their answers to these questions, it would be better to make their disagreement explicit.

Like the assessment of episcopacy, the position taken on ordination is vacillating. Can one have a fully legitimate ministry of word and sacrament without ordination? We read: "The orderly transmission of the apostolic ministry in ordination is normally an essential part of the means by which the whole Church is kept from generation to generation in the apostolic faith."<sup>21</sup> In this sentence the term "normally" seems to reflect the convictions of those who hold that a Church can be fully apostolic without ordained ministers; the term "essential" reflects the views of those who look upon ordination as indispensable.

<sup>19</sup> *Study Encounter* 8/4 (1972) 9. Cf. K. McDonnell, "Ways of Validating Ministry," *Journal of Ecumenical Studies* 7 (1970) 209-65, for a thorough and influential discussion of these three forms of validation.

<sup>20</sup> *Study Encounter* 8/4 (1972) 9.

<sup>21</sup> *Ibid.*, p. 7.

Building on the report submitted to Louvain in 1971, the new draft sees the act of ordination as having three dimensions: invocation of the Holy Spirit, sacramental sign of a grace accorded, and a mutual commitment of the minister and the community to one another.<sup>22</sup> The text, in explaining this tripartite division, underscores the ecclesial aspect of ordination. The Faith and Order Commission, in its response to the report at Louvain in 1971, had called attention to the role of the Church in the constitution of the minister.<sup>23</sup> The Dombes statement, as we have already noted, mentions both reception by the Church and "incorporation in the college of the ministers."

Following the main lines of the Louvain report, the Marseilles paper contains sections on the ordination of women, the possibilities of part-time and temporary service, and the renewal of the ministry in our time. While these sections are not lacking in interest, we shall pass on immediately to the final question, which bears most directly on the theme of the present article: the mutual recognition of ministries.

The most important and helpful section of the Marseilles document, in my judgment, is the treatment of the different degrees of mutual recognition.<sup>24</sup> Four stages are distinguished:

1) Mutual respect, in which the ministers of the Churches recognize each other as representative spokesmen of their respective communities, without any necessary theological implications.

2) Recognition of the ministers of the other Church as raised up by God for the equipment of a genuinely ecclesial community, even though their ministry lacks the fullness which is promised to the apostolic ministry. Such recognition provides a basis for a measure of common witness and even, under certain conditions, for occasional joint celebrations of the Eucharist.

3) Recognition of the ministry of the other Church as the apostolic ministry given by Christ. Such recognition might lead to full communion between the two Churches, provided that agreement on other divisive issues could also be reached.

4) Mutual recognition of the communities, each of which agrees to "recognize the other church as Christ's Church as much as they regard themselves as such."

As a contribution to fuller mutual recognition, the Marseilles document makes two proposals that closely correspond, even in terminology,

<sup>22</sup> *Ibid.*, p. 11; cf. *Faith and Order: Louvain, 1971*, pp. 83-84.

<sup>23</sup> *Faith and Order: Louvain, 1971*, p. 223; cf. Dombes statement on ministry, par. 34, as quoted above.

<sup>24</sup> *Study Encounter* 8/4 (1972) 19-20.

with paragraphs 40 and 43 of the Dombes statement on ministry. The proposals are:

- a) Churches which have preserved the episcopal succession have to recognize the real content of the ordained ministry that exists in churches that do not have such an episcopal succession. In spite of the mutual separation of both kinds of church, the God who is ever faithful to his promises gives to the communities that lack the episcopal succession but that live in a succession of apostolic faith, a ministry of the word and sacraments the value of which is attested by its fruits.
- b) The churches without episcopal succession have to recognize that, while they may not lack a succession in the apostolic faith, they do not have the fullness of the *sign* of apostolic succession. If full visible unity is to be achieved, the fullness of the sign of apostolic succession ought to be recovered.<sup>25</sup>

This conclusion seems to dispel some of the obscurity we have noted in earlier paragraphs of the Marseilles statement. It indicates that without episcopal ordinations one does not have the fullness of the sign of apostolic succession. One wishes only that the statement were clearer in indicating why the fullness of the sign is desirable. On this point the Dombes statement is more helpful. The Protestant members of that consultation acknowledged:

43. . . . By reason of the situation created by the rupture of the sixteenth century, we recognize that we are deprived not of the apostolic succession but of the fullness of the sign of that succession. From this results a fragmentation, the constitution of separate national Churches, the loss of the sense of the universal unity of the Church in time and space. In view of the unity of the Church or of its ministers, we recognize that it is necessary to rejoin the fullness of the sign of apostolic succession.

The Marseilles document, in my judgment, is basically compatible with the Dombes statement, but because it is designed to appeal to a wider and more diverse constituency it is more ambiguous and less concrete. Its recommendations regarding the stages of mutual recognition, on the other hand, help to clarify the significance that might be attached to a ceremony of reconciliation of the type envisaged by the Dombes theologians.

#### THE PROBLEM OF INTERCOMMUNION

Vatican II, in its Decree on Ecumenism, recognized that Eucharistic worship has a dual function: to celebrate the unity of the Church already given and to impart the grace of perfecting that unity. The fact

<sup>25</sup> *Ibid.*, p. 21.

that the Eucharist is a sign of existing unity generally forbids common worship with non-Catholic Christians, but the fact that it is a means of grace for obtaining that unity sometimes commends the practice. The actual decision whether to have Eucharistic sharing in a particular case depends upon a discernment rather than upon clear legal principles. "The practical course to be adopted, after due regard has been given to all circumstances of time, place, and persons, is left to the prudent decision of the local episcopal authority, unless the Bishops' Conference according to its own statutes, or the Holy See, has determined otherwise."<sup>26</sup> Later, in no. 15, the Decree gave a generally favorable directive on common worship with the separated Churches of the East, but in no. 22, as we have seen, it took a reserved position regarding intercommunion with Protestants.

In 1967 the Secretariat for Promoting Christian Unity, in its Ecumenical Directory, gave authoritative norms for the implementation of the general principles of Vatican II.<sup>27</sup> In no. 55 this Directory stated that in cases of danger of death or urgent necessity, such as might occur during persecution or imprisonment, a Protestant might receive Communion at a Catholic service or from a Catholic priest. Even in these urgent cases, however, four conditions must be fulfilled: that the Protestant in question have no access to a minister of his own faith; that he spontaneously ask for Communion from a Catholic priest; that his Eucharistic faith harmonize with that of the Catholic Church; and that he be rightly disposed. Then the decree adds that in other cases the judge of the "urgent necessity" is to be the diocesan bishop or the episcopal conference.

The Ecumenical Directory makes no provision for Catholics to receive Communion at a Protestant Lord's Supper. In fact, no. 55 states that "A Catholic in similar circumstances may not ask for the sacraments except from a minister who has been validly ordained." Number 59 adds that when a Catholic attends a Protestant liturgical service, "reception of the Eucharist is always excluded."

On June 1, 1972, the Secretariat issued an Instruction further clarifying the conditions under which members of other Churches and ecclesial communities might be admitted to Eucharistic Communion in the Catholic Church.<sup>28</sup> This Instruction gave a more lenient interpretation of the notion of "serious spiritual need," making it clear that this was not confined to situations of suffering and danger. On the other hand, it

<sup>26</sup> *Unitatis redintegratio*, no. 8.

<sup>27</sup> AAS 59 (1967) 574-92.

<sup>28</sup> AAS 64 (1972) 518-25.

specified that the unavailability of the minister of one's own faith must extend to a "prolonged period."

The Ecumenical Directory has been variously applied by the bishops of different countries. The Dutch hierarchy since 1968 has taken the position that when a mixed marriage is celebrated with a nuptial Mass, the non-Catholic spouse may be admitted to Communion, provided the other conditions are fulfilled. This position was reaffirmed in the norms for "open Communion" issued by the Dutch episcopate on January 8, 1973.

In the United States, George A. Hammes, Bishop of Superior, Wisconsin, in a pastoral letter of March 22, 1973, listed five situations in which—provided the Secretariat's other conditions are fulfilled—a non-Catholic Christian may at his own request be admitted by a Catholic priest to receive Communion:<sup>29</sup> (1) a non-Catholic Christian who is confined in a hospital or rest home; (2) a non-Catholic Christian who attends the funeral of a relative in a Catholic Church; (3) a non-Catholic Christian spouse in a mixed marriage at the wedding Mass; (4) a non-Catholic Christian parent who has taken an active part in the preparation of his or her child for the reception of the child's first Holy Communion, on the occasion of the child's first Communion; (5) a non-Catholic Christian parent on the occasion of the baptism of his or her child when baptism is administered during Mass.

In other dioceses the bishops and ecumenical commissions have adopted a less liberal policy. Some days after Bishop Hammes issued his pastoral letter, Archbishop Leo C. Byrne of St. Paul-Minneapolis, approving a 1968 vote of his own diocesan ecumenical commission, ruled that non-Catholic Christians should not be admitted to Communion at a Catholic service on the occasion of a mixed marriage, a golden or silver jubilee, or the first Communion of the child of a mixed marriage.<sup>30</sup>

A number of theological commentators, reflecting on the words of the Secretariat, have felt that the principle of "serious spiritual need" does not apply except in cases where the non-Catholic would be unable, for a relatively long time, to have access to a minister of his own community. This, indeed, seems to be the correct reading of the Secretariat's 1972 Instruction, but it may be questioned whether that Instruction should be interpreted as law, and whether in particular cases the bishop might decide, on his own authority, that certain directives are inapplicable to his diocese. A further question is whether it is wise to try to draw up, as some bishops do, lists of cases in which serious spiritual need

<sup>29</sup> For the text of this pastoral letter, see *Ecumenical Trends* 11/2 (May 1973) 5-8.

<sup>30</sup> "Guidelines for Eucharistic Sharing," *Origins* 2/46 (May 10, 1973) 731-32, 739-40.

may be presumed to exist. There is always a danger that such lists re-introduce the kind of legalism Vatican II was seeking to avoid when it observed that discretion must be exercised with due regard to all the circumstances of a particular case. There is no substitute for prudence in individual situations.

Most diocesan ecumenical directories, following the Secretariat's Directory and the Instruction of 1967, make no provision for Catholics to receive Communion at Protestant Eucharistic services. The reasons commonly given are the absence of a common Eucharistic faith and the nonrecognition of Protestant orders on the part of the Catholic Church. In view of the growing consensus on Eucharistic doctrine, the first of these reasons has lost much of its force. The Dombes statement on the Eucharist, as noted above, refers rather to the disagreements about the form of apostolic succession in the ministry as the principal impediment to Eucharistic sharing. But in view of the increasing agreements about ministry registered by the Dombes and Marseilles statements on that subject, the question must be raised whether mutual Eucharistic hospitality might not now be admissible.

The Malta Report, issued in 1971 by the Lutheran-Catholic International Study Commission, recommended in no. 73 that Church authorities, "on the basis of what is already shared in faith and sacrament and as a sign and anticipation of the promised and hoped for unity, make possible occasional acts of intercommunion as, for example, during ecumenical events or in the pastoral care of those involved in mixed marriages." It went on to say:

Unclarity concerning a common doctrine of the ministerial office still makes for difficulties in reciprocal intercommunion agreements. However, the realization of eucharistic fellowship should not depend exclusively on full recognition of the office of the ministry.

These sentences, which appear in the final text, impelled four of the seven Catholic signers to append special statements expressing their reservations. The strongest dissent was expressed by Bishop H. L. Martensen and Prof. A. Vögtle, who wrote:

Although the realization of eucharistic fellowship, as it is called in no. 73, can *not exclusively* be made dependent on the recognition of the ministerial office, such a recognition is essential and necessary for a eucharistic celebration and should never be lacking if it is to be recognized by the Catholic Church.

Church authorities, therefore, would be well advised, independent of the question of recognition of the office of the ministry, not to permit Catholics to receive the Lord's Supper on special occasions at non-Catholic worship services.

Prof. H. Schürmann and Prof. J. L. Witte, the two other Catholic dissenters, said that the intercommunion recommended in no. 73 should be interpreted to mean occasional acts of limited admission to the respective Eucharistic celebrations in the cases specified.

#### STRASBOURG STATEMENTS ON EUCHARISTIC HOSPITALITY

In Alsace Lorraine the ecumenical commissions of the Protestant and Catholic Churches have for some years been engaged in a common reflection. Late in 1972 they jointly published an "Ecumenical Agreement on the Meaning of the Eucharist" inspired by the Dombes statement on the Eucharist we have analyzed.<sup>31</sup> Then on November 30, 1972, the Catholic Bishop of Strasbourg, Léon-Arthur Elchinger, published a series of directives on intercommunion for the faithful of his diocese.<sup>32</sup> In pastoral tone and theological precision this instruction is truly admirable. Although purporting to speak only to the Strasbourg situation, these directives deserve to be studied with care by bishops and ecumenical commissions in every part of the world where intercommunion is a practical issue. In the following paragraphs the main contents of these directives will be summarized.

Bishop Elchinger begins by noting the unique situation of the Strasbourg diocese, both because of the large number of French-speaking Lutheran and Reformed Christians and because of the numerous confessionally mixed households (*foyers mixtes*) in which Protestants and Catholics meet to meditate together on the word of God. Deepening their faith as they ponder the significance of their life together, couples in mixed marriages frequently feel a deep spiritual need to nourish their love by receiving the Eucharist jointly. In hearing their requests, the bishop should recall that the Vatican Secretariat for Promoting Christian Unity leaves to him the task of discerning what constitutes the spiritual necessity that may justify intercommunion.<sup>33</sup>

In the absence of some positive response to such requests, the Bishop of Strasbourg explains, there will be underground or wildcat liturgies (*eucharisties clandestines ou 'sauvages'*) that can lead only to a deterioration of the sense of the Church.

Before giving such a positive response, the Bishop makes two limit-

<sup>31</sup> Published in *L'Eglise en Alsace*, Dec. 1972, pp. 20-21; reprinted in *Documentation catholique*, no. 1626 (Feb. 18, 1973) 165-66.

<sup>32</sup> "L'Hospitalité eucharistique pour les foyers mixtes," *Documentation catholique*, no. 1626 (Feb. 18, 1973) 161-65.

<sup>33</sup> Bishop Elchinger here refers particularly to the "Instructio," AAS 64 (1972) art. 6, p. 524. He does not explain whether he regards his directives as conforming to the letter of this Instruction in all respects.

ing statements. In the first place, he says, there can at present be no question of general intercommunion. To open one's Eucharist habitually to members of other Churches would be a false sign, masking the important differences that still exist and obscuring the length of the road that still lies ahead.

Secondly, one cannot authorize intercelebration, that is to say, a Eucharist in which the ministers of several Churches jointly preside. Such a service, says Bishop Elchinger, would be premature, because it presupposes agreement with regard to ordination and the role of the ordained minister with respect to the Eucharist. Thus far no such agreement has been achieved and admitted by the Churches. Thus the Bishop limits himself to discussing the permissibility of "Eucharistic hospitality," here defined as "the occasional admission of a baptized person to a Eucharist celebrated in a Church other than his own."

As an underlying principle, Elchinger maintains that every Eucharist is both the sign of a lived reality and a sign of hope and expectation of a reality not yet achieved. Church and Eucharist are always linked, but each of them is inscribed in a living tension between what is already given in Christ and what will come about only when God is fully "all in all."

In this dynamic perspective Bishop Elchinger asks himself two questions: Under what conditions may a Protestant, by way of exception, be admitted to a Roman Catholic Eucharist? And under what conditions may a Catholic exceptionally participate in the Eucharist of a Protestant community?

For the admission of a non-Catholic to a Catholic Eucharist, Elchinger wisely notes, there is no possibility of adequate legislation. One can give only rules of thumb that may help the faithful themselves "make a personal decision in full truth and freedom." The extension of Eucharistic hospitality by the Catholic Church to Protestants would make sense only if four conditions are verified:

a) Fundamental agreement with the Eucharistic faith of the Catholic Church, including the real presence of Christ, the bonds between the Eucharist and the Church, and the authenticity of the ministries of those who preside;

b) Real bonds with the life of the Catholic Church, for example through a spouse or children who are its members or through a community of life with Catholic brethren who are jointly seeking to restore full Christian unity;

c) A genuine spiritual need to fortify the communities in which one is engaged;

d) Obedience to the discipline of the Church of which the non-Catholic Christian is a member.

These four conditions seem eminently prudent and are in general agreement with the existing regulations and practice of Catholic pastors in many parts of the world. This section of Bishop Elchinger's instruction seems to me to be in perfect accord with the teaching of the Decree on Ecumenism (no. 8). It differs from the Secretariat's Instruction of 1972 principally by amplifying the description of "serious spiritual need" and by omitting the requirement that a minister of one's own community should in every case be unavailable.

Turning to the second and more difficult question—the admission of Catholics to a Eucharist celebrated in a Protestant Church—Bishop Elchinger remarks that hospitality of its very nature calls for reciprocity and that, especially in the case of mixed marriages, "the refusal of reciprocity is felt as humiliating, irritating, and intolerable." A merely unilateral hospitality risks being rejected for want of reciprocity, with the result that all common sharing is blocked.

Under four conditions, the occasional participation of Catholics in a Protestant Lord's Supper may be a true and meaningful action. In the first place, the Catholic will have to make it clear that his participation does not involve a renunciation of his own faith and Church membership. Secondly, the Catholic must recognize in the minister a duly constituted representative of the Protestant community, ordained to dispense the word and the sacraments in fidelity to the teaching of the apostles. Thirdly, the Catholic should have real bonds of life and faith with the Protestants in whose Eucharist he partakes (for example, membership in a confessionally mixed household). Finally, his request must express a genuine spiritual need arising out of the ecumenical community to which he belongs.

Bishop Elchinger quotes and reaffirms the statements of the Decree on Ecumenism, cited at the opening of this article, to the effect that by reason of the defect (*defectum*) of the sacrament of order, the Protestant Churches have not fully retained the proper reality of the Eucharistic mystery. But he adds that according to the same Decree the Protestant Churches are not without meaning and value in the mystery of salvation.<sup>34</sup> The Catholic should therefore acknowledge that "those who celebrate the Eucharist in faith and fidelity to the Lord's testament may really share in the life of Christ, who gives Himself as nourishment to His own for the upbuilding of His one Body." The celebration of the Eucharist by Protestants imparts, in a manner difficult to specify more precisely, a sharing in the unique Eucharistic reality that the Catholic is confident of approaching in its sacramental plenitude in the bosom of his own Church.

<sup>34</sup> *Unitatis redintegratio*, no. 3.

In concluding, Bishop Elchinger emphasizes the point that acts of Eucharistic hospitality should be exceptional. They are inevitably somewhat equivocal, but they can be anticipations that sustain and nourish our hope. Exceptional situations, such as that of devout Christians who are ecclesiastically divided from one another, demand exceptional responses.

To guard against possible misinterpretations of his own directives, Bishop Elchinger published on January 25, 1973, a set of "Complementary Reflections."<sup>35</sup> With respect to the necessary community of faith, he points out that this must extend not simply to the Eucharist but also to the essentials of belief regarding Christ and His Church. Stressing the exceptional character of Eucharistic hospitality, he observes that to receive Communion habitually in a Church not one's own would obscure the bonds between Church and Eucharist, and would make for indifference regarding the long distance still to be traveled before full reconciliation is attained. The term "reciprocity," he then observes, does not imply a perfect symmetry of situations. Admitting that there are grave problems regarding the authenticity of Protestant ministries, he maintains that the Eucharist is a complex reality, some of whose elements may be present without others. Thus the lack of a fully qualified ministry would not negate the value of the Eucharist from all points of view.

Noting that the ecclesiastical regulations for the French dioceses do not favor a Mass on the occasion of mixed marriages, Elchinger asks whether a mixed marriage generally constitutes a favorable moment for Eucharistic hospitality. In contrast to bishops of certain other regions, such as Holland, Elchinger takes the position that at the time of their wedding the husband and wife, in most cases, have not reflected sufficiently on their faith in common to be spiritually prepared for such joint Communion, whether at a Catholic Mass or at a Protestant Lord's Supper.

Notwithstanding the many cautions and warnings with which he hedges his concessions, Bishop Elchinger is exceptionally open in facing the question of reciprocal Eucharistic sharing. His directives are inspired by the conviction, expressed in the last paragraph of his "Complementary Reflections," that the bishop's role is not simply to adjudicate and to prohibit, but also to accompany the hesitant steps by which growth occurs.<sup>36</sup>

<sup>35</sup> "Réflexions complémentaires," *Documentation catholique*, no. 1626 (Feb. 18, 1973) 166-69.

<sup>36</sup> A further set of clarifications by Bishop Elchinger appears in *L'Eglise en Alsace*, March 1973, p. 23, and is reproduced in *Documentation catholique*, no. 1629 (Apr. 1,

A brief Protestant commentary on Bishop Elchinger's directives appeared in December 1972 over the signature of Prof. Marc Lienhard of the Lutheran Center for Ecumenical Research at Strasbourg.<sup>37</sup> Lienhard expresses satisfaction that, for the first time in France, a Catholic bishop recognizes that Catholic participation in a Protestant Eucharist may be a true and meaningful gesture. As a Lutheran, he recalls that Luther criticized the practical and doctrinal abuses in the Roman Church, such as private Masses, the refusal of the chalice to the laity, and the sacrificial concept of the Mass. Luther consequently did not recognize in the Roman Mass the Supper instituted by Christ. In the measure that these abuses have been corrected, however, a Protestant Christian might conscientiously decide, under certain conditions, to receive Holy Communion in a Roman church.

Non-Protestant Christians, according to Lienhard, have long been admitted to Eucharists celebrated by Protestants. If Catholics, as baptized Christians, can enter into the movement of faith underlying the Lord's Supper as celebrated by Protestants, they will be welcome on occasion to receive Communion at Protestant services.

An established Catholic theologian in Germany, Heinrich Bacht, S.J., has voiced certain criticisms of Bishop Elchinger's directives.<sup>38</sup> These directives, he says, aroused much astonishment and protest, but if people had carefully read the text they would not have accused Elchinger of indifferentism. On the contrary, he accepts the doctrine of Vatican II that because of the lack of proper ordination Protestants do not have in their Lord's Supper the fullness of the Eucharistic mystery. The Bishop of Strasbourg, according to Bacht, has valiantly striven to find a theological justification for the Eucharistic sharing that occurs in practice, but his proposed solution is unsatisfactory for two reasons. In the first place, the theological distinctions are so subtle that they will be overlooked by many, who will simply conclude that "intercommunion is now permitted." More important, Protestant Christians will resent the asymmetrical character of Elchinger's solution and will demand full parity in the relative estimation of their Eucharist.

Bacht here calls attention to two genuine problems, but he does not propose a solution of his own that would be free from all difficulty. I

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1973) 347. He stresses that his directives concern only confessionally mixed families (*foyers mixtes*) and apply only to the exceptional situation of Alsace. He says that he is not giving permissions but is specifying the conditions for a sane application of epikeia.

<sup>37</sup> Text in *Documentation catholique*, no. 1626 (Feb. 18, 1973) 169-70.

<sup>38</sup> "Kritische Fragen . . .," *Katholische Nachrichten-Agentur: Kritischer oekumenischer Informationsdienst*, no. 12 (March 14, 1973) 5. This publication will henceforth be abbreviated *KNA-KoI*.

suspect that in the present abnormal situation any course of action will lend itself to some kind of misunderstanding. As to the first objection, one may answer that the present discipline, barring Catholics from ever receiving Communion at a Protestant ceremony, is likewise misleading; it gives the false impression that the Catholic Church denies any spiritual efficacy to the Lord's Supper as celebrated by Protestants. Bacht's second objection, referring to the discontent of Protestants with Elchinger's *via media*, is not borne out by Lienhard's commentary. If Bacht is arguing for the continuation of the present prohibitions, his solution would be even less acceptable to Protestants than Elchinger's.

Before leaving Alsace Lorraine we should take notice of the statement on intercommunion between Lutherans and Roman Catholics issued in May 1973 by the Lutheran Institute for Ecumenical Research at Strasbourg.<sup>39</sup> This statement builds on all the conversations thus far considered as well as on the German Ecumenical Memorandum on Ministry, to which we shall presently turn. It particularly reflects the influence of the Malta Report and of Bishop Elchinger's directives. The Lutheran Institute strongly affirms agreement with Roman Catholics regarding the real presence of Christ in the Lord's Supper and the fact that the sacrifice of the Cross is sacramentally present, but is not repeated, in the Eucharistic service (no. 19). It recognizes, however, that the differences with Roman Catholics regarding the doctrine of the ministry have not yet been sufficiently overcome (no. 10). Then it adds that, in view of the Eucharist's central character as grace, occasional reciprocal Eucharistic fellowship may be practiced even before the question of ministry has been resolved (no. 33). "According to Lutheran conception and practice . . . a particular form or structure of Church ministry is not one of the criteria for determining whether the Eucharist is celebrated according to Christ's intention or not" (no. 10).

In the concluding section of its statement the Strasbourg Institute recommends that the Lutheran Churches should officially agree to mutual Eucharistic hospitality with Roman Catholics, not simply in the traditional emergency situations, but under certain circumstances such as mixed marriages, ecumenical events, and situations where close mutual relations have developed between particular groups of Lutherans and Catholics.

The main problem that this statement will present to many Catholics is whether the reality of the Eucharist can be so sharply separated from sacramental ordination. The Decree on Ecumenism, the Ecumenical Directory, and many other recent Catholic statements seem to presup-

<sup>39</sup> Text in *Lutherische Monatshefte* 12 (1973) 323-28.

pose an essential connection between the ordained ministry and the Eucharist.

#### THE GERMAN ECUMENICAL INSTITUTES ON MINISTRY

Since the beginning of 1973 a very animated discussion on ministry and intercommunion has been in progress in Germany. The debate has centered about a Memorandum, "Reform and Recognition of Church Ministries," drawn up by a working group of six university ecumenical institutes located respectively at five universities.<sup>40</sup> The Memorandum is signed by twenty-four collaborators, thirteen Catholic and eleven Protestant, then on the staffs of these institutes. It is, however, chiefly the work of the six professors, three Roman Catholic and three Lutheran, who direct the institutes. The three Lutheran directors are Hans-Heinrich Wolf (University of Bochum), Edmund Schlink (University of Heidelberg), and Wolfhart Pannenberg (University of Munich). The three Catholic directors are Heinrich Fries (Munich), Peter Lengsfeld (Münster), and Hans Küng (Tübingen). The Memorandum appears in a volume together with five preliminary studies drawn up at the five universities. These studies deal respectively with the following topics: the crisis of ministry in the Catholic Church (by the Catholic institute at Münster); the crisis of ministry in the Protestant view (by the Protestant institute at Bochum); the apostolic succession and the community of ministries (by the Protestant institute at Heidelberg); the nature and form of church ministry (by the Catholic institute at Tübingen); and ordination and sacramentality (by the Protestant and Catholic institutes at Munich).

The common Memorandum, twelve pages in length, consists of twenty-three theses and is divided into three main parts. Part 1 deals with the situation of church ministries (Theses 1-5); Part 2, with the understanding of church ministry (Theses 6-17); and Part 3, with consequences (Theses 18-23).

Part 1 calls attention to the profound crisis of church ministry (*kirchliches Amt*) currently being experienced in the Protestant and Catholic Churches in Germany. The Catholic Church is faced by a sharp decline in priestly vocations, and in the Protestant Churches there is serious confusion and discontent in the ranks of the clergy (Thesis 1). In both Churches the training process for future ministers is inept, and pastors

<sup>40</sup> *Reform und Anerkennung kirchlicher Ämter: Ein Memorandum der Arbeitsgemeinschaft ökumenischer Universitätsinstitute* (Munich and Mainz, 1973). The Memorandum itself, without the supporting studies, appears in English translation as "Reform and Recognition of Church Offices," *Journal of Ecumenical Studies* 10 (1973) 390-401.

are subjected to conflicting expectations. Theological research, far from justifying the present structuring of the ministry, demonstrates the possibility and urgency of restructuring for the sake of mission (Thesis 2). The current crisis of ministry has arisen chiefly because, especially in the Catholic Church, officials have sought to perpetuate antiquated forms of polity in spite of radical changes in the social situation (Thesis 3). In order to meet this crisis, the Churches must call into question their separate confessional traditions and co-operatively evolve forms of ministry that can be justified in terms of the tasks of the Church normatively attested by the New Testament (Thesis 4). If it is possible now to accord mutual recognition—prescinding from the unanswered question of the papacy—the two confessions can proceed jointly to develop future forms and structures of ministry (Thesis 5).

According to Part 2, the fundamental mission of the Church is to proclaim the crucified Jesus as risen Lord—a task which from the beginning required multiple ministries (*Dienste*), all of them gifts of the same Spirit (Theses 6–8). The whole Church is called to be apostolic, i.e., to continue in the tradition of the apostles. Those entrusted with the service of leadership (*Leitung*) have a specific role, but they remain alongside of other charismatic leaders in a situation of mutual responsibility, which calls for mutuality of criticism (Thesis 9). While episcopal ordination is not the exclusive way by which the apostolic succession of leaders is obtained and recognized, an unbroken sequence in the imposition of hands is a help for safeguarding the apostolic tradition and is a sign of unity and continuity (Thesis 10).

Ministry in the Church is always to be understood as service, never as lordship (Thesis 11). The official leadership on the local, regional, or universal level is charged with the task of stimulating, co-ordinating, integrating, and representing the Church toward its own members and toward outsiders (Thesis 12). The tasks of ministry must correspond to the actual situation of the Church and therefore must be functional and flexible. In general, church ministries may be either full-time or part-time, temporary or life-long, and may be performed by men or women, married or unmarried (Thesis 13). The community and its leaders must engage in mutual scrutiny, using as the criterion the gospel of Jesus Christ as attested by the New Testament (Thesis 14).

Ordination, with prayers and imposition of hands, is the customary way of calling an individual to office in the Church. Ordination is to be understood as a participation both in the mission of the Church and in the mission of Christ. It entrusts the ordained, as distinct from the generality of the faithful, with public responsibility for the one mission of Christ, and hence with the ministry of word and sacrament (Thesis 15). Whether or-

dination is to be designated as a sacrament or not is a matter of linguistic usage (*Sprachregelung*), and thus the different answers given to this question in different Churches are not to be seen as justifying division (*kirchentrennend*). Ordination is a sacrament in the sense that it is a participation in the mystery of Christ, but is not a sacrament in the sense that Jesus Himself can be shown to have instituted the laying-on of hands (Thesis 16). Ordination makes a once-for-all claim on the totality of a man's existence, in such wise that the sacrament cannot be repeated, but this does not necessarily mean that every ordained person must exercise all the functions of the ministry, or make the ministry his principal occupation, or engage actively in the ministry for his entire life (Thesis 17).

Part 3, dealing with consequences, is divided into three sections. Section 1 calls for reform and begins with the assertion that this must be undertaken in the light of the gospel (Thesis 18). The Catholic Church should accept a married clergy, and the Protestant Churches should make realistic provision for exercising the charism of celibacy (Thesis 19). In both Churches there should be opportunities for temporary and part-time ministries, and ministries should be broken down into a greater variety of functional specializations. Women should be made eligible for the ordained ministry, and representative forms of government should replace the authoritarian structures inherited from the times of feudalism and absolutism (Thesis 20).

Section 2 of Part 3 calls for ecumenical co-operation in the reform of church structures, including common projects of research and theological collaboration (Thesis 21).

Section 3 of Part 3 calls for mutual recognition of ministries in the Protestant and Catholic Churches, since the differences are no longer so great as to require separation. In our time the Protestant Churches as well as the Catholic Church accept ordination by the ordained as the normal manner of designating ministers. The difference between episcopal and presbyteral ordination is a historical development and cannot claim to be of divine right. The question whether ordination is a sacrament is simply a matter of terminology. The concept of the "indelible character," sometimes understood as implying that office-bearers are more highly graced than other Christians, must be purified of its objectionable elements. Apostolic succession may be assured in a variety of ways; the already ordained ministers may either confer the mission on new ministers or recognize such a mission as having been conferred by the community or by the Holy Spirit (Thesis 22). Finally, "since there is no longer any theologically decisive objection to a mutual recognition of ministries, a major obstacle to altar fellowship has been overcome. Where a common

faith in the presence of Jesus Christ in the Lord's Supper is at hand, reciprocal admission to Communion is possible" (Thesis 23).

The theses here paraphrased in a very compressed fashion are themselves summary presentations of the results of the five preparatory studies, which occupy 176 pages in the book. The Münster document on the crisis of ministry in the Catholic Church gives a rather alarming presentation of the psychological and sociological factors that are leading to the laicization of priests and the emptying of seminaries in Germany. The Bochum paper on the crisis of ministry in Protestantism, similar in orientation, emphasizes chiefly the identity crisis of the pastor. Both these studies propose a fourfold division of ministerial functions into teaching, counseling, social work, and administration, and recommend a corresponding differentiation in the process of ministerial training. The Münster study advocates that all four types of functionary should be ordained, assuming that ordination will no longer be tied to celibacy or reserved to men. Theses 1 to 5 and 18 to 20 of the Memorandum reflect the results of these two studies.

The Heidelberg document on apostolic succession, which amplifies the general positions already taken by Edmund Schlink in an essay of 1961,<sup>41</sup> is an exceptionally lucid and useful piece of work, and lies at the basis of Theses 6-10 of the Memorandum. This paper traces the various meanings of the term "apostle" in the New Testament, the various meanings attached to "apostolic succession" and "apostolicity" as applied to the Church, and the senses in which ministry in the Church may be said to perpetuate the ministry of the apostles. While guarding against clerical absolutism, this study attributes considerable authority to the pastoral office. Induction into the ministry is seen as occurring in any of three ways, corresponding approximately to those recognized at Louvain and Marseilles. Schlink's distinctions are precisely worded:

- 1) Commission to pastoral service by persons who have themselves been previously ordained—with recognition or more active co-operation on the part of the Church, including members of the Church who have not been ordained;
- 2) Commission to pastoral service by the Church, including members of the Church who have not been commissioned as pastors—with recognition or more active co-operation on the part of those called as pastors;
- 3) Recognition of a factually occurring pastoral service—one that has arisen in pneumatic freedom—on the part of the appointed pastors and the other members on the Church.<sup>42</sup>

<sup>41</sup> E. Schlink, *The Coming Christ and the Coming Church*, Eng. tr. by I. H. Neilson (Edinburgh, 1967) pp. 186-233.

<sup>42</sup> *Reform und Anerkennung*, pp. 151-52.

From this variety of possible procedures it seems to follow that in certain cases ordination is to a great extent confirmatory of a ministry already exercised by virtue of a call from the community or an evident charism from the Spirit, rather than constitutive of a ministry that previously did not exist. These three forms of the validation of ministries are recognized in the Memorandum, Thesis 22.

The contribution of the Catholic ecumenical institute of Tübingen on "The Nature and Form of Church Ministry" is a condensed and slightly improved version of the material already published in Hans Küng's volume *Why Priests?*<sup>43</sup> It depicts the pastoral ministry primarily as a service of leadership, arising out of a vocation from the Holy Spirit and confirmed by the consent of the community. It depreciates the sacramental-consecratory status of the priest in favor of his functional, social role and inculcates the ideal of a democratic Church permeated by the values of "liberty, equality, and fraternity." The Tübingen study goes on to advocate the recognition of part-time and temporary ministries, the ordination of women, optional celibacy, and many of the other reforms proposed in Theses 11-15 and 20 of the Memorandum.

The final preparatory study, that on ordination and sacramentality, is authored jointly by the Catholic and Protestant ecumenical institutes of Munich. With regard to sacramentality, this study points out that there are passages in Melancthon and Calvin that allow ordination to be reckoned among the sacraments. Everything depends upon what content is given to the term "sacrament." The traditional expression "visible sign of an invisible grace" conveys the idea that the mystery of Christ—which is also the mystery of the Church—is concretized in a particularly important way in certain definite institutional and symbolic acts, among which ordination is to be numbered. The final portion of this paper deals with the question of the "sacramental character" and shows that according to Thomas Aquinas this meant not a personal dignity but a permanent deputation to service. The Reformation Churches have traditionally accepted the idea that ordination cannot be repeated and have thus implicitly admitted that ordination produces a lifelong effect. Since no separation ought to be made between the personal and the functional, it is permissible to speak of ordination as conferring an "inner qualification of the person," provided that this qualification is understood not as a more exalted spiritual state but as a commission to represent in the public forum the apostolic charge given to the entire Church. Some of these conclusions are incorporated in Theses 16, 17, and 22 of the Memorandum.

The Memorandum was published in advance of the book—and thus

<sup>43</sup> Eng. tr. by Robert C. Collins (Garden City, 1972).

without the accompanying working papers—in an ecumenical periodical.<sup>44</sup> With the text was included a card in which readers were invited to sign the following declaration: “I have informed myself of the Theses of the Working Committee of the University Ecumenical Institutes on the Reform and Recognition of Church Ministries and declare myself in agreement with their content. (Date and signature).” There ensued another sentence to the effect that the signer had no objections to this ballot being forwarded to the Praesidium of the German National Pastoral Council (*gemeinsame Synode*) of the Catholic Church and to the Praesidium of the Synods of the Evangelical Church in Germany. No room was left for any criticisms.

#### THE DEBATE ABOUT THE MEMORANDUM

In view of the strong affirmations of the Memorandum with regard to both reform and mutual recognition, and the inclusion of the postcard requesting signatures, it is not surprising that the hierarchy and other theologians, especially on the Catholic side, reacted swiftly and strongly. The Doctrinal Commission of the German Episcopal Conference on January 27, 1973, issued a brief but comprehensive rejection,<sup>45</sup> declaring that the Memorandum “cannot be treated as a forward-leading contribution to the ecumenical question.” As reasons, the following were given: the Memorandum rests on a hypothetical reconstruction of the earliest stages of ecclesiastical development; faith is here inadmissibly subjected to historical reason; the later stages of tradition are dismissed as nonnormative; the common faith of the Catholic Church in the East and West is contradicted. The Bishops’ Commission added, however, that many recent documents of the international dialogue show that a partial consensus concerning ministries is possible. In closing, the Doctrinal Commission objected to the attempt to extort solutions of such complex theological questions “by a plebiscital procedure through the gathering of declarations of agreement.”

On February 14, 1973, the directors of the Ecumenical Institutes took cognizance of the criticisms that had been made of their Memorandum.<sup>46</sup>

<sup>44</sup> *Oekumene am Ort*, January 1973, pp. 17–28.

<sup>45</sup> Text in *Una sancta* 28 (1973) 19–20. The names of the theologians who drew up this statement are not given, but it is known that the consultors to the German Bishops’ Commission on Faith and Morals were at that time Kasper, Lehmann, Rahner, and Ratzinger. Küng seems to attribute the statement primarily to Ratzinger. Rahner is known to have been absent from the meeting at which this statement was composed. Lehmann and Kasper are thought to have been moderating influences. One or the other of them was perhaps even opposed to the statement in the form in which it was issued. All four of the consultors have since published reviews or articles on the Memorandum.

<sup>46</sup> Text in *Una sancta* 28 (1973) 20–21.

First, they noted that the Memorandum in its general lines is convergent with many other ecumenical statements, such as those of the United States Lutheran-Catholic Consultation, the International Lutheran-Catholic Consultation on "The Gospel and the Church," and the statements of the Groupe des Dombes. Secondly, they stated that as authors they were well aware that the recognition of ministries could come only from the responsible Church authorities, but that the institutes considered it their task to prepare the way theologically. The postcard, they explained, was intended only to encourage the readers' active interest and participation, and to help the Synods to be aware of the present state of the discussion in the wider circles of the faithful and their pastors. Thirdly, the authors said that they took full cognizance of the growing self-understanding of the Churches down through the ages, but that they were convinced that the denominational Churches would have to rethink their own particular traditions in the light of their common apostolic foundation. Fourthly, the directors contended that the bilateral character of the Lutheran-Catholic conversations requires no apology. Such bilateral consultations can go more deeply into specifics than multilateral conversations, though there is always need to supplement the results of bilateral discussions by dialogue with other Churches. It cannot be assumed as a matter of course that an agreement between Catholics and Lutherans will impede relations between either of their Churches and the Orthodox. Fifthly, the authors of the Memorandum expressed their hope that not only their conclusions but the supporting arguments in the preparatory studies would be carefully weighed.

This moderate and dignified response by the Ecumenical Institutes contrasts remarkably in tone with the vitriolic response to the Bishops published by Hans Küng simultaneously in two newspapers on February 23, 1973.<sup>47</sup> Küng accuses the commission of proceeding in a secret trial according to the approved Roman model and of calling on "court theologians" as their advisors. He asks how many of the members of the episcopal commission had read the Memorandum and the preparatory papers, or whether they relied on the assistance of the Holy Spirit as a substitute for scholarly competence. He protests that the Orthodox Churches of the East (now suddenly called "Catholic" by the German bishops!) must not be used as an alibi for retaining the reactionary posture of heresy hunters in the West.

<sup>47</sup> In *Deutsche Zeitung*, Feb. 23, 1973, Küng's statement is entitled "Inquisition auf deutsche Art? Eine Antwort auf die Kritik der bischöflichen Glaubenskommission." In *Publik-Forum* for Feb. 23, 1973, the same column is entitled "Ein Sanktum Offizium in Deutschland? Ein klares Wort."

Rome did not remain entirely silent. On March 10, 1973, Cardinal Jan Willebrands, President of the Secretariat for Christian Unity, wrote to Cardinal Doepfner, President of the German Bishops' Conference. He said, in part:

The Secretariat for Christian Unity has noted with joy and gratitude the clear and opportune response of the Doctrinal Commission of the German Bishops' Conference and of the President of the Ecumenical Commission of the same Conference, regarding the Memorandum of the University Ecumenical Institutes of the German Federal Republic on "Reform and Recognition of Church Ministries." Without wishing to go into details, we fully share the points of this response in what regards the deposit of faith.<sup>48</sup>

The German Bishops' Conference devoted its plenary spring meeting primarily to ecumenical questions. In its final press release of March 21, 1973,<sup>49</sup> the Bishops' Conference gratefully accepted the declarations of its Doctrinal Commission and responded to the objections of Hans Küng. The wide publicity given to the Memorandum, they explained, and the effort to collect signatures even prior to the publication of the working papers made it necessary for the Bishops to take a position promptly. This they did in consultation with theological experts. It is astonishing, they added, that after inviting nontheologians to declare their assent without having seen the preparatory studies, Küng should take it amiss that professional theologians should express their views on the basis of the theses alone. Now that the preliminary studies have been released, the Bishops see no reason to alter their judgment.

It would be tedious to consider in detail all the further reactions that have been published in the German-speaking world in the spring and summer of 1973. Several major statements should, however, be summarized.

Karl Rahner wrote a generally favorable review for the *Frankfurter allgemeine Zeitung* for February 14, 1973. He cautioned against assuming too hastily that the proposals in the consensus statement are contrary to the Catholic understanding of the Church. Unless a clear conflict with Catholic dogma can be shown, he wrote, the presumption must be in favor of the orthodoxy of a document that could point the way to major ecumenical advances. While Catholics are bound to the continuities of history, they are no less bound to the unity of faith and to its future. Yet, the Memorandum raises certain questions that still seem to remain open. For one thing, it brackets the whole question of the Catholic understand-

<sup>48</sup> German text in *Kirchlicher Anzeiger für die Erzdiözese Köln*, Apr. 15, 1973; French tr. in *Documentation catholique*, no. 1632 (May 20, 1973) 482.

<sup>49</sup> Text in *KNA-KoI*, no. 13 (Mar. 21, 1973) 4.

ing of the papacy. If one prescind from the papacy, can one hope for an agreement about the ministry in general? Further, it is left unclear whether the recognition proposed is for the past or only for the future. Is it implied that the development of ministry in all the confessions over the past few centuries has been equally legitimate? Are the various forms of ministry mentioned in Thesis 20 to be understood as "priestly" in the traditional Catholic sense? If not all of them, which ones, if any, are priestly? These and other questions prevent Rahner from totally accepting the conclusions of the Memorandum.

The religious press has published numerous reviews and comments. From the Protestant side a generally favorable account was given by Johann Christoph Hampe<sup>50</sup> and a somewhat critical appraisal by Günther Gassmann.<sup>51</sup> *Bausteine für die Einheit der Christen*, the journal of the "League for Protestant-Catholic Reunion," published a highly censorious review that concentrated its fire on the preparatory studies.<sup>52</sup> The Catholic newspaper *Rheinische Merkur* published reviews by several authors, including Cardinal Jaeger, chairman of the German Bishops' Ecumenical Commission, and the Paderborn theology professor Heribert Mühlen.<sup>53</sup> Walter Kasper wrote a characteristically serene and balanced appraisal for the monthly *Stimmen der Zeit*.<sup>54</sup> Karl Lehmann, in his review for the *Internationale katholische Zeitschrift*,<sup>55</sup> stated some objections bearing chiefly on the methodology and tone of the twenty-three theses.

Very extensive attention has been given to the Memorandum by the conservatively oriented Catholic News Agency in its weekly "Critical Ecumenical Information Service." The issues published between February 14 and July 4 contain some twenty verdicts, mostly negative, by theologians including Hubert Jedin, Albert Brandenburg, Walter Kasper, Heinrich Bacht, Erwin Iserloh, Heribert Mühlen, Wolfgang Beinert, Leo Scheffczyk, Heinrich Fries, and Joseph Ratzinger. These articles, it is understood, are soon to appear in a volume edited by Karlheinz Schuh, editor in chief of the Critical Ecumenical Information Service.

<sup>50</sup> "Mutige Erkenntnisse zur Reform," *Evangelische Kirchenzeitung für Baden* 9/9 (March 4, 1973).

<sup>51</sup> "Heisses Eisen auf kleiner Flamme," *Lutherische Monatshefte* 12 (1973) 195-98. See also Gassmann's article in *KNA-KoI*, no. 20 (May 9, 1973) 5-7.

<sup>52</sup> Wilhelm Krückerberg, "Reform und Anerkennung der Ämter?" *Bausteine* 13 (Easter 1973) 12-17.

<sup>53</sup> See issues of Feb. 23 and March 16, 1973.

<sup>54</sup> "Ökumenischer Konsens über das kirchliche Amt?" *Stimmen der Zeit* 191/4 (April 1973) 291-30.

<sup>55</sup> "Streit um die ökumenische Anerkennung kirchlicher Ämter," *Internationale katholische Zeitschrift* 2 (1973) 284-88.

The early reactions here mentioned are doubtless only the first fruits of a more abundant harvest yet to come.

#### ASSESSMENT OF THE MEMORANDUM

On balance, what is to be said of the Memorandum and the accompanying papers? First of all, the volume is of great value because it courageously faces the most fiercely controverted questions and takes clear, progressive, and forthright positions. As Kasper remarks, "The Memorandum signalizes a tremendously important advance on the way to this goal [of intercommunion between the Churches] and shows that, at least theologically, there can be no talk of crisis and stagnation of the ecumenical dialogue."<sup>56</sup> The authors of the Memorandum are theologians of undeniable stature. Although one may disagree with some of their views, one cannot fail to admire their acumen, learning, and commitment. The objector must reckon with the likelihood that his own theology lags behind that of the authors he is censuring. Any criticisms I shall express are subject to these reservations.

To judge from the literature thus far published, the Memorandum is subject to attack on the grounds of procedure, tactics, style, methodology, and content. With regard to procedure, some have asked whether it was advisable to have the Catholic Church—or, for that matter, the Lutheran Church—represented only by professional ecumenists at three state universities. It so happens that the three main Catholic spokesmen are theologians whose views have been notably affected—for better or for worse—by their association with Protestants. The document would have gained in acceptability to the Catholic constituency, and in theological precision, had the talents of systematicians such as Rahner, Kasper, Ratzinger, Mühlen, and Lehmann been utilized. The procedure of limiting participation to members of the university ecumenical institutes might appear to have been deliberately designed to exclude certain theologians whose outlooks were less welcome.

Several commentators have objected to the neglect of the Old Catholic, Anglican, and Orthodox traditions in the Memorandum.<sup>57</sup> In point of fact, the consensus might have been enriched by input from these quarters. Before the results of any bilateral dialogue can be accepted by the authorities of the participating Churches, consideration must be given to what would have to be, or has been, said in dialogue with other groups. Theologians engaged in bilateral consultations generally understand and

<sup>56</sup> "Oekumenische Konsens," p. 230.

<sup>57</sup> H. Mühlen, "Wohin würde eine gegenseitige Anerkennung führen?" *KNA-KoI*, no. 14 (March 28, 1973) 5; J. Madey, "Gibt es Kirche ohne apostolische Sukzession?" *KNA-KoI*, no. 16 (April 11, 1973) 5-7.

welcome the kind of correction involved in setting their conclusions into a wider framework. But before this is done, it is highly desirable that theologians of two traditions should find out how much they can say in common. Multilateral and bilateral conversations usefully supplement each other.

As a matter of tactics, one may ask whether it was wise to mingle in the same statement questions of mutual recognition and questions of reform, some of them only tangentially related to recognition. The fact that a long list of proposed reforms precedes the recommendations concerning mutual recognition creates the impression that the proposed recognition might be conditional upon the implementation of the reforms, and thus weakens the thrust of Theses 22 and 23. Besides, as Gassmann notes, the document is "overburdened with a series of inner-Catholic problems, for which one must surely hope that a solution will be found, but which will only impede a positive reaction to the Memorandum from certain quarters."<sup>58</sup>

The demands for reform are so sweeping and insistent as to provoke fear and resentment. Perhaps the authors assume too easily that drastic structural changes will effectively remedy the crisis of identity currently being experienced by many priests and pastors. However that may be, a more modest reform plan, with specific suggestions as to how the changes could be introduced in a gradual and nondisruptive way, would have greater likelihood of being adopted. On the other hand, all the changes suggested in the Memorandum deserve serious study and consideration. Many of the same reforms have been proposed in other ecumenical statements, such as the Louvain and Marseilles documents discussed above.

With reference to style, the complaint is made that the language in some sections of the book is more likely to antagonize than to persuade church authorities. With Iserloh<sup>59</sup> one may ask whether it really helps to speak, as the Tübingen study does, of "the blindness and rigidity of church authorities" and of the use of "every kind of spiritual authoritarianism and pseudo-theological argumentation" in defense of the special traditions of the Latin Church (p. 174).

Also as a matter of style, the theses suffer from being proposed too succinctly as bare conclusions. Although the preparatory studies give some supporting argumentation, the work group as a whole did not make itself responsible for what is said in these studies. Thus the theses appear as too undifferentiated and too insecurely founded. As Lehmann remarks, other ecumenical documents commonly speak of a "growing consensus," of "convergences," and of still unsolved problems. In the

<sup>58</sup> "Heisses Eisen," p. 196.

<sup>59</sup> "Amt und Ordination," *KNA-KoI*, no. 13 (March 21, 1973) 5-9, esp. p. 5.

absence of such nuances, the demand for full mutual recognition of ministries appears too "apodictic and abrupt."<sup>60</sup>

With reference to methodology, the Tübingen study and the corresponding sections of the Memorandum attach little positive weight to postbiblical tradition. Various statements, especially in Theses 4 and 14, give the impression that the New Testament alone is taken as the decisive norm of truth. Kasper speaks in this connection of a "*salto mortale* over almost two thousand years."<sup>61</sup>

Another methodological defect is that the Memorandum, as Ratzinger observes,<sup>62</sup> fails to specify clearly the Churches whose ministries are under discussion. It speaks casually of the "two Churches" (pp. 12 and 21) and the "two confessions" (p. 16) without explaining which Church in addition to the Roman Catholic is involved. Do the authors mean the "Evangelical Church of Germany"—which is not a Church but rather a conglomerate of Churches? Or the Lutheran Churches of Germany? Or those of the whole world? And what about the Reformed Churches of Germany, the Churches of the Prussian Union, and other Protestant communities?

With regard to content, the main topic to be discussed is the theology of ministry. To a great extent the Memorandum is representative of the present ecumenical climate, as evidenced by the other consensus papers considered above. But there are distinctive features that call for special scrutiny.

As already mentioned, the priestly or pastoral office is here viewed primarily in terms of community leadership in the modern democratic style. This is especially true of the Tübingen report, but carries through into some theses of the Memorandum. On this point Paul W. Scheele notes a difference of emphasis between the Dombes statement and the Tübingen study.<sup>63</sup> Whereas the Dombes theologians recognize the ordained minister as representing Christ to the community (nos. 26–28), the Tübingen study rejects "the so-called Christological foundation of churchly ministry" (p. 172) and asserts that the minister is "a Christian among Christians, a man among men" (p. 173). Iserloh,<sup>64</sup> Scheffczyk,<sup>65</sup> and others maintain that the Christological dimension is biblically grounded—for instance, in the numerous texts in which Paul depicts himself as acting in the person

<sup>60</sup> "Streit um die ökumenische Anerkennung," p. 287.

<sup>61</sup> "Oekumenischer Konsens," p. 227.

<sup>62</sup> "Fragen zur Sukzession," *KNA-KoI*, no. 28/29 (July 4, 1973) 5.

<sup>63</sup> "Hilfe aus Dombres?" *KNA-KoI*, no. 17/18 (April 18, 1973) 5–7, esp. p. 7.

<sup>64</sup> "Amt und Ordination," *KNA-KoI*, no. 13 (March 21, 1973) 6.

<sup>65</sup> "Das Amt als Christusrepräsentation," *KNA-KoI*, no. 22 (May 23, 1973) 5–9, esp. pp. 6–7.

of Christ (Rom 15:16, 1 Cor 4:1, 2 Cor 5:19-20, Gal 4:14, 2 Th 3:6, etc.).

These criticisms are well taken but should not be pressed too far. Thesis 12 asserts that the Church needs pastoral leaders on every level to take public responsibility for the common good—to co-ordinate, integrate, and represent the Church, not only to outsiders but also to its own members. Thesis 15 goes on to say that ordination confers a participation both in the mission of the Church and in that of Christ, and that the ordained minister, in contradistinction to the common priesthood of the faithful, is empowered to assume public charge of the one mission of Christ.

Scheele remarks that whereas the Dombes theologians regard the three functions of the ministry (word, sacrament, and pastoral leadership) as inseparable, the Memorandum calls for a division of the various ministerial functions. Actually the Memorandum states in Thesis 15 that the empowerment of the ordained minister to carry out the one ministry of Christ can be manifested in a variety of specialized functions, so that not every minister is obliged to carry out all the functions all the time. In Thesis 20(a) the additional point is made that the functions are not to be separated, but that any differentiation must be accompanied by collegiality and co-operation among the ordained.

Several critics have argued that in recognizing charismatically given ministries "arising in pneumatic freedom," Thesis 22(e) undermines the efficacy of ordination.<sup>66</sup> With some hesitation, I should be inclined to defend the Memorandum against this charge. Schlink is, I believe, correct in maintaining that the calling of the Holy Spirit, the consent of the community, and recognition by competent church officers all pertain to the integral reality of ordination. These factors may, however, be present in varying modes and degrees. No one gets ordained without recognition by the previously ordained, and this recognition is of constitutive importance for the reception of the power to act publicly in the name of the Church. In some cases, however, this recognition is little more than an official confirmation of an authority that already exists thanks to the evident calling of the Holy Spirit and the consent of the community. This is, no doubt, more often the case in the Protestant "free churches" than in the Catholic experience, but it may become increasingly frequent in Catholic circles too.

If it be asked whether ordination is a sacrament, one may agree with the Memorandum (and with the Malta Report) that this is largely a question of terminology. The traditional Protestant and Catholic positions are so

<sup>66</sup> Cf. J. Ratzinger, "Fragen zur Sukzession," *KNA-KoI*, no. 28/29 (July 4, 1973) 5.

burdened with historically conditioned conceptions about the nature of sacramentality that they no longer reflect the actual positions of either Church. A new consensus might today be achieved without the imposition of uniform terminology. The Memorandum suggests that Jesus Himself probably did not institute ordination by laying-on of hands, but that this rite, as practiced in the Church, is an efficacious sign of the gift of the Holy Spirit for the fulfilment of the public ministry. In the course of time both the Lutheran and the Catholic communions may be able to make this twofold position their own. Then they will sufficiently agree about the reality even if they continue to observe different linguistic usage regarding the applicability of the term "sacrament" to ordination.

The question of the "sacramental character" is probably close to being resolved along the lines proposed by the university institutes. The Munich study, improving somewhat on the Malta Report, develops a compromise position that many will find congenial. It maintains that ordination effects a profound and abiding change—personal as well as functional—as a result of which no reordination is possible. This position, in my opinion, safeguards the basic intention of the traditional Catholic affirmations concerning the "indelible character." The question whether the character is to be understood in an ontological sense is, in my opinion, secondary and should not be regarded as church-dividing.<sup>67</sup>

On the subject of apostolic succession, the Memorandum agrees with many other ecumenical statements in insisting that the succession of ministers must be situated in the larger context of the apostolicity of the entire Church. Like the statements of the Groupe des Dombes and the Marseilles Consultation, the Memorandum contends that a minister may in some real and important sense stand within the apostolic succession even though he has not been ordained by a bishop. Conversely, the laying-on of hands by a bishop, performed outside a community of apostolic faith, would not establish apostolic succession. On these points there is today something approaching an ecumenical consensus.

Granting the correctness of this position, the question still remains whether ordinations by laymen or presbyters are as regular and efficacious as episcopal ordinations. The Memorandum, in Thesis 22, seems to adopt the view that since the difference between episcopal and presbyteral ordination has developed in postapostolic times, it is not of divine

<sup>67</sup> *Mysterium ecclesiae*, the Declaration of the Congregation of the Doctrine of the Faith issued on June 24, 1973, holds in section 6 that the existence of a permanent priestly character pertains to the teaching of faith, but notes that the nature of this character is explained by theologians in different ways. For a summary of some recent Catholic theological literature on the subject, see H.-M. Legrand, "The 'Indelible Character' and the Theology of Ministry," *Concilium* 74 (New York, 1972) 54-62.

right and consequently there is no real need for episcopal ordinations today.

The crux of the question is whether the episcopal office is necessary. Without deciding whether the distinction between episcopacy and presbyterate was established by Christ Himself, or existed from apostolic times, Vatican II clearly taught that the ordination of a bishop is a sacrament and that episcopacy is of divine institution.<sup>68</sup> Many today would contend that without bishops (perhaps under some other name) the unity and continuity of the total Church would not be sufficiently expressed, and that the Church would not be able to exist and function as its mission requires. Theses 10 and 12 of the Memorandum call for a representative and integrative ministry on the regional as well as on the local level, and hold that episcopal ordination is a "help" in preserving the apostolic tradition and in signifying the unity and continuity of the ministry.

The Dombes and Marseilles documents, going further, state that without episcopacy the full sign of apostolic succession is not given. Catholics will generally concur and will probably wish to add, with Kasper, that the full reality of apostolic succession demands a visibly expressed communion with the bishops who stand in that succession. In the absence of such communion, he says, an ordination by presbyters or laymen can only be a deficient form (*modus deficiens*) of apostolic succession. "The mutual recognition of ministries must therefore include the recognition of the constitutive significance of communion with the episcopal office. So long as this is not the case, no full recognition of the ministries of the other Church is possible *on either side*."<sup>69</sup>

What, then, must we say of the thesis to the effect that "there is no longer any theologically decisive objection to a mutual recognition of ministries" (Thesis 23)? If full recognition is here intended, this conclusion would seem to be premature. With regard to ordination and episcopacy, as well as the bracketed problem of papacy, there are still serious doctrinal differences that seem to preclude full recognition. On the other hand, limited recognition could even today be a possibility. As Heinrich Fries points out, it is no longer theologically justifiable for either Protestants or Catholics to look on the ministries of the other communion as devoid of saving value.<sup>70</sup> The ecumenical consultations of the past decade have made it possible for each group to confess that, notwithstanding the significant differences that remain, the grace of Christ is effectually at work through the ministries of the other. The Churches could publicly recognize the efficacy of each other's ministry without thereby authoriz-

<sup>68</sup> *Lumen gentium*, nos. 20, 21, and 28; cf. L. Jaeger in *Rh. Merkur*, Feb. 23, 1973.

<sup>69</sup> "Oekumenischer Konsens," pp. 227-28; italics Kasper's.

<sup>70</sup> "Was heisst Anerkennung?" *KNA-Kol*, no. 23 (May 30, 1973) 7.

ing the pastors of each Church to minister regularly to the faithful of the other. A public recognition of this kind would, in my opinion, be a significant milestone on the road to unity.<sup>71</sup> Such limited recognition, I believe, would not require a liturgical ceremony of reconciliation, such as the Dombes theologians propose. It could be accomplished by each Church separately or by a common declaration similar in form to the mutual lifting of anathemas by Pope Paul VI and Patriarch Athenagoras I in 1965.<sup>72</sup>

What, finally, of the claim in Thesis 23 that "where a common faith in the presence of Jesus Christ in the Lord's Supper is at hand, reciprocal admission to Communion is possible"? The highest authorities of the Catholic Church, and of nearly all Protestant groups, are willing to grant Eucharistic hospitality, at least on occasion, to baptized Christians of other confessions. The directives of Bishop Elchinger, which I regard as a sound and constructive initiative, help to clarify for Roman Catholics the delicate question of reciprocal Eucharistic hospitality. Does the German Memorandum go further than this? It gives the impression of saying that general reciprocal intercommunion could now be permitted.

At this point, as elsewhere, the Memorandum speaks too absolutely. As indicated in the Marseilles paper, full intercommunion between the Churches presupposes that all the divisive issues have been cleared up. Even assuming that the Churches could accept each other's ministries as fully apostolic, there would still be serious differences with regard to other points of doctrine and church order. Full intercommunion, at the present juncture, would be a false sign; it would obscure the essential relationship between Church and Eucharist. As long as the Churches themselves are divided, no more than limited Eucharistic sharing would seem to be appropriate. Yet the limited mutual recognition of ministries that is now possible, even between Protestants and Catholics, provides a theological basis for respecting the Eucharist of the other Church, and thus paves the way for some degree of reciprocal altar fellowship. Even though the Catholic may still feel that Protestant Churches have not preserved "the genuine and total reality of the Eucharistic mystery," the Catholic may admit that what they have preserved is far from negligible.

#### CONCLUSION

The year from March 1972 to March 1973, which witnessed the publication of all the statements examined in these pages, was a period of

<sup>71</sup> The step here proposed would imply, in effect, a passage of the Catholic Church's official position regarding Protestant ministries from stage 1 to stage 2 in the degrees of recognition outlined by the Marseilles Faith and Order Consultation. For a similar proposal, suitably nuanced, see the Roman Catholic/Presbyterian-Reformed Statement on "Ministry in the Church" (n. 7 above) no. 10, pp. 608-9.

<sup>72</sup> See the common text issued by the heads of the two communions at Istanbul on Dec. 7, 1965, in *The Documents of Vatican II*, pp. 725-27.

great progress in the Protestant-Catholic dialogue on ministry and Eucharist, as proposed in the Decree on Ecumenism. The Churches will presumably never again be where they were prior to 1972. They are reaching a very significant, though as yet incomplete, consensus about many previously disputed points concerning the Eucharist, intercommunion, and ministry. Each of the statements we have analyzed makes a valuable input into this consensus.

With regard to the Eucharist, the important theological break-throughs were made in the 1960's, but only in the past few years have they begun to win acceptance in the Churches. Documents such as the Dombes paper on the Eucharist serve to register, refine, disseminate, and solidify the agreements that have been reached. Thanks to the exegetical study and systematic reflection of the past few decades, the ancient debates about transubstantiation and sacrifice are no longer acute. The disagreements now center about less crucial questions, such as the duration of the real presence and the role played by the minister in the consecration.

With regard to intercommunion, both Protestants and Catholics are generally disposed to admit one another's members, by way of exception, to receive the Eucharist in their own services. The chief problem has been, at least on the Roman Catholic side, reciprocity. On this sensitive issue the directives of Bishop Elchinger make a very significant advance that may, in time, win acceptance in other dioceses and be applied to persons not involved in mixed marriages.

With regard to ministry, there are still unresolved problems about the nature and necessity of ordination, the sacramentality of ordination, the sacramental character, the divine institution of the episcopate, and the manner of assuring apostolic succession in the ministry. As a result of the ecumenical consultations, however, both Protestants and Catholics are becoming more sensitive to values embodied in one another's traditional positions. The consensus statements disclose significant areas of real agreement. Within each communion there are individuals who incline strongly toward what has hitherto been the position of their adversaries. Thus, some Protestants regard ordination as a sacrament and consider the episcopacy essential to the fullness of apostolic succession. On the other hand, there are Catholics who say that ordination need not be called a sacrament and that bishops are not unconditionally necessary for a fully apostolic ministry.

To an increasing degree the disputes are not so much between as within the separate communions. It is perhaps a sign and measure of ecumenical progress that one can no longer speak glibly of "Catholic," "Lutheran," "Reformed," or "Anglican" positions. A pluralism of theologies within each communion is eroding the older unanimities. Even where serious divergences remain, they are often felt to be matters of opinion that do

not justify the present separation between the Churches.

The mutual cross-fertilization of traditions, in the ecumenical dialogue, is experienced by both Protestants and Catholics as at once a threat and a promise: a threat, because it calls into question ideas and attitudes that have become ingrained; a promise, because it proves to each group that its views can win a hearing among former adversaries. To realize the promise and to diminish the threat, it is important that ecumenism should not be allowed to become the exclusive preserve of a fringe group. Rather, the results of the dialogue must be continuously fed into the doctrinal heritage of the Churches themselves. Only as this process occurs will the representatives of each communion, in further ecumenical dialogue, feel authorized to go beyond the present state of the consensus.

Apart from the papacy, the most difficult questions about ministry center about the episcopate. The consensus statements as yet fail to register any real meeting of minds on the crucial question whether the episcopal structure of the Church is necessary as a matter of "divine right." Before this question can be answered on the ecumenical level, more homework has to be done within the denominations.<sup>73</sup> Protestants will have to ask themselves whether they can accept bishops as at least a desirable sign and guarantee of the authority of the pastoral office, of the Church's continuity with its own past, and of the mutual unity among particular churches. Catholics, on the other hand, must take more seriously the fact that the episcopal office, as it concretely exists, reflects the influence of cultural and social forces since New Testament times. The whole question of "necessity" and "divine right" will have to be rethought in the light of these various findings.

The theologians engaging in ecumenical dialogues have, like good scouts, reported on positions to which the Churches themselves may profitably advance. As the Churches assimilate the results of the dialogue, they may make it possible for their theological representatives, in the future, to arrive at even more significant agreements. The whole body of the faithful, and above all their pastors, must continue to press eagerly for that "perfect ecclesiastical communion" to which the Decree on Ecumenism looked forward.

*Woodstock College, N.Y.C.*

AVERY DULLES, S.J.

<sup>73</sup> On the Protestant side, see Edmund Schlink, "Zur Unterscheidung von *jus divinum* und *jus humanum*," in *Begegnung: Festschrift für H. Fries* (Graz, Vienna, Cologne, 1972) 233 ff. On the Catholic side, see Carl J. Peter, "Dimensions of *Jus divinum* in Roman Catholic Theology," *THEOLOGICAL STUDIES* 34 (1973) 227-50.