

ROMAN CATHOLIC RECOGNITION OF THE AUGSBURG CONFESSION

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ON JUNE 25, 1980, Lutherans throughout the world celebrate the 450th anniversary of the *Confessio Augustana* (CA). In the course of time the *Augsburg Confession* has become the principal confessional document of the Lutheran Church, although that was not its original intention. It was composed and presented to the Emperor, Charles V, in order to bring about unity among Christians.¹ Only when this irenic intention was thwarted by the Emperor's rejection did the CA become the confessional document of the Lutheran-Evangelical Church.²

The CA has always been important for the Lutheran-Roman Catholic dialogue.³ Its significance has not been limited to that particular dialogue: e.g., the CA greatly influenced the Anglican Thirty-Nine Articles of Faith and the Homilies. It also has ecumenical relevance in regard to the Reformed Church, inasmuch as Calvin signed the CA in its original form (the *invariata*) during his Strasbourg period (1538-41).⁴

In this essay I shall report on the current discussion concerning RC recognition of the CA. This essay has four functions, some of which overlap. I shall (1) situate the CA within its historical context, (2) point out two sets of questions concerned with RC recognition of the CA, (3) ask what the term "recognition" really implies, and (4) offer some reflections from the perspective of systematic theology.

HISTORICAL CONTEXT

On January 21, 1530 Emperor Charles V summoned an imperial diet to convene on April 8 at Augsburg to discuss religious differences between

¹ *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, ed. Theodore G. Tappert (Philadelphia: Fortress, 1959) 25. The most authoritative historical study of the CA is W. Maurer's *Historischer Kommentar zur Confessio Augustana* (2 vols.; Gütersloh: Mohn, 1976-78). In the past five years several hundred publications have appeared on RC recognition of the CA; the most important are listed by H. Grote, "Die Augustana-Debatte und die Wiedergewinnung einer Bekenntnisschrift," *Materialdienst des konfessionskundlichen Instituts-Bensheim* 29 (1978) 26-34.

² A. B. Crabtree, "Re-reading the Augsburg Confession in the Present Ecumenical Context," *JES* 16 (1979) 421.

³ Cf. M. Lackmann, *The Augsburg Confession and Catholic Unity* (New York: Herder and Herder, 1963) 107-42; P. Brunner, "Reform-Reformation, Einst-heute," *KD* 13 (1967) 179; T. P. Rausch, "Catholics, Lutherans and the Augsburg Confession," *America* 140, no. 5 (Feb. 10, 1979) 86-89.

⁴ Calvin reaffirmed his acceptance of the CA even after his agreement with the Zwinglians in the Zurich Consensus of 1549; cf. Crabtree 422.

Catholics and the reformers, particularly the princes. He wanted a united front in his military operations against the Turks, which seemed to demand an end to the religious disunity introduced at home as a result of the Reformation.⁵

Accordingly, Charles V invited the princes to discuss the religious differences at the upcoming diet in hopes of restoring unity. The Elector of Saxony asked his theologians in Wittenberg to write a vindication of the way in which the Elector had fostered religion in his lands. Since the *Schwabach Articles*, a statement of doctrines written in anticipation of the discussion with the Zwinglians, had already been prepared in 1529, the only thing needed now was an additional statement concerning the changes in practice which had been made in the churches of Saxony. The Wittenberg theologians drew up such a statement, known as the *Torgau Articles*, since they were approved in Torgau at the end of March 1530.⁶

The *Schwabach* and the *Torgau Articles*, together with other documents, were taken to Augsburg. The *Schwabach Articles* became the principal basis for the first part of the *CA*, while the *Torgau Articles* became the principal basis for the second. John, the Elector of Saxony, brought Melanchthon and others to Augsburg but thought that Luther had better stay at Coburg since he was under the ban of the Empire. The reformers were compelled to alter their original plans to defend the Elector's innovations in religion after John Eck attacked their basic doctrines as heretical. Until the publication of Eck's *Four Hundred And Four Articles* the reformers thought only of defending their ceremonial practices; now they were forced to make a clear statement of their doctrines. The task fell to Philip Melanchthon (1497-1560).⁷

In drawing up the *CA*, Melanchthon consulted with Luther through correspondence. Revisions were made up to the formal presentation to the Emperor on June 25, 1530. The *Augustana* was signed by seven princes and the representatives of two free cities. Luther did not see the completed version of the *CA* until after it had been presented to Charles V.

Texts of the *CA* were presented in both German and Latin. Neither the German nor the Latin text is extant in the exact forms in which they were submitted. However, scholars have reconstructed a German and a

⁵ C. Manschreck, *Melanchthon: The Quiet Reformer* (Westport, Conn.: Greenwood, 1975) 177.

⁶ *The Book of Concord* 23. The year 1980 marks *Concord's* 400th anniversary.

⁷ Manschreck, *Melanchthon* 177. For an excellent study of Melanchthon, cf. M. Rogness, *Philip Melanchthon: Reformer without Honor* (Minneapolis: Augsburg, 1969), and R. Stupperich, *Der unbekannte Melanchthon: Wirken und Denken des Praeceptor Germaniae in neuer Sicht* (Stuttgart: Kohlhammer, 1961).

Latin text which correspond closely to the documents presented to Charles V. In the spring of 1531 the Latin edition of the *CA* was published. This edition, *editio princeps*, came to be known as the authoritative, unaltered text of the *Augustana* and became the basis for the Lutheran-Roman Catholic dialogue in the sixteenth and subsequent centuries, in contrast to the altered editions that Melanchthon himself frequently published.⁸

In regard to the contemporary discussion concerning RC recognition of the *CA*, two points stand out: (1) the relationship of Luther and his theology to the *CA* and (2) the omission in the *CA* of several theological questions thought to be important, e.g., the divine right of the pope, predestination, the number of sacraments, *character indelebilis*, the doctrine of the universal priesthood of the faithful, and *sola scriptura*.⁹

The relationship of Luther's theology to the *CA* is delicate and falls outside the scope of this essay.¹⁰ I shall, however, comment briefly on Luther's relationship to the *CA*. In order to prove his wholehearted approval of the *CA*, some observers quote a letter Luther wrote to the Elector on May 15, 1530 in which he says: "I have read through Master Philip's *Apologia* which pleases me very much; I know nothing to improve or change in it, nor would this be appropriate, since I cannot step so softly

⁸ Manschreck, *Melanchthon* 211; *Das Augsburger Bekenntnis*, ed. H. Bornkamm (Gütersloher Taschenbücher Siebenstern, 1978) 12.

⁹ H. Bornkamm, "Augsburger Bekenntnis," *RGG* 1, 735; J. W. Richard, *The Confessional History of the Lutheran Church* (Philadelphia: Lutheran Publication Society, 1909) 98; H. Schütte, "Zur Möglichkeit einer katholischen Anerkennung der Confessio Augustana," *Katholische Anerkennung des Augsburger Bekenntnisses? Ein Vorstoss zur Einheit zwischen katholischer und lutherischer Kirche*, ed. H. Meyer et al. (Frankfurt am Main: Lembeck, 1977) 40. Those who assert that the *CA* does not adequately express the Protestant view believe that the norm and measure of the reformers' doctrine should be culled from the early writings of Luther and Melanchthon. Such a view goes back to Cochläus and J. Lortz; cf. H. Bacht, "Im Ökumenismus doch etwas Neues," *Geist und Leben* 51 (1978) 221; H. Fries, "Katholische Anerkennung des Augsburger Bekenntnisses?" *Stimmen der Zeit* 196 (1978) 474; V. Pfnür, "Anerkennung der Confessio Augustana durch die katholische Kirche?" *Internationale katholische Zeitschrift "Communio"* 5 (1976) 303; J. Lortz, *Die Reformation in Deutschland* 2 (Freiburg; Herder, 1948) 53. Cf. H. Tüchle, *Geschichte der Kirche* 3: *Reformation und Gegenreformation* (Einsiedeln: Benziger, 1967) 80; K. H. Neufeld, "Katholiken vor dem Augsburger Bekenntnis," *Stimmen der Zeit* 96 (1978) 607.

¹⁰ The basic difference between Melanchthon and Luther was more a question of style than of theological content according to Rogness, *Philip Melanchthon* 60. Spitz believes that Melanchthon deviated from the strict Lutheran position, e.g., he was willing to grant the co-operation of the will in the reception of divine grace; see L. W. Spitz, *The Renaissance and Reformation Movements 2: The Reformation* (Chicago: Rand McNally, 1972) 562. For a more nuanced judgment of the relationship between Luther's theology and that of Melanchthon, see H. A. Oberman, "Headwaters of the Reformation: Initia Lutheri—Initia Reformationis," in *Luther and the Dawn of the Modern Era* (ed. H. A. Oberman; Leiden: Brill, 1974) 53 n. 1.

and quietly. May Christ, our Lord, help [this *Apologia*] to bear much and great fruit, as we hope and pray. Amen."¹¹

This May 15 letter was written before the presentation of the *Apology* to Charles V on June 25, 1530. Moreover, this letter can hardly be taken as proof that Luther approved the final version of the *CA*. The letter does not concern the final version of the *CA* at all, but is a reworking of the *Torgau Articles*, i.e., articles 22–28 of what would later be the *CA* and Melanchthon's Foreword.¹²

Luther did approve of the final version of the *CA*. However, he did have some reservations. He felt that "more than enough" was conceded by Melanchthon in the *CA*. He also made it quite clear that he would have worded things differently.¹³

In omitting such controversial questions as the divine right of the pope, *sola scriptura*, and predestination, some critics have charged Melanchthon either with being outright dishonest or with falling into a false irenicism.¹⁴ These are broad charges and cannot be adequately discussed in this essay. I would observe that those who accuse Melanchthon of dishonesty overlook his character. Throughout his life Melanchthon had the reputation of being a totally honest man. R. Stupperich, editor and biographer of Melanchthon, calls him "anima candida."¹⁵

Why, then, did Melanchthon omit some very important points of doctrine? For several reasons: (1) he was genuinely interested in church unity and in principle "omitted everything that increases the bitterness," and (2) he wanted to state the essentials of the reformers' doctrine without alienating the Roman Catholics.¹⁶ He did not want to alienate the Roman Catholics, because he felt that if the *CA* were rejected by the Emperor, it might trigger a religious war. His fear was not justified, since a religious war did not commence. It seems that being overly apprehensive was one of his lifelong characteristics.¹⁷

Melanchthon believed that the evangelical movement in Germany was a reassertion of the vital spirit of the old Latin Church, that the doctrine of justification by faith, far from being novel, was an echo of the heart of

¹¹ Letter 208 (LW 49, 297–98). The following abbreviation will be used in citing the English edition of Luther's works: *LW* (*Luther's Works*, Philadelphia and St. Louis, 1955 ff.).

¹² Letter 215 (LW 49, 328).

¹³ Letter 208 (LW 49, 298, n. 13).

¹⁴ Bornkamm, "Augsburger Bekenntnis," *RGG* 1, 735; see the discussion of this question in Schütte, *Katholische Anerkennung* 39–43; Spitz, *Renaissance and Reformation Movements* 354; W. Pannenbergh, "Die Augsburger Konfession und die Einheit der Kirche," *Ökumenische Rundschau* 28 (1979) 99–114.

¹⁵ Stupperich, *Der unbekannte Melanchthon* 11.

¹⁶ Manschreck, *Melanchthon* 182.

¹⁷ Rogness, *Philip Melanchthon* 123.

the Christian gospel, which in the course of church development had become obscured by ecclesiastical practices. For Melanchthon, the reformers had not deviated from the genuine principles of the Roman Church; consequently, the Emperor might well consent to tolerate the new organization of the Church.¹⁸

3) In writing the CA, Melanchthon was willing to give in on accidentals, yet remain unyielding in regard to the fundamental doctrines of the reformers. His willingness to compromise on accidental points should not be construed as a selling out of the reformers' theological programme but should be seen within the context of a principle known as *adiaphora*,¹⁹ to which he made reference throughout his life. For Melanchthon (and Luther), *adiaphora* referred to those aspects of the Christian life and worship which were neither commanded nor forbidden by the divine law revealed in Scripture. It was with this notion in mind that Melanchthon chose, for example, to suffer the imposition of the Leipzig Interim in 1549, as B. Verkamp points out.²⁰ The notion of *adiaphora* has ecumenical significance today, since the theological question of *adiaphora* needs a continual re-examination on the part of the Lutheran Churches in dialogue with the Roman Catholic Church and other churches.²¹

TWO SETS OF QUESTIONS

There are two main sets of questions in regard to RC recognition of the CA. These may be termed (1) hermeneutical and (2) ecclesiological. In point of fact, these sets of questions mutually illuminate and impinge on each other.

Many of the critics who object to RC recognition do so on hermeneutical grounds. Josef Ratzinger, for example, says that "recognition" cannot mean that through a historical analysis of the CA this document would show itself to be a correct, i.e., dogmatically unobjectionable, and trustworthy interpretation of Catholic doctrine.²² This would be an impossibility for two reasons: (1) the *Augustana* would be isolated from the other confessional writings of the Lutherans, in addition to being separated from the *corpus Lutheranum*, and (2) such an understanding of the CA would not only make them ectopic, historically speaking, but would also make them correspond to no present church reality. A "recognition" of this kind, then, would correspond, says Ratzinger, to no concrete

¹⁸ Manschreck, *Melanchthon* 211.

¹⁹ Stupperich, *Der unbekannte Melanchthon* 108; see B. Verkamp, "The Limits upon Adiaphoristic Freedom: Luther and Melanchthon," *TS* 36 (1975) 52-76.

²⁰ Verkamp, "Limits" 59.

²¹ See Rogness, *Philip Melanchthon* 124.

²² J. Ratzinger, "Anmerkungen zur Frage einer 'Anerkennung' der Confessio Augustana durch die katholische Kirche," *MTZ* 29 (1978) 236.

ecclesial reality today and would show itself to be an academic fiction.²³

Ratzinger does not stand alone in posing such objections on hermeneutical grounds; other theologians ask similar questions, e.g., the Lutheran Bishop H. Dietzfelbinger, H. Bornkamm, H. Meyer, and such Catholic theologians as K. H. Neufeld and H. Bacht.²⁴ The questions that arise are these: Should the *Confession* be interpreted in the light of Melanchthon's later *Apology*? Should one take into consideration the *Smalcald Articles*, the *Treatise on the Power and Primacy of the Pope*, Luther's *Small and Large Catechism*? Should the *Confession* be interpreted in reference to the entire *corpus Lutheranum*?²⁵

Neufeld asks whether one ought to take into consideration the Catholic response to the *CA* at that time, the *Confutatio* and the treatment of the appropriate questions at the Council of Trent?²⁶ Should one also consider the reaction of the reformers to the decrees of Trent, as, for instance, in the work of the Lutheran theologian Martin Chemnitz in his *Examen Concilii Tridentini*?²⁷ In short, should the *CA* be interpreted in the light of the developments in Lutheran and Catholic theology during the past 450 years, during which time we have had the definition of papal infallibility and the dogmas of the Assumption and the Immaculate Conception?²⁸

It seems to me that Ratzinger raises legitimate theological questions. The *CA* must be seen within the context of the Symbolical Books, the three ecumenical creeds, the *Apology of the Augsburg Confession*, the

²³ Ibid.

²⁴ H. Dietzfelbinger, "Schwierigkeiten einer katholischen Anerkennung des Augsburger Bekenntnisses aus lutherischer Sicht," *Katholische Anerkennung* 54–59; H. Meyer, "Augustana Romae recepta? Was lutherische und katholische Theologen dazu beitragen können," *ibid.* 82–92; K. H. Neufeld, "Katholiken vor dem Augsburger Bekenntnis," *Stimmen der Zeit* 196 (1978) 603–16; H. Bacht, S.J., "Im Ökumenismus doch etwas Neues," *Geist und Leben* 51 (1978) 216–27.

²⁵ To the objection of P. Manns, "Ökumenismus auf Kosten Martin Luthers," *Ökumenische Rundschau* 26 (1977) 426–50, that RC recognition of the *Augustana* will only come at the expense of Luther's theology, Fries shrewdly observes that Luther's theological writings do not constitute the authentic basis of the new faith-movement but the confessional writings do, particularly the *CA*. Luther's theological corpus is, to be sure, important for a correct understanding of the *CA*; however, it also contains many private theological opinions. See Fries, "Katholische Anerkennung" 473.

²⁶ *Stimmen der Zeit* 196 (1978) 610.

²⁷ W. Pannenberg, "Die Augsburgerische Konfession als katholisches Bekenntnis und Grundlage für die Einheit der Kirche," *Katholische Anerkennung* 22.

²⁸ H. Döring argues that these three dogmas need not stand in the way of RC recognition of the *CA*; cf. "Die Confessio Augustana und die Dogmen von 1854, 1870 und 1950," *Katholische Anerkennung* 93–102. These were not defined dogmas in 1530. Therefore we should not judge the sixteenth century on the basis of today; otherwise we are guilty of an anachronism, says Fries, "Katholische Anerkennung" 474.

Smalcald Articles, the *Treatise on the Power and Primacy of the Pope*, Luther's *Small and Large Catechism*, and the *Formula of Concord*. These confessional writings as found in *The Book of Concord* are important for a correct interpretation of the *CA*, inasmuch as they embody the center and core of the Lutheran theological tradition.²⁹

I would also agree with Neufeld, who wants the Catholic response to the *CA*, the *Confutatio*, taken into account in the question of recognizing the *CA* today. I would observe, however, that in the majority of the articles of doctrine the *Confutatio* and the *CA* are in agreement. I would grant that some differences exist in the doctrines of original sin, merit and good works, penance and the veneration of saints. I would ask if these differences are of such importance that they stand in the way of RC recognition of the *CA*.³⁰

If the *CA* is to help bring about unity between the Roman Catholic and Lutheran Churches today, it is important that it be seen not so much as a historical document; attention must be paid to the *Sitz im Leben* of this document in the Lutheran Churches. The *CA* must be seen within the context of its place in the actual life of the Lutheran Church today; otherwise there exists the danger that the *CA* would only bring about a false encounter between the churches instead of functioning as a bridge to unity.³¹

Part of the discussion concerning RC recognition of the *CA* has to do with finding the correct hermeneutical key which will unlock the door of the barriers toward unity. It may be helpful to consider some of the possibilities in regard to a correct interpretation of the *CA*.

First, the *CA* may be studied as a historical text. One could consider the development that led from the *Torgau Articles* to the *CA* and then study the development of the *CA* in its altered and unaltered forms.³²

Second, the *CA* may be considered in respect to its contents. It may be observed, for example, that the *CA* does not speak *expressis verbis* of the

²⁹ For a theological analysis of the Lutheran confessional writings, cf. E. Schlink, *Theology of the Lutheran Confessions* (Philadelphia: Fortress, 1961).

³⁰ Cf. R. Penaskovic, "Roman Catholic-Lutheran Dialogue," *Ecumenist* 17 (1979) 53.

³¹ Ratzinger, "Anmerkungen" 236.

³² Cf. Maurer, *Historischer Kommentar zur Confessio Augustana*; V. Pfnür, *Einig in der Rechtfertigungslehre? Die Rechtfertigungslehre der Confessio Augustana (1530) und die Stellungnahme der katholischen Kontroverstheologie zwischen 1530 und 1535* (Wiesbaden: Veröffentl. d. Inst. f. europ. Gesch. Mainz 60, 1970). When one studies the attempts at union at the Diet of Augsburg in 1530, one sees that the points of controversy were less than are usually supposed. Many of the earlier analyses of the Diet were interpreted in the light of subsequent developments within the Roman Catholic and Lutheran Churches. Cf. H. Immenkötter, *Um die Einheit im Glauben: Die Unionsverhandlungen des Augsburger Reichstages im August und September 1530* (Münster: Aschendorff, 1973) 92-103.

sola scriptura principle. However, some Lutherans would argue with Peter Brunner that the *CA* contains the *sola scriptura* principle implicitly in articles 4 and 20 on justification.³³

Third, the *CA* may be understood in the light of Melancthon's theology as a whole. Article 21, for example, speaks of the veneration of saints, i.e., imitation, but does not mention Mary. However, Melancthon does mention Mariological problems in the *Apology*, which interprets *CA* 21 in such a way as to reject certain forms of Marian devotion.³⁴

Fourth, the *CA* may be understood with reference to the other confessional documents of the Lutheran Church and with regard to the first three ecumenical councils. One must go beyond the historical text of the *CA* not only in the question of its recognition by the Roman Church but also in regard to its character as an obligatory document for the Lutheran Churches. As H. Meyer points out, the *CA* may be the central Lutheran confessional document but it was never the only obligatory Lutheran confession.³⁵

Fifth, the *CA* may be interpreted in the light of the (Lutheran) Church's exposition of the Scriptures. In this matter Schlink observes that even if the confessions came from Melancthon or Luther, they no longer belong to them as individual church members.³⁶ It is the Church as a whole which expounds Scripture in the *CA* and not an individual theologian. Briefly, it is the *una sancta catholica et apostolica ecclesia* which has assumed responsibility and which speaks in the confessions and not the "Lutheran" Church (the confessions themselves repudiate such a designation).³⁷

Precisely in its character as a church confession, the *CA* exists only in relationship to the other Lutheran confessional documents. To say that the *CA* must be interpreted in the light of the other Lutheran confessional writings does make the question of RC recognition more complex. The problems which arise can be resolved only through theological reflection and interpretation.³⁸

In a certain sense the ecumenical openness characteristic of the *CA* sometimes becomes restricted as soon as one tries to understand certain of its statements in the context of other confessional documents. Article 10 on the Eucharist, for example, tends to be understood in a patently anti-Catholic sense when one looks at the *Smalcald Articles* and the

³³ Brunner, "Reform-Reformation" 181.

³⁴ *The Book of Concord* 232; cf. Meyer, *Katholische Anerkennung* 85.

³⁵ *Katholische Anerkennung* 89.

³⁶ Schlink, *Theology of the Confessions* xvi.

³⁷ *Ibid.* xvii.

³⁸ Meyer, *Katholische Anerkennung* 91; See W. Pannenberg, *Ökumenische Rundschau* 28 (1979) 109.

Formula of Concord, which sharply criticize the doctrine of transubstantiation.³⁹

It must be kept in mind that none of the Lutheran confessional writings claims to be irreformable doctrine. They remain historically conditioned confessions clearly subordinate to the *norma non normata*, Scripture, and open to new insights which arise in response to new historical situations and in confrontation with new challenges.⁴⁰

Sixth, the *CA* may be interpreted with reference to the theological developments that have taken place in the Lutheran and Roman Catholic Churches during the past 450 years. In the question of RC recognition of the *CA*, one must be cognizant of the historical difference between the *CA* of 1530 and the *CA* by which the Lutheran Church has lived and lives today.⁴¹

Lutheranism today has been affected by the Enlightenment and thus differs considerably from Lutheranism in the sixteenth century. In 1530 the reformers saw themselves as full members of the *una sancta catholica et apostolica ecclesia*. Only with the failure to achieve unity at the Regensburg Colloquium of 1546 was the time of religious dialogue really over. The confessional differences were set firmly in place by 1555.⁴² As a historical text the *CA* was not changed as a result of the separation between the two churches. However, as a confessional document the interpretation of the *CA* was affected by the history of the separation between the Lutheran and Roman Catholic Churches.⁴³

Correspondingly, there has been a development of dogma in the Roman Church since the Reformation. One could point to such milestones in this development as the Council of Trent, the definition of infallibility at Vatican I, the dogmas of the Immaculate Conception and of the Assumption, and the various decrees from Vatican II.⁴⁴ All of these must be placed on the balance scale in considering RC recognition of the *CA*.

It seems to me that all of these levels of interpretation must be taken into consideration in answering the question of RC recognition of the *CA*. I suggest that the hermeneutical key needed to unlock the doors of the barriers toward unity has to be a master key designed to incorporate all six levels of interpretation.

The second set of questions in regard to RC recognition of the *CA* is ecclesiological. These questions are not entirely separate from the her-

³⁹ Ibid. 91.

⁴⁰ Ibid. 92.

⁴¹ Ibid. 92; see Ratzinger, "Anmerkungen" 236.

⁴² Meyer, "Augustana Romae recepta?" 84.

⁴³ Ibid.

⁴⁴ Pannenberg, *Ökumenische Rundschau* 28 (1979) 110.

meneutical but may be distinguished on theoretical grounds.⁴⁵ Article 7 concerns itself explicitly with ecclesiological questions. It would be a mistake, however, to look at article 7 by itself, since statements concerning the nature of the Church are scattered throughout the *CA*. Article 7 calls the Church

the assembly of all believers among whom the Gospel is preached in its purity and the holy sacraments are administered according to the Gospel. For it is sufficient (*satis est*) for the true unity of the Christian church that the Gospel be preached in conformity with a pure understanding of it and that the sacraments be administered in accordance with the divine Word. It is not necessary for the true unity of the Christian church that ceremonies, instituted by men, should be observed uniformly in all places.⁴⁶

Article 7, then, defines the Church as “the assembly of all believers,” *congregatio sanctorum*. These words allude to the version of the *Symbolum apostolicum* which includes the words *communione sanctorum* (*DS* 19). The *CA*, however, understands *communio* to mean *congregatio*. The term *sanctorum* as used in the *CA* is understood in a Pauline sense as “those called to be holy” (Rom 1:7); it refers to all believers.⁴⁷

A great deal of controversy surrounds the words “For it is sufficient (*satis est*) for the true unity of the Christian church that the Gospel be preached in conformity with a pure understanding of it and that the sacraments be administered in accordance with the divine Word.”⁴⁸ To avoid misunderstandings, it is necessary to see what this sentence opposes, viz., the following sentence, which speaks of “ceremonies, instituted by men,” in which variations are possible without sacrificing Church unity. The famous words *satis est* do not say that the office of ministry is unimportant for the unity of the Church.⁴⁹ Incidentally, when the *CA* speaks of the office of ministry, it has in mind the office of bishops (*CA* 28).

It would be a mistake to include the office of ministry with the “ceremonies, instituted by men,” since according to *CA* 5 God established the office of ministry. The office of ministry in the *CA*, along with the other Lutheran confessional writings, does not derive from the universal priesthood of all believers but comes from God.⁵⁰

In regard to the office of bishop specifically, the *CA* distinguishes

⁴⁵ Articles 5 and 7-15 deal with questions of ecclesiology; see *The Book of Concord* 31-37.

⁴⁶ *Ibid.* 32.

⁴⁷ *Ibid.*; cf. Pannenberg, *Ökumenische Rundschau* 28 (1979) 105.

⁴⁸ *CA* 7; *Book of Concord* 32; cf. V. Pfnür, “Anerkennung der Confessio Augustana durch die katholische Kirche? (II),” *Internationale katholische Zeitschrift “Communio”* 5 (1976) 378.

⁴⁹ Pannenberg, *Ökumenische Rundschau* 28 (1979) 106.

⁵⁰ *CA* 28; *The Book of Concord* 31; cf. Schütte, *Katholische Anerkennung* 76.

between the spiritual and the temporal powers of the bishops, that which belongs to the office of bishop *iure divino* and that which derives from the imperial rights and human rights.⁵¹ The jurisdiction of bishops *de iure divino* encompasses the following: to minister the word and sacraments, to forgive sins, to reject doctrine incompatible with the gospel, and to exclude the wicked and impious from the communion of the Church.⁵²

Insofar as the bishops have other power or jurisdiction, e.g., in regard to the regulation of marriage or tithing, they have such powers based on human law, which does not pertain to the office of the gospel. It is a question of seeing the office of bishop as having power over several communities in contradistinction to the office of a pastor. Otherwise it would make little sense to distinguish between *iurisdictio ecclesiastica* and *imperium*, as Iserloh observes.⁵³

The ecclesiological problems arise because some Lutheran commentators, notably W. Maurer, find it difficult to acknowledge the ministry of bishops *de iure divino*. Attempts are made to weaken what the CA says in this regard by referring to other confessional writings and statements of Luther, or by eliminating the distinction between bishop and pastor stating that *ius divinum* refers to the power of the pastor to preach and to administer the sacraments.⁵⁴

Maurer's thesis is based on the fact that the CA twice uses the words *episcopi seu pastores*. Iserloh counters Maurer's thesis by observing (1) that the argumentation of the CA taken as a whole only makes sense if one supposes that the term *episcopi* refers to the bishops and only to them. To speak of the power of the sword, *potestas gladii*, makes sense only in reference to the bishops. (2) If the CA implied that bishops and pastors were the same, the Catholic response to the CA, the *Confutatio*, would surely have seen in that a denial of the superiority of the bishop's office in the Church hierarchy. The *Confutatio* does not find it necessary to object to the CA on this particular point.⁵⁵

The matter is not as simple as Iserloh would have us believe. In regarding the office of bishop and the office of pastor as one from a theological point of view, Melancthon has in mind the conditions in the early Church, which the reformers knew particularly through St. Jerome.⁵⁶ This question is important in reaching a decision concerning the

⁵¹ E. Iserloh, "Die Confessio Augustana als Anfrage an Lutheraner und Katholiken im 16. Jahrhundert und heute," *Catholica* 33 (1979) 45.

⁵² CA 28; *The Book of Concord* 81-94.

⁵³ Iserloh, "Die Confessio Augustana" 44.

⁵⁴ *Ibid.* 46.

⁵⁵ *Ibid.* 47.

⁵⁶ Pannenberg, *Ökumenische Rundschau* 28 (1979) 107.

legitimacy of ordination from pastors through pastors, and for the question of the "apostolic succession" of the Lutheran office of pastor. The Lutheran reformation saw the need for the office of bishops and recognized the ordination of pastors as the normal prerogative of diocesan bishops. However, in regarding the basic unity of the office of pastor and that of bishop, the Lutheran reformation could sanction an ordination of pastors through a pastor in cases of necessity, e.g., when diocesan bishops did not provide the community with preachers.⁵⁷ It seems to me that the Roman Catholic and Lutheran Churches need to dialogue more on this point before consensus is achieved.

THE QUESTION OF RECOGNITION

Part of the fascination surrounding the question of RC recognition of the *CA* revolves around the term "recognition." Yet, many of the articles dealing with the question are quite explicit in pointing out its ambiguity.⁵⁸ It seems to me that the very discussion of the question "RC recognition of the *CA*" involves a certain amount of recognition. Both Lutheran and Catholic theologians are forced to take another look at the *CA* in an attempt to articulate their position on recognition.⁵⁹

One has only to compare the situation in 1930, the 400th anniversary of the *CA*, and 1980, the 450th anniversary. Of course, there were attempts, notably on the part of F. Heiler and others, to rethink *CA*'s theological significance in 1930.⁶⁰ However, the Catholic response to the 400th anniversary was, in general, a nonevent. Much ecumenical water has passed over the dam between 1930 and 1980.⁶¹ The changes in the

⁵⁷ *Ibid.* 107.

⁵⁸ Some scholars, viz., Theobald Beer and Meinolf Habitzky ("Katholische Anerkennung der Confessio Augustana," *Catholica* 30 [1976] 77-80), want no part in RC recognition of the *CA*. They argue that the contemporary significance of the *CA* depends on its historical significance. Since Luther is a constant frame of reference for the Lutheran Church, recognition of the *CA* depends on the doctrine of Luther, not of Melanchthon. They believe that Melanchthon tried to bring about peace by blending together Catholic and Lutheran concepts. They argue that Melanchthon glossed over Luther's doctrine on merit and reward. They also maintain that Melanchthon overlooked Luther's doctrine of twofold justification, which he held between 1509-46, thus causing a division into an early, middle, and late Luther. I have tried to show that the question of RC recognition is not primarily a historical question. I would say that even if the *CA* stems largely from Melanchthon, it no longer belongs to him as an individual theologian. It is the Lutheran Church as a whole which expounds Scripture in the *CA*. I would also argue that Melanchthon does not at all distort Luther's theology but rather relates to a particular phase in Luther's development or combines elements from several stages of development. See Oberman, *Luther and the Dawn* 53.

⁵⁹ Cf. Grote, "Die Augustana-Debatte" 33.

⁶⁰ *Ibid.* 28.

⁶¹ The question of RC recognition should be seen within the larger context of the Lutheran-Catholic dialogue during the past decade. Some of the highlights of this dialogue

relationship between the Roman Catholic and Lutheran Churches have allowed for a genuine coming together. A concrete sign of this is that since 1967 the anniversaries connected with the Reformation have been celebrated by Roman Catholics.⁶² Another example is the fact that overtures *in re* recognition have emanated from the Catholic side.⁶³

It should be noted that the claim of the CA itself to catholicity pertains only to the twenty-one articles of Part 1. The following seven articles contain those points in which the reformers had changed certain abuses such as confession and the Mass. Lutherans themselves would hardly claim that these articles have the same binding character as those in Part 1.⁶⁴

A great deal of controversy surrounds the term "recognition."⁶⁵ RC recognition of the CA brings in its train a wide range of problems. Is it a question of "recognition" or "reception" of the CA as a Roman Catholic confession, as a legitimate expression of the catholic and universal faith, or as a witness to a common Christian faith?⁶⁶ The language of recognition makes no sense unless one speaks of a recognizing body and its competency. This introduces important legal questions which cannot be overlooked.⁶⁷ Because "recognition" may occur on various levels, some theologians argue that the term should be avoided altogether; it awakens false hopes.⁶⁸ Since one cannot look at the CA apart from the other Lutheran confessional writings, Ratzinger argues that we should speak instead about a dialogue concerning the theological and ecclesiastical structure of the confessional writings and their compatibility with the doctrine of the Roman Catholic Church.⁶⁹

It may be helpful to begin by stating clearly what RC recognition of the CA does not mean. It cannot mean the recognition of the Lutheran Church as a sister church. This could be accomplished only by glossing over the controversial questions which are omitted in the CA but are found in the later confessional writings. It would be equally inappropriate to recognize the CA as a Roman Catholic confession.⁷⁰

are the final report of the Joint Lutheran-Roman Catholic Study Commission entitled "The Gospel and the Church" (Malta Report) and the report on infallibility entitled "Teaching Authority and Infallibility in the Church" (TS 40 [1979] 133-66), the result of five years of joint research.

⁶² Grote, "Die Augustana-Debatte" 28.

⁶³ Ibid. 34.

⁶⁴ Pannenberg, *Katholische Anerkennung* 22.

⁶⁵ Grote, "Die Augustana-Debatte" 33.

⁶⁶ W. Kasper, "Was bedeutet das: Katholische Anerkennung der Confessio Augustana?" *Katholische Anerkennung* 151.

⁶⁷ Grote, "Die Augustana-Debatte" 33.

⁶⁸ Ibid.

⁶⁹ Ratzinger, "Anmerkungen" 237.

⁷⁰ Kasper, *Katholische Anerkennung* 152.

I would like now to distinguish three ways in which the word "recognition" may be used.⁷¹ (1) The term is primarily used within the area of interpersonal relationships. To be recognized by others means to be accepted as a person. Each time I am recognized by others I receive confirmation of my personal worth. Interpersonal recognition implies two things: the recognition of a common, personal worth, and simultaneously, the recognition of another as other.⁷²

Catholic recognition of the *CA* involves more than a simple theological reception. It has reference to an official and public act of acceptance, viz., one that acknowledges the *CA* as one possible expression of the common catholic faith. Recognition of the *CA* would be tantamount to saying that the Lutheran Church has a legitimate place within the *una sancta catholica et apostolica ecclesia*. Precisely this was intended by the handing over of the *CA* to Charles V at Augsburg in 1530.⁷³

2) The notion of recognition, says Kasper, may be transferred from the area of interpersonal relationships to that of individual objects.⁷⁴ Love between two persons finds expression in countless ways: gifts, sacrifices, language, and so on. Without these concrete forms of expression there would be no love.

The same applies *mutatis mutandis* to RC recognition of the *CA*. Recognition is a two-way street. It finds concrete expression in many ways, e.g., by the reciprocal recognition of the symbols of the faith, the confessions of faith, through Eucharistic celebrations, common witness, common service, and by a reciprocal recognition of ministries. RC recognition should not be seen as an isolated act. In other words, the text of the *CA* cannot be severed from that church community which appeals to the *CA*. Recognition is not primarily a historical, theological, or political question; it involves an ecclesial and spiritual process of recognition.

This is where serious difficulties arise on both sides. One of the difficulties Lutherans see has to do with the fact that the *CA* and the other confessional writings have no authority *per se*. The *CA* derives its authority from Scripture.⁷⁵ Its authority or binding power is grounded in the authority of the Scripture which is interpreted by it. Difficulties arise in that serious transformations have occurred in the interpretation of Scripture with the advent of form criticism and redaction criticism. From a Lutheran perspective, the *CA* cannot be the primary basis for unity between the churches. That place is reserved for Scripture, the *norma normans non normata*.⁷⁶

There are also problems from the Roman Catholic perspective. RC

⁷¹ Ibid.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Ibid. 153.

⁷⁵ Dietzfelbinger, *Katholische Anerkennung* 58.

⁷⁶ Kasper, *Katholische Anerkennung* 153.

recognition of the CA must be seen within the context of a church which still appeals to the Council of Trent, the dogmas of papal infallibility, the Immaculate Conception and the Assumption, and to Vatican II. Official recognition would put the aforementioned dogmas and councils in a new light and would involve a new interpretation of them.⁷⁷

3) In the present ecumenical climate the term "recognition" has a specific meaning. Both for Roman Catholics and for the World Council of Churches (Nairobi, 1975) the ecumenical movement has a concrete goal, viz., organic union or corporative unity between the churches. Hence the debate about RC recognition of the CA remains nebulous as long as one fails to say that such a recognition points beyond itself to an organic union or corporative unity between the two churches.⁷⁸

I am suggesting, then, that the reciprocal recognition of the Roman Catholic and Lutheran Churches by means of a recognition of their confessional writings, sacraments, and ministries should not be regarded as the final goal of ecumenism. RC recognition of the CA would be an important first step on the road toward an organic union or corporative unity, according to which a community is formed with its own identity and institutional structure, so that this community can speak and act as the one Church.⁷⁹

In this matter of an organic union or corporative unity between the Roman Catholic and Lutheran Churches there are more questions than answers. One could ask, for example, what this organic union would look like in the concrete. Is it necessary to recognize all the articles of faith of the other church or only certain fundamental articles provided there is an implicit acceptance of the other articles? What would be the implications of a corporative unity for the institutional Church or for an understanding of the Petrine office as a source of church unity? The theological discussion of these and similar questions has just begun. For Roman Catholics, such a discussion can only be concluded by an ecumenical council of the bishops of the world under the aegis of the pope, with the active participation of the leaders of all the other churches, in hopes of achieving reconciliation.⁸⁰

The calling of such an ecumenical council to bring about unity among all Christians is the concrete goal of ecumenism today.⁸¹ The discussion concerning RC recognition of the CA should be seen within the context of this concrete goal of organic union. In the present ecumenical milieu

⁷⁷ Ibid. 154.

⁷⁸ Ibid. 155.

⁷⁹ Ibid.

⁸⁰ H. Mühlen, *Morgen wird Einheit sein: Das kommende Konzil aller Christen, Ziel der getrennten Kirchen* (Paderborn: Schöningh, 1974) vii.

⁸¹ Kasper, *Katholische Anerkennung* 155.

it would be best if the Roman Catholic Church would officially declare that the *CA* is capable of a Roman Catholic interpretation and reception. Such an official declaration would transcend the purely theological reception of the *CA* and constitute a decisive turn in the relationship between the Catholic and Lutheran Churches.⁸²

I would like to see RC recognition of the *CA* for these reasons. First, recognition would mean to understand the *CA* as it sees itself, namely, as a witness in which the churches give expression to their faith—*Ecclesiae magno consensu apud nos docent* (*CA* 1)—and as a witness in which faith finds its expression in union with the faith of the whole Church.⁸³

Second, recognition would serve to correct a false and polemical view Catholics often have of the Reformation. This distorted view arose because passages from Luther and the reformers were often lifted out of context and were then labeled heretical. Catholics have, by and large, uncritically adopted the thesis of Johann Cochläus that the measure of the Reformation should be extracted from the early writings of Luther and Melancthon, with little or no mention of the *CA*.⁸⁴

Third, recognition would only have reference to *CA* 1-21, since only these claim to be catholic. Recognition would then be an official declaration that the *CA* is capable of a catholic interpretation and reception. It would mean the establishment of a consensus, a partial one at that, since important controversial questions are not considered. This would be a step forward, since one would have in this partial consensus a basis for dialogue which transcends the polemical positions of 1519-21.⁸⁵

Fourth, recognition would be an official declaration that the *CA* is a legitimate expression of the common Christian faith. Recognition would not mean that either church would yield its own proper identity. Such a recognition would mean that the Catholic Church would allow itself to be enriched by the insights of the Lutheran Church. Perhaps this will be an incentive to the Lutheran Church to be enriched by some of the charisms in the Roman Catholic Church. The Lutheran Churches may want to review their understanding of a papal office in the Church. Such a Lutheran reception of the Catholic tradition should go to the borders of the possible, since all charisms are given "for the common good" (1 Cor 12:7).⁸⁶

THEOLOGICAL REFLECTIONS

To advance the discussion in regard to RC recognition of the *CA*, I offer the following observations from the perspective of systematic the-

⁸² Ibid. 156.

⁸⁵ Iserloh, "Die Confessio Augustana" 34.

⁸³ Schütte, *Katholische Anerkennung* 81.

⁸⁶ Mühlen, *Morgen wird Einheit sein* 24.

⁸⁴ V. Pfnür, "Anerkennung der Confessio Augustana durch die katholische Kirche?" *Katholische Anerkennung* 64.

ology. I suggest that further reflection on this issue of recognition will have to deal with these unfinished theological tasks.

First, Lutheran theologians must reflect on the meaning of a confession for the Lutheran Church. If Catholics revise their opinion of the *CA* and this leads to further ecumenical dialogue, these questions need to be seriously reflected on by Lutherans. I shall comment briefly on some of these questions, though my reflections are no substitute for a Lutheran response.

The questions I address may be formulated in this way: If one presupposes the principle *sola scriptura*, what kind of obligatory character does the *CA* (or any other confessional writing) possess as a doctrinal statement of the Lutheran Church? In other words, in what way is the *CA* more than theology? Does not Catholic recognition of the *CA* presuppose its recognition by the Lutheran Church? Is there not a tendency in Luther's *sola scriptura* to say that a doctrinal statement of the Church possesses no other theological quality than to be a correct interpretation of Scripture, and so a better interpretation of Scripture always remains a possibility?⁸⁷

In the nineteenth century there was no one answer to these questions. On the one hand, the Protestant Church in general and the Lutherans in particular recognized the need for a norm which could only be found in the confessional writings, yet these writings were inadequate judges of the faith at that time. On the other hand, there was the conviction that the Protestant Churches did not have the right to make the confessional writings obligatory, as was the case with the dogmas and encyclicals of the Roman Catholic Church.⁸⁸

These views concerning the significance and validity of a confessional writing in the nineteenth century are important inasmuch as, generally speaking, they still retain their validity today. It is difficult to characterize the Lutheran views on the obligatory character of the confessional writings, since there is no one generally accepted view. Relatively little has been written on this topic, partly because Lutheran theologians have been concerned with other questions, e.g., liberation theology.⁸⁹

If I were to comment on the validity of the confessions today, I would think that most Lutherans would agree with these two statements. (1) A confessional writing possesses genuine and normative authority not on its own but derived from the authority of Scripture. Confessional writings are subordinate to Scripture and cannot be a final court of appeal in the Church. (2) A confessional writing as the *vox ecclesiae* has reference to

⁸⁷ Ratzinger, "Anmerkungen" 230.

⁸⁸ H. J. Urban, "Die Gültigkeit der reformatorischen Bekenntnisse heute," *Catholica* 31 (1977) 171.

⁸⁹ *Ibid.* 200.

the faith of the believer. As the authoritative witness of one's brothers and sisters in the faith, it may not be ignored and has pre-eminence before one's own individual confession (*Bekennntnis*).⁹⁰

I see the *CA* as a challenge to all Christians to reflect on their relationship to God in Christ who justifies us in the Holy Spirit. We have to regard the *CA* precisely as a *confessio*, which has the form of a doctrinal statement but transcends a simple listing of theological theses. The *CA* as *confessio* aims to praise God and to attest to His glory and honor.⁹¹

The second unfinished theological task has to do with papal infallibility and the jurisdiction of the pope. Let me take a brief look at Luther's critique of the papacy and tie it in with the document "Teaching Authority and Infallibility in the Church."⁹²

By the time of the *Smalcald Articles* (1537) at the very latest, Luther denied the divine right of the papacy, since he found no basis for it in Scripture. Moreover, he believed that the pope could not be infallible since the popes had often erred. Therefore the pope could not be the visible head of the Church but only bishop of Rome having a certain superiority over the other bishops based on human and not divine law.⁹³

I grant that Luther's relationship to the papacy should be seen within the context of the late-medieval controversy concerning the relationship between the pope and the councils. Although Luther was influenced by the views of the conciliarists, this does not account for the effect his views had in the course of history. What set Luther apart from the conciliarists and accounted for his influence was his view that the pope was subordinate to Scripture.⁹⁴

Luther's point of departure, then, was not the pope himself and his legal relationship to a council; it was the pope's actions, viz., the granting of indulgences. Luther found that action unbiblical. Since the pope continued to grant indulgences, Luther denied papal infallibility and appealed to a council. In both his early and in his later life, Luther was willing to obey the pope, provided the pope's word corresponded to Scripture. Even Luther's identification of the pope and the Antichrist

⁹⁰ Ibid. 201.

⁹¹ W. Beinert, "Der Kirchen- und Sakramentsbegriff der Confessio Augustana," *TG* 69 (1979) 262.

⁹² I am indebted to the excellent article of H. J. Urban, "Der reformatorische Protest gegen das Papsttum: Eine theologiegeschichtliche Skizze," *Catholica* 30 (1978) 295-319; cf. W. H. Ritter, "Anerkennung des Papstes als evangelisch? Kritische Marginalien zu einer lutherisch-katholischen Ökumene," *Catholica* 32 (1978) 147-62; J. T. Ford, "Infallibility: A Review of Recent Studies," *TS* 40 (1979) 273-305; H. Geisser, "Das römische Lehramt in protestantischer Erfahrung," *Freiburger Zeitschrift für Philosophie und Theologie* 24 (1977) 23-52; G. A. Lindbeck, "Lutherans and the Papacy," *JES* 13 (1976) 368-78.

⁹³ Urban, "Der reformatorische Protest" 296.

⁹⁴ Ibid.

was based on the charge that the pope claimed to be above the word of God.⁹⁵

There is no doubt that after 1517 Luther often tried to show that the papacy was not *de iure divino* but was based on human right. However, it would appear that Luther's rejection of *ius divinum* for the papacy is a secondary and derived theological view, one that does not necessarily follow from what is primary for Luther, viz., the absolute sovereignty of the word of God. Luther's primary insight had to do with the absolute sovereignty of Scripture. His rejection of the divine right of the papacy was a secondary theological insight, one that does not stand in any necessary relationship to Luther's primary concern.⁹⁶ Since the sixteenth century Lutherans have lost sight of Luther's original intention, the sovereignty of the word of God and the ministry of the word, in view of which the question of the papacy based either on divine right or on human right is a secondary one.⁹⁷

In the document "Teaching Authority and Infallibility in the Church," Catholic theologians maintain that the institution of the papacy developed from its New Testament roots under the guidance of the Spirit. They see a special gift/charism of infallibility which is proper to the magisterium. Papal primacy is an institution in conformity with God's will.⁹⁸ Lutherans, on the contrary, see papal primacy and infallibility as secondary. Papal primacy must serve the gospel, and its exercise must not eliminate Christian freedom. What is new in this document is the fact that the Lutherans do not polemicize against the view of the papacy *de iure divino* nor do they oppose to it the papacy based on human right.⁹⁹

The primary concern of the Lutherans is that the papacy serve the gospel and be subordinate to it. Thus we have arrived at the standpoint which corresponds to Luther's original intention, viz., the sovereignty of the word of God, which was obfuscated both by an increasing papal absolutism and by Lutheran criticism of the papacy in subsequent centuries. Hence today we have attained a great deal of clarity on this question; but it needs still further clarification from theologians.¹⁰⁰

⁹⁵ Ibid. 297.

⁹⁶ Ibid. 298.

⁹⁷ Ibid. 318.

⁹⁸ "Teaching Authority and Infallibility" 141.

⁹⁹ Urban, "Der reformatorische Protest" 318.

¹⁰⁰ C. J. Peter, "Dimensions of *Jus divinum* in Roman Catholic Theology," *TS* 34 (1973) 227-50; cf. A. Dulles, "*Ius divinum* as an Ecumenical Problem," *TS* 38 (1977) 681-708; H. Döring, "Das 'Ius divinum' des Petrus-Amtes: Ansätze zu einem gemeinsamen Verständnis," *Catholica* 31 (1977) 273-304.