

# "THE DIALOGUE REPORT IN THE PRESENT ECUMENICAL CONTEXT: A COMMENT ON 'CHURCH AND JUSTIFICATION'"

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"The grace of God has impelled members of many churches and ecclesial communities, especially in the course of this present century, to strive to overcome the divisions inherited from the past and to build anew a communion of love by prayer, by repentance and by asking pardon of each other for sins of disunity past and present, by meeting in practical forms of cooperation and in theological dialogue".<sup>1</sup> This is what the recently published Ecumenical Directory<sup>2</sup> says, as it looks back over the twentieth century which is now drawing to a close. The situation which it describes gives ground for great gratitude but it is also a reminder that, for the sake of the credibility of the Christian witness (cf. *Jn* 17:21), decisive steps on the way to the visible unity of the still divided churches should be taken wherever possible. On this stony path, representatives of the Evangelical-Lutheran churches and of the Roman Catholic Church have together reached a further important stage.

## 1. THE RELEVANCE OF THE THEME CHOSEN FOR THE DIALOGUE

Conscious of the common ecumenical responsibility of all Christian denominations, the Roman Catholic Church and the Lutheran World Federation (LWF) have, for over 25 years,<sup>3</sup> been engaged in official dialogues<sup>4</sup> \* which have revealed far-reaching

agreements and convergence in theological doctrine. However, these conversations also demonstrate what many commentators on the ecumenical situation<sup>5</sup> have almost unanimously maintained in recent theological literature: that agreements achieved about important specific themes need to be linked and grounded in a common statement about the nature and the mission of the Church. This important insight grew mainly out of the lively discussions of the eighties, around the question of whether there existed, between the Christian churches, a "basic consensus" or whether there remained a church-dividing "basic difference" to be reckoned with.<sup>6</sup> These debates were, at the time, surprisingly heated, but have to be seen in the context of the need felt by many ecumenically sensitive theologians to reach a conclusion after numerous rounds of dialogue, and to find out what chances there were for an institutionally and structurally concrete unity of the church(es).

The efforts to draw up a framework for an ecumenical ecclesiology have three basic aims: 1. to bring together the questions of ministry, of the various sacraments, and concrete models of an institutional unity of the church(es) which had been originally discussed separately; 2. to identify the limits of

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<sup>1</sup> *Directory for the Application of Principles and Norms on Ecumenism*, The Pontifical Council for Promoting Christian Unity (Vatican, 25 March 1993) n. 19.

<sup>2</sup> The Ecumenical Directory was also warmly received and widely accepted outside Catholic circles; cf. e.g.; Ulrich Wilckens, "Das ökumenische Direktorium — mit evangelischen Augen gelesen", in: *Una Sancta* 48 (1993), 338-346.

<sup>3</sup> A quick and good introduction to the course and results of the international Roman Catholic/Evangelical Lutheran dialogue is to be found in the two addresses given by Gunnar Staalset and Edward I. Cassidy on the occasion of the celebrations of its 25th anniversary, on 9 November 1992, in Eisenach. Cf. G. STAALSETT, *Entering Ecumenism's Reception Phase*, in: *Origins* (1993) 744-746; E. I. CARD, CASSIDY, *Dimensionen der lutherischen-katholischen Beziehungen*, in: *Una Sancta* 48 (1993) 331-335.

<sup>4</sup> At the end of the first phase of dialogue (1967-72), the study document "The Gospel and the Church" ("Malta-Report") was published (in: *Growth in Agreement*, Reports and Agreed Statements of Ecumenical Conversations on a World Level, ed. by H. Meyer and L. Vischer, New York — Geneva 1984). The following are the documents submitted during the second dialogue

phase: "The Eucharist" (1978); "Ways to Community" (1980); "All Under One Christ" (1980, on the occasion of the 450th anniversary of the *Confessio Augustana*); "The Ministry in the Church" (1981); "Martin Luther — Witness to Jesus Christ" (1983, for the 500th anniversary of the Reformer) and "Facing Unity" (1984), published in: *Information Service*, The Secretariat for Promoting Christian Unity (Vatican City).

<sup>5</sup> Cf. H. DORING, *Die Communio-Ekklesiologie als Grundmodell und Chance der ökumenischen Theologie*, in: *Communio Sanctorum*. FS PAUL-WERNER SCHEELE (Würzburg 1988) 439-468; H. Schütte, *Kirche im ökumenischen Verständnis. Kirche des dreieinigen Gottes* (Paderborn/Frankfurt 1991); W. Schopsdau, *Trinitarische Ekklesiologie — ein Weg zur Heilung der Risse*, in: *MdKI* 45 (1994) 23-27; H. Meyer, *Ekklesiologie im ökumenischen Gespräche und der katholisch/lutherische Dialog* liber "Kirche und Rechtfertigung", in: *KNA-ÖKI* 1/2 (5 January 1994) 5-16. Harding Meyer's observation of an "ecclesiological slope" (*ibid.* 5) in present ecumenical conversations can be based partly on the statements of the "Fifth Forum on Bilateral Conversations" (Faith and Order Paper n. 156, Geneva 1991) which said that "almost all the bilateral dialogues in the last ten years have moved towards work on ecclesiology" (45). Cf. on this subject also: H. Meyer, "Ekklesiologische Perspektiven in den Stellungnahmen der Kirchen zu BEM", in: *Die Diskussion über Taufe, Eucharistie und Amt 1982-1990* (Frankfurt/Paderborn 1990) 145-149.

<sup>6</sup> Cf. the study of the Strasbourg Institute for Ecumenical Research: A. BIRMELE/ H. MEYER (ed), *Grundkonsens-Grunddifferenz* (Frankfurt/Paderborn 1992) and concerning the importance of the understanding of the Church in this context especially: W. KASPER, *Grundkonsens und Kirchengemeinschaft. Zum Stand des ökumenischen Gesprächs zwischen katholischer und evangelisch-lutherischer Kirchen*: *ibid.* 97-116.

what it has, so far, been able to say together and so work out which themes ought to be tackled in future phases of dialogue; and, 3. to give an idea of the inner life and the outer shape of that Christian Church which God has called to unity, holiness, catholicity and apostolicity.

The dialogue report which the International Evangelical Lutheran/Roman Catholic Commission has now submitted fulfils these three functions of an interconfessional reflection on the nature of the Church and it faces what is probably the most urgent ecumenical challenge of the present time. The theme chosen by the Commission for the third phase of the dialogue, "to deal with the question of the Church in light of sacramentality and justification" (Foreword), touches the very core of any confessional ecclesial self-understanding. The explicit, supra-confessional thematisation of this question in the dialogue nurtures, on the one hand, the expectation of a clearer understanding of the present state of Lutheran/Catholic ecumenical conversations and, on the other, enables other Christian churches and communities not involved in this dialogue, to examine whether the agreements which they had reached themselves with the Roman Catholic or Lutheran communion are compatible with the view of the Church emerging from the document on "Church and Justification". So this dialogue report is of great importance for the whole Christian 'oikoumene' and a thorough study of its contents and statements is highly desirable.

## 2. REFERENCE TO THE RESULTS OF PAST ECUMENICAL DIALOGUES

In the way the theme is formulated, the document on "Church and Justification" returns to the original question of the international Lutheran/Catholic dialogue which, on the official level, has been taking place since the Second Vatican Council. The report produced in 1972, "The Gospel and the Church", summed up the state of the discussions, and drew attention to the questions left open. Many of the themes which were then deliberately excluded (relation of Church and Gospel with the sacraments; relation of faith and sacraments; relation of nature and grace, and of law and gospel; questions of the magisterium; questions of mariology)<sup>7</sup> were subsequently taken up in the various phases of dialogue of the International Lutheran/Catholic Commission itself,<sup>8</sup> or by other Protestant/Catholic commissions mostly on national level.<sup>9</sup> As shown by the numerous refer-

<sup>7</sup> Cf. Malta-Report n. 9.

<sup>8</sup> Cf. the documents mentioned in note 4.

<sup>9</sup> Cf. especially the documents of the Catholic/Lutheran dialogue in the USA published since 1972 (Lutherans and Catholics in Dialogue V-VII) on the themes of "Papal Primacy and the Universal Church" (1974), "Teaching Authority and Infallibility in the Church" (1980) (in: J.A. BURGESS, J. GROS: Building Unity, Ecumenical Dialogues with Roman Catholic Participation in the United States, New York 1988) and "Justification by Faith" (ed. by H. G. ANDERSON/T. A. MURPHY/J. A. BURGESS, Minneapolis 1985).

ences to other ecumenical documents in the footnotes, the new dialogue paper "Church and Justification" takes into account the convergences achieved in the meantime about questions which, in 1972, were still deemed to be controversial.

When the International Commission dealt with the main question, it was particularly significant that it was able to draw on important national studies in which a consensus on the theme of "justification" was already apparent between Lutheran and Catholic theologians. In this context, the Foreword to "Church and Justification" specifically mentions the document on "Justification by Faith" (USA 1985)<sup>10</sup> and the chapter on justification of the German study entitled "*Lehrverurteilungen — kirchentrennend?*" (1986),<sup>11</sup> as documents whose findings of far-reaching consensus about the doctrine of justification had to be evaluated (Foreword).

## 3. THE PRESENT ECUMENICAL CONTEXT

The document on "Church and Justification" is one of a large number of bilateral dialogue reports on ecclesiological questions which have been published

The bilateral working group of the German Bishops' Conference and the United Evangelical-Lutheran Church in Germany submitted the dialogue-paper on "Kirchengemeinschaft in Wort und Sakrament" (1984).

With the cooperation of some Reformed theologians, the German "Ecumenical Study Group of Protestant and Catholic Theologians" produced the study "*Lehrverurteilungen-kirchentrennend?*" (K. LEHMANN/W. PANNENBERG (ed) [Freiburg/Göttingen 1986], English edition: *The Condemnations of the Reformation Era — Do They Still Divide?* Minneapolis 1989). It examines the question of whether the doctrinal condemnations, pronounced in the 16th century by Lutherans, Reformed and Catholics regarding questions of justification, the sacraments and the ministry, adequately did justice to the positions of the other side, and whether, in the light of the present-day theological discussion, these historical controversies have still to be considered as church-divisive. This has been followed up by a project undertaken by the Ecumenical Study Group with the title "*Verbindliches Zeugnis*" (vol. I already published: W. PANNENBERG/Th. SCHNEIDER (ed), [Freiburg/Göttingen 1992]; two further volumes in preparation). It deals with questions of canon, of binding interpretation of Scripture and of the Church's magisterium and could contribute to clarifying further the questions which, according to the dialogue document on "Church and Justification", are still considered unresolved (cf. especially n. 205-222 on "binding church doctrine and the teaching function of the ministry").

<sup>10</sup> Cf. *Justification by Faith*, cf. note 9.

<sup>11</sup> Cf. K. LEHMANN/W. PANNENBERG (ed), "*Lehrverurteilungen-kirchentrennend?*", Vol. I: *Rechtfertigung, Sakramente und Amt im Zeitalter der Reformation und heute* (Freiburg/Göttingen 1986) 355-75. After the publication of two volumes of material used for the study (K. Lehmann (ed) "*Lehrverurteilungen kirchentrennend?*", Vol. II: *Materialien zu den Lehrverurteilungen und zur Theologie der Rechtfertigung* [Freiburg/Göttingen 1989]; W. Pannenberg (ed), "*Lehrverurteilungen-kirchentrennend?*", Vol. III: *Materialien zur Lehre von den Sakramenten und vom kirchlichen Amt* [Freiburg/Göttingen 1990] a further volume is going to appear shortly which will deal with the reaction of the various churches to the results of the study (W. Pannenberg/Th. SCHNEIDER (ed), "*Lehrverurteilungen-kirchentrennend?*" Vol. IV: *Antwort auf kirchliche Stellungnahmen* [Göttingen/Freiburg 1994]. For a more detailed description of the task of this study cf. Note 9 above.

recently<sup>12</sup> and stands in the context of the efforts also being undertaken by the World Council of Churches to find a multilateral ecclesiological perspective able to link the Christian confessions through the use of the term "koindnia".<sup>13</sup>

For some time now, in both Roman Catholic<sup>14</sup> and Protestant<sup>15</sup> circles there have been reflections about the particular confessional identity of each church and these have been followed with much attention and great ecumenical sensitivity by the other Christian communities. This shows once again that the search for confessional identity is always also ecumenically relevant. The conviction that ways to the centre are ways towards each other<sup>16</sup> links the Second Vatican Council's Decree on Ecumenism with confessional endeavours "to live according to the Gospel",<sup>17</sup> and thus confirms the opinions of all those who are seeking for a specific criterion which

determines the (true) nature of the Church and are asking, with the Evangelical-Lutheran tradition, whether, and in what way, this might be found in the issue of the justification of sinners.

So far it is clear that the document "Church and Justification", which can be seen as a collecting together of the fruits of many previous dialogues, has important things to say at the very centre of an intensive ecumenical discussion of the theological understanding of the nature of the Church.

#### 4. THE HISTORY OF THE DEVELOPMENT OF THE TEXT ON "CHURCH AND JUSTIFICATION"

The Foreword of the document "Church and Justification" itself contains a description of the most important stages of its development: After the end of the second dialogue phase and the publication of the report "Facing Unity" (1984), a joint Lutheran/Catholic planning group, in March 1985, summed up in a "Memorandum" its ideas for the continuation of the common work. It states quite clearly that, in planning future dialogues, the aim should always be the actualization of Lutheran/Catholic fellowship, and the implications of previous agreements should be formulated much more succinctly. In order to do this, it seemed essential to tackle the theme of "justification" and its relevance for a common understanding of the Church. In 1972, the "Malta-Report", despite "far-reaching agreement in the understanding of the doctrine of justification",<sup>18</sup> left open the question of what "theological importance"<sup>19</sup> should be ascribed to the doctrine of justification, and whether its "implications for the life and teaching of the Church" are understood similarly by both sides.<sup>20</sup> In the light of the present state of the discussions of the issue of justification, these questions needed to be re-examined.<sup>21</sup> It was necessary to explore whether it was possible to reach a consensus regarding the affirmation, which in 1972 was considered to be acceptable only to Lutherans,<sup>22</sup> that "on the basis of the confession of justification, all traditions and institutions of the Church are subject to the criterion which asks whether they are enablers of the proclamation of the Gospel and do not obscure the unconditional character of the gift of salvation".<sup>23</sup> But when work started on these questions, it soon

<sup>12</sup> In recent times, the Roman Catholic Church has been engaged in a number of bilateral dialogues on the international level, dealing with the basic understanding of ecclesiology: with the Orthodox Church, "The Mystery of the Church and of the Eucharist in the Light of the Mystery of the Holy Trinity" (1982), and "Faith, Sacraments and the Unity of the Church" (1987); with the Anglican Communion: "Salvation and the Church" (1986) and "The Church as Communion" (1990); with the Reformed World Alliance: "Towards a Common Understanding of the Church" (1990); with the World Methodist Council: "Towards a Statement on the Church" (1986); with the Pentecostals: "Perspectives on Koindnia" (1989). The texts of all these documents are published in: Information Service.

<sup>13</sup> The study document of the Joint Working Group of the Roman Catholic Church and the World Council of Churches, completed in 1990, bears the title: "The Church, Local and Universal" (In: *Information Service* 74 (1990) 75-84, One of the statements of the VIIIth Assembly of the World Council of Churches at Canberra 1991 dealt with "The unity of the Church as koindnia" (In: *Signs of the Spirit*, Official Report Seventh Assembly (Geneva 1991) 172-174). The Vth World Conference of Faith and Order in 1993 in Santiago de Compostela put its deliberations under the over-arching theme of "Towards koindnia in faith, life and witness" (cf. the detailed reports and comments in: *Una Sancta* 48 (1993), n. 4, and *Okumenische Rundschau* 43 (1994) n. 1) and thus reaffirms that the concept of koinonia/communio is increasingly becoming the leading idea and the bearer of hope for a comprehensive ecumenical unity of the Christian churches. This development does not meet with unreserved approval, especially in Protestant ecumenical theological literature: cf. E. Geldbach, *Koindnia. Einige Beobachtungen zu einem okumenischen Schlüsselbegriff*, in: *MdKI* 44 (1993) 73-77; G. Wenz, *Koindnia. Aspekte einer okumenischen Zwischenbilanz*, in: *1st die Okumene am Ende?* [Regensburg 1994] 93-108. Cf. for the whole question: *Communio/Koindnia. A New Testament — Early Christian Concept and its Contemporary Appropriation and Significance*. A Study by the Institute for Ecumenical Research (Strasbourg 1990).

<sup>14</sup> Cf. the letter of the Congregation for the Doctrine of the Faith to the bishops of the Catholic Church on "Some Aspects of the Church Understood as Communion", 28 May 1992 (in: *L'Osservatore Romano*, English Edition, 17 June 1992), and the wide-ranging discussions around the positions represented in it.

<sup>15</sup> Cf. the document "The Church of Jesus Christ", unanimously adopted on 9 May 1994, in which those Protestant churches of Europe, linked in the Leuenberg church fellowship, formulate their understanding of the nature and the mission of the Church. Cf. also the reports of the Lutheran/Methodist commission, "The Church, Communion of Grace", and of the Joint Commission of the Lutheran World Federation and the World Alliance of Reformed Churches, "Toward Church Fellowship" (1990).

<sup>16</sup> Cf. *The Eucharist* n. 75.

<sup>17</sup> *Unitatis Redintegratio* (UR) 7.

<sup>18</sup> Malta-Report n. 28.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> In 1985, the Lutheran/Catholic dialogue in the USA on "Justification by Faith" (cf. note 10) gave a nuanced answer to the question of whether there could be a consensus that the doctrine of justification can be taken as the criterion of ecclesiology: "Catholics as well as Lutherans can acknowledge the need to test the practices, structures and theologies of the church by the extent to which they help or hinder the 'proclamation of God's free and merciful promises in Christ Jesus which can be rightly received only through faith' (n. 28). This accord, however, does not always imply agreement on the application of the criterion, i.e., which beliefs, practices, and structures pass the test" (n. 153).

<sup>22</sup> Malta-Report n. 29.

<sup>23</sup> *Ibid.*

became clear<sup>24</sup> that, as had happened in the reception process of the chapter on “justification” of the German study on “*Lehrverurteilungen — kirchentrennend?*”,<sup>25</sup> the far-reaching consensus on the doctrine of justification previously reached was now being questioned by some of the Lutheran commission members, so that the initial starting thesis had to be re-examined as well.

The Commission started work in 1986 and, after 8 annual plenary sessions<sup>26</sup> and numerous editorial meetings, it produced in 1993 the longest dialogue report to date. In the course of its work it became clear that it would not have been possible to find our essential convergences regarding the understanding of the Church if the commission had not opted to broaden the range of ecclesiological themes to be dealt with, reaching beyond the relation between the doctrine of justification and the Church. Thus, the published version of the text “Church and Justification” contains a comprehensive description of the convergences and differences between the Roman-Catholic and Evangelical-Lutheran ecclesologies, and not just a discussion of the relation between justification and the Church.

## 5. OUTLINE OF STRUCTURE AND CONTENTS

The document “Church and Justification” contains 308 numbered paragraphs and is divided into five chapters which do not all carry the same weight.

The first chapter (n. 1-9) is headed “Justification and the Church”, and is to be seen as a brief introduction to the dialogue text. It does not yet attempt to relate the two issues but just lists and describes

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<sup>24</sup> Harding Meyer mentions a text produced and discussed by the International Catholic/Lutheran Commission on the question of “justification” which was meant to be a “platform statement” indicating, at the start of the 3rd phase of dialogue, the direction the work on the theme of “Church and Justification” ought to take; its publication foundered mainly because of the opposition of some of the Lutheran members of the Commission: cf. H. Meyer, *Weg und Ertrag* (cf. note 3) 324 f.

<sup>25</sup> There have been numerous reactions to the chapter on “Justification” of the study “*Lehrverurteilungen kirchentrennend?*” (cf. above note 9 and 11); cf. e.g., J. Baur, “Einig in Sachen der Rechtfertigung? Zur Prüfung des Rechtfertigungskapitels der Studie des Ökumenischen Arbeitskreises evangelischer und katholischer Theologen: *Lehrverurteilungen-kirchentrennend?*” (Tübingen 1989); U. Kühn/O.H. Pesch, *Rechtfertigung im Disput* — Eine freundliche Antwort an Jorg Baur (Tübingen 1991). Cf. especially the reply by the Ecumenical Study Group to official comments on the theme of “Justification” (cf. above note 11), and the extensive bibliography contained in it.

<sup>26</sup> On the Lutheran side, the Commission was led by Bishop James R. Crumley (USA), on the Catholic side until 1987 by Bishop Karl Lehmann (Germany) and from 1988 by Bishop Paul Werner Scheele (Germany). Six further members from each side worked on producing the text. The following meetings were held: 1.) 10-14 March 1986, in Bossey, Switzerland; 2.) 15-22 February 1987, in Wiesbaden-Naurod, Germany; 3.) 7-11 March 1988, in Versailles, France; 4.) 27 February - 1 March 1989, in Opole, Poland; 5.) 1-5 October 1990, in Oslo, Norway; 6.) 30 September - 4 October 1991, in Venice, Italy; 7.) 10-14 November 1992, in Eisenach, Germany; 8.) 5-11 September 1993 in Würzburg, Germany.

those theological aspects which are essential, both when speaking about “justification” and about “Church”. It lists three: justification and Church are truths of faith; both are rooted in the Christ-event unfolded in the Trinity; and both are at the same time “gift” (“unmerited gift of grace”) and “challenge”. First of all, of particular significance is n. 5, in which justification and Church are called “works of the triune God”, both distinct from the ground of our faith which is found in the three-person nature of God alone. Furthermore, n. 9 already foreshadows very impressively the tasks which both churches face together: “as the place where merciful justification is proclaimed, as the locus for community and love, as co-shaper of a more just and humane world”.

The second chapter explains what, according to common conviction, is the “Abiding Origin of the Church”. This short formula expresses the biblically-based understanding (cf. *1 Cor* 3:11) that the Christ-event (Jesus' proclamation through word and deed, his cross, resurrection, and sending of the Spirit) is the sole origin of the Church, and that the memorial actualization of this foundation has to be considered of permanent, constitutive significance for the Church of all ages. In n. 11, the document directly quotes the statement from the report of the German bilateral dialogue, “*Kirchengemeinschaft in Wort und Sakrament*” (Church Fellowship in Word and Sacrament) (1984, n. 2), which maintains that the Church does not owe its existence to a “single isolated act by which it was established” but “is founded in the totality of the Christ-event”. Unlike the German text just mentioned, the document “Church and Justification” deals in a separate passage with “the Election of Israel as the Abiding Presupposition of the Church” (n. 13-17), and thus opens up a common perspective for Jewish-Christian dialogue. It is of great importance that the concrete unfolding of the christological basis of the Church enables Roman Catholics to see a possibility of accepting for themselves the term “*creatura evangelii*” for the Church which is current in the Lutheran tradition (34-47). This is convincing because the term “Gospel” — as used in n. 35 and 37, and explained at greater length later in n. 119 — is understood to be more comprehensive than, not just identical with, the term “proclamation of the word”. If “Gospel” means personal salvation, i.e. God's working in Christ Jesus and in his Spirit, then it is obvious that the “handing on” of the gospel which happens concretely in the proclamation of the word and in the sacraments has to be distinguished from it. The same use of words is also the basis of the affirmation in *Lumen Gentium* 20 which calls “the gospel... for all time the source of all life for the Church”. Catholic fundamental theology and dogmatics recognise a difference between “Gospel” on the one hand, and “Scripture” on the other, and the “tradition” witnessing to it as the historic transmission of God's gospel. The second chapter ends with references to the common conviction of the pneumatological di-

mention of the proclamation (n. 41-43) and of the apostolic foundation of the Church (n. 44-47).

The third chapter, under the heading of "The Church of the Triune God", formulates the bases of the common theological understanding of the Church. By using the terms "*koinōnia/communio*", the dialogue document, especially in the third and fourth part of this chapter (n. 63-106), adopts the key-words of the recent ecumenical and also inter-confessional ecclesiologies.<sup>27</sup> The trinitarian basis of this ecclesiological-theological concept — which is also of prime importance in the dialogue with Orthodox Christianity — is mentioned right at the beginning of the chapter (n. 48-50), and is explained in greater detail later on (n. 63-65). Between these reflective passages, the biblical images of the nature of the Church are presented (n. 51-62): the Church is (theo-logically) "people of God"; (christo-logically) "body of Christ" and (pneumato-logically) "temple of the Holy Spirit". A summary of what can be said by Lutherans and Roman Catholics together about the *communio*-character of the Church (n. 74-83) emphasises far-reaching consensus regarding the ecumenically significant issues of the relation of word and sacrament with the nature of the Church (n. 77-79), and regarding the understanding of the terms "unity" and "holiness" of the Church (n. 81-106). From the Catholic point of view, there is special emphasis here on the episcopal constitution of the local church, and on the need for every local church to be related to the communion of all local churches, and to the universal Church (n. 91-104). The basis of the argumentation are mainly the statements of Vatican II's Constitution of the Church which are successfully explained in several places later in the text, e.g., in n. 96: "The relation of 'reciprocal inherence' (International Commission of Theologians, 1985) or 'mutual indwelling' (John Paul II, 1991) which exists between the local and the universal Church neither dissolves the interdependence of the local church nor its essential inclusion in the universal Church but consolidates both". The "tasks for further dialogue" described at the end of chapter 3 (n. 105 ff.) take account of the fact that this document did not attempt to search for a possible consensus about questions of episcopacy and papacy; it is recommended, however, that this be dealt with in the next round of dialogue.

The extensive fourth chapter (n. 107-242), entitled "The Church as Recipient and Mediator of Salvation", first brings together questions which used to be considered controversial but which, after carefully sifting the different confessional points of view, can largely be discussed in agreement in this document: "Church as *Congregatio Fidelium*" (n. 108-117); "Church as 'Sacrament' of Salvation" (n. 118-134); "The Church Visible and Hidden" (n. 135-147); and "Holy Church, Sinful Church" (n. 148-165). In each of these themes the commission finds theologically-based solutions for understand-

ing the different confessional standpoints as complementary and therefore reconcilable. The statement that "both Lutherans and Catholics understand the Church as the assembly of the faithful or saints which lives from God's word and the sacraments" (n. 117) seems to be less surprising from a Catholic perspective than the readiness of the Lutherans (even if with some reservations and hesitation, n. 125-130) basically to agree with the Catholic doctrine "that the Church is instrument and sign of salvation and, in this sense, 'sacrament' of salvation" (n. 134). The paragraphs on the visibility and hiddenness, and on the holiness and sinfulness of the Church, demonstrate in an exemplary fashion how far-reaching convergence can be achieved if the contexts of the different confessional formulations are taken into account, and if the aims and directions of certain expressions are rigorously examined.

The fifth part of chapter 4 (n. 166-242) is particularly significant because it deals explicitly and in detail with the question which was considered to be basic at the beginning of the third phase of dialogue: what is the significance of the doctrine of justification for the understanding of the Church? This part is of particular ecumenical importance because it agrees in principle with the position which is vital for the Lutherans, namely that the criterion for ecclesiology is to be found in the message of justification (n. 168, cf. n. 2). After commonly agreed statements on the reciprocal relationship between Gospel and Church (n. 169-172), the commission discusses four controversial themes in ecclesiology where it expects to find convergence by using the common criterion that the message of justification must not be obscured by either theological teaching or by the every-day life of the Church. The Commission deals with the "Institutional Continuity of the Church" (n. 174-181); "Ordained Ministry as Institution in the Church", with special reference to the episcopacy (n. 182-204); "Binding Church Doctrine and the Teaching Function of the Ministry" (n. 205-222); and "Church Jurisdiction and the Jurisdictional Function of the Ministry" (n. 223-241). Despite repeated admissions that, in their study of these important ecclesiological questions, differences still exist, the commission sums up "by saying that in regard to all the problem areas discussed here we may not speak of a fundamental conflict or even opposition between justification and church. This is compatible with the role of the doctrine of justification in seeking that all church's institutions, in their self-understanding and exercising, contribute to the Church's abiding in the truth of the gospel which alone in the Holy Spirit creates and sustains the church" (n. 242). In this final remark the dialogue-text once again repeats emphatically its basic agreement with the theological conviction that the criterion for ecclesiology is the doctrine of justification.

The fifth chapter (n. 243-308) which describes the "Mission and Consummation of the Church" shows a considerable measure of agreement. In this long final chapter, both confessional communions consider their mission to proclaim God's gospel in the

<sup>27</sup> Cf. above chapt. 3.

world. Specifically confessional traditions, such as, for example, the Lutheran teaching of "God's Two Kingdoms", are seen as particularities of theological language which, in themselves, do not yet allow a judgement on the existence of factual differences. There is no disagreement regarding this question since Catholic doctrinal tradition also starts from a "proper autonomy of earthly realities". The concluding differentiation between the presence of God's kingdom in the Church's *koinonia* on the one hand, and the continuing "provisionality" of its language and signs on the other, shows that both churches live in the faithful expectation that, one day, the Church will find its consummation "in the unveiled, pure presence and reign of God who is love, with whom and in whom all those made perfect have community and are in constant touch with each other" (n. 308).

## 6. OBSERVATIONS AND REMARKS

The dialogue document "Church and Justification" is an impressive sign of the far-reaching consensus already existing in specific ecclesiological questions which, up to now, had been thought to be highly controversial between the churches of the Lutheran confession and the Roman Catholic Church. In each chapter, the text attempts clearly to determine the limits of what can be said together. But also, by discussing those themes where consensus could not yet be reached, the commission tries (usually after a description of both the confessional perspectives) to give a common evaluation suggesting concrete steps for further dialogue. Theological honesty and loyalty to one's own tradition require that ecclesiological differences (re)discovered in the conversations are clearly mentioned without playing down the difficulty of finding future agreement in these questions. Apart from the unresolved question discussed in chapter 3, concerning how to achieve a consensus regarding the theological concept of the "local church" and how this relates to the universal Church's claim to primacy, particular mention also should be made of the controversies listed in chapter 4, mainly concerning the ministry of the Church and its function in teaching and jurisdiction. In this context it is a very hopeful sign, however, that the commission is prepared to continue with its work on the basis of the far-reaching convergences achieved.

The discovery of agreements and convergences in specific questions which is also found in chapter 4, was achieved by methods which hold great promise for future work: 1. The common endeavours for a biblical basis of theological doctrine led, especially in chapters 2, 3 and 5, to a commonly accepted, nuanced expression of the origin, nature and mission of the Church. 2. The great openness of both churches, evident in the attempts always to look for the matter and the concern "hidden" behind a confessionally-specific terminology, made it possible to formulate convergence by dealing with terms like "creatura evangelii", "congregatio fidelium" and "sacramentum salutis", without being pushed to

adopt a form of language foreign to one's own tradition. 3. The readiness to re-examine what has developed historically within one's own confessional boundaries, by accepting a legitimate distinction between language and its content, turns at some points into the self-critical openness which is prepared to look at one's own theological positions through the eyes of others. For Lutheran teaching, this becomes evident in the document for example in the discussion of how the episcopal ministry in apostolic succession came to be shaped in history (n. 191 ff.). On the Catholic side, one might refer here above all to the statement that the doctrine of primacy needs to be further developed, and the practice of primacy adjusted accordingly (n. 106). The plea to try to avoid speaking in terms of "the Church actualizing itself in the sacraments" (n. 128) a usage current in Catholic theology but certainly open to misunderstandings, also falls into this category. 4. It also was helpful that the Lutheran side regarded the doctrinal tradition contained in the confessional writings of the 16th century in the same way. Thus it became possible, for instance, to affirm together the nature of the Church as "instrument of salvation" (n. 126) and to find distinctions which lessen the contentiousness of the question of the "visibility" of the Church (n. 136-141). Looking at the "arguments based on tradition" used by the Catholic side, it is striking that the texts used for reference mainly are taken from the Second Vatican Council.

Among the large number of positions and perspectives discussed in the text which require more detailed review and critical evaluation, three should be specially mentioned here: 1. In the fourth chapter, in the context of the question of the "institutional continuity of the Church", there is the common statement that "the God-appointed means and signs of the continuity of the church" are apostolic preaching, the sacraments of baptism and eucharist, and the "divinely empowered ministry of reconciliation" (2 Cor 5:18) (n. 178). Later in the text it is made clear that this "ministry of reconciliation" means the ordained ministry in the Church, as is current in Lutheran tradition, (n. 183 et al.). This identification makes it possible, in accordance with parts of the Lutheran confessional writings, on the one hand to open the horizon for the question of the sacramentality of a ministry understood in this way, but on the other hand it also risks losing sight of other aspects of the ministry (teaching and leadership). Since the term "ministry of reconciliation" recurs with astonishing frequency, one would also have expected that the Lutheran side would have referred to penance in this context which, in the 16th century, appeared in some of the confessional writings as the third sacrament alongside baptism and eucharist.<sup>28</sup> 2. Important — not least for reasons of "atmosphere" — is the statement of the dialogue document formulated from Catholic perspective that "an ecclesiology focused on the concept of succession, as held in the Catholic

<sup>28</sup> Cf. *Apol* 13:4.

Church, need in no way deny the saving presence of the Lord in a eucharist celebrated by Lutherans” (n. 203). Even if in this regard it does not (yet) seem possible to formulate in a positive way what is meant, the position taken here nevertheless clearly shows an openness towards the question asked by the Lutherans, whether Catholic doctrinal insistence on the historic episcopate (and episcopal ordination) necessarily has to imply a denial of eucharistic presence of Jesus Christ in the Lutheran Supper. 3. An area in which the common conviction that the criterion for ecclesiology is to be found in the doctrine of justification is applied and discussed, is the question of the “necessity” of the episcopate in apostolic succession, i.e. the question of the concrete implications of the eucharistic real presence in the Lutheran Supper. In “Church and Justification” the Catholic side differentiated between the gospel which is “necessary for salvation”, and word and sacrament as the two “pillars of the Church which are necessary for salvation” (n. 196), on the one hand, and the “necessary” episcopal ministry serving the gospel, “necessary for salvation” (n. 196, 202), on the other; this differentiation could in the future prove to be a very helpful clarification, even if at present it is not yet possible to predict definitively to what degree such a position would find consensus.

The issues listed above as examples prove that the efforts of the International Lutheran/Catholic Dialogue Commission to achieve greater convergence in ecclesiological questions by using the criterion of justification can, on the whole, be considered successful and helpful for the future. Though the issue of the historical “locus” of Martin Luther’s statement about the article on justification — “*isto articulo stante stat Ecclesia, ruente ruit Ecclesia*”<sup>29</sup> — and the historical relativity which this “locus” implies,<sup>30</sup> is not dis-

<sup>29</sup> *WA* 40/3, 352, 3: Lecture on the 15 psalms of access (1532/32).

<sup>30</sup> Cf. O. H. PESCH, *Rechtfertigung und Kirche. Die kriteriologische Bedeutung der Rechtfertigungslehre für die Ekklesiologie* (in: “*Ökumenische Rundschau*” 37 (1988) 22-46), who formulates as one of his theses: “The criteriological function of the arti-

cled explicitly by the dialogue document, “Church and Justification” helps to confirm that this basic thesis has a lasting significance. However, given the great changes in the external appearance of the church(es) since the 16th century, it would need to be re-examined in the light of the whole teaching of the scriptures.

## 7. LOOKING BACK AND LOOKING FORWARD

The document “Church and Justification” enriches the whole ecumenical world and fills one with deep gratitude for the hard work involved. The text shows that women and men, in sincere concern for the unity of the Church, and in loyalty to their own traditions, have sought and found ways towards each other. A simple reading scarcely conveys the ecumenical experience which was felt in the meetings; nevertheless the written record of the dialogue proves that “consensus-ecumenism”, which many sceptics had written off as dead and gone, is very much alive. Also in this context, it is important not to offer false alternatives, but to regard and to continue to promote theological reflection as a genuine contribution alongside, as well as together with, other forms of ecumenical activity. The hope, first expressed 1972 in the Lutheran/Catholic document “The Gospel and the Church”, that “both churches could find a new unity in common service to the world”<sup>31</sup> remains the same in 1994, undergirded by the faithful certainty stated together in “Church and Justification”, that “God’s activity in the world is more comprehensive than what he carries out through the church” (n. 256).

cle on justification may only be used in situations of crisis in the church — otherwise it would become a law of faith which would endanger the purity of faith as much as the demand for special works” (*ibid.* 40). Cf. on the whole issue also: Sabine Pemsel-Maier, *Rechtfertigung durch Kirche? Das Verhältnis von Kirche und Rechtfertigung in Entwürfen der neueren katholischen und evangelischen Theologie* (Würzburg 1991).

<sup>31</sup> Malta-Report n. 4.