

Evangelical Lutheran COMMUNION THESES

(Appendix to the Evangelical Lutheran Communion Theses SUMMARY adopted 8/31/2017)

In DETAIL ...

THESIS VII

Pastoral Discretion in Extenuating Circumstances

⁴² And the Lord said, “**Who then is the faithful and wise manager**, whom his master will set over his household, to give them their portion of food at the proper time? ⁴³ **Blessed is that servant whom his master will find so doing when he comes.** (Luke 2:42–43 ESV)

² **Moreover, it is required of stewards that they be found faithful.** (1 Corinthians 4:2 ESV)

⁷ For an overseer, as God’s steward, . . . must hold firm to the trustworthy word as taught, **so that he may be able to give instruction in sound doctrine and also to rebuke those who contradict it.** (Titus 1:7, 9 ESV)

We confess as ³⁶ Chrysostom says “that the priest stands daily at the altar, inviting some to the Communion and keeping back others.”¹ For “it is not our intention to let people come to the Sacrament and administer it to them **if they do not know what they seek or why they come.**”² And “¹ **Our churches teach that the Sacraments were ordained, not only to be marks of profession among men, but even more, to be signs and testimonies of God’s will toward us.**”³

We reject all beliefs, teachings, and practices that diminish or deny pastoral discretion as that which determines when a salutary administration and reception of the Lord’s Supper can take place in keeping with all *divine ordinances* of the Sacrament, including “unity with one another in the doctrine and all its articles and in the right use of the holy Sacraments.”⁴ We likewise reject the argument that

¹ *Concordia*, AC XXIV 36, 49.

² *Concordia*, LC V 2, 431.

³ *Concordia*, AC XIII 1, 38.

C. F. W. Walther, “Communion Fellowship,” 166. “**The main purpose of the Holy Sacraments is indeed to be tools and means through which the promises of grace are offered, communicated, and appropriated, as seals, testimonies, and pledges through which these promises are sealed. However, subordinate to this main purpose, they have also this purpose: to be distinctive signs of confession and bonds of fellowship in worship. Communion fellowship is therefore church fellowship.**”

⁴ *Concordia*, FC, Ep., X 7, 497.

C. F. W. Walther, “Communion Fellowship,” 166–67. “[The Holy Sacraments] . . . are also distinctive signs of confession and bonds of fellowship in worship.” **We therefore allow Catholics or outright heathen to hear the Word of God with us; but one who is allowed to participate in the Sacraments must be recognized as standing in proper Christian faith**, for one thereby marks him as it were with a seal of fraternal fellowship in faith. This applies to both Holy Baptism and Holy Communion.”

C. F. W. Walther, “Communion Fellowship,” 174. “[Holy Communion should not be given] to those who have not been reconciled in a Christian way with one who has given offense or has been offended, and likewise also the heterodox **as long as they have not renounced their errors and their heterodox fellowship and in this way have reconciled themselves with the orthodox Church.**”

C. F. W. Walther, “Communion Fellowship,” 179. “So already two hundred years ago the enemies of the correct doctrine and practice of Communion said that Christians distinguish themselves from the heathen, but not the orthodox from the heterodox, by partaking of this Sacrament. But that is false. All unbelief and every false doctrine is a part of heathenism. **Communion fellowship with all heterodox is forbidden in Christ’s institution. . . . What a crass contradiction and what vile mockery of Christ’s institution are thus involved if both parties celebrate one combined Communion!**”

22 there are “extenuating circumstances” or “emergency” applications of the Lord’s Supper that warrant
23 exceptions to the divine ordinances that establish the Sacrament and its right use and administration.⁵

24 *What does this mean?* As Evangelical Lutherans we hold that “pastoral discretion” is not discerning
25 when it is appropriate to *depart* from the “norm,” that is, the *norma normans* (Holy Scripture) and the
26 *norma normata* (Lutheran Confessions), but what is in keeping with it so as not to violate God’s
27 Word and the integrity of the Gospel and its rightful administration. Therefore, in all matters of
28 pastoral care, including “extenuating [or emergency] circumstances,” pastoral discretion by one
29 ordained a Servant of the *Word* is making proper distinctions and discernment in keeping with that
30 same *Word*,⁶ lest the Pastor cause harm to himself, the one communing, and the unity of faith in the
31 fellowship of the Body of Christ. To depart from the norm, or divine ordinances, under any
32 circumstance inherently incurs the consequent of *sin* and *judgment* associated with an improper
33 administration or unworthy reception.⁷

34 Thus in cases of those who do not publicly confess the faith as taught by the Evangelical Lutheran
35 Church, no less is required for any “guest or visitor,” or those suffering “extenuating circumstances,”
36 than for our own Confirmands in their preparation specifically for *a right and worthy reception of the*
37 *Lord’s Supper*,⁸ including public confession of the Christian faith (as traditionally affirmed in the Rite
38 of Confirmation) in fellowship with the orthodox (Lutheran) Church.

39 Because false belief (sin) in keeping with held false teachings (errors) is implicit in all “heterodox”
40 fellowships, and that these beliefs and teachings are part of the public confession and practice of their
41 fellowship, such beliefs, teachings, and fellowship must be *publicly* renounced in order to truly hold
42 and confess the orthodox faith. Heterodox errors are impenitent (doctrinal) sins that must be included
43 in repentance in keeping with the *unity of faith* confessed and exercised in the communion of the
44 orthodox (Lutheran) Church.

⁵ C. F. W. Walther, *Pastoral Theology* (Saint Louis: Concordia Publishing House, 2017). 20 6.
“Starting with Luther, the vast majority of our theologians maintain that the Holy Supper *should never be*
administered privately by a person not holding the public preaching office or by a so-called *layman*—partly
because, unlike Baptism and Absolution, **there cannot be an emergency regarding Holy Communion which**
would justify straying from God’s order.”

⁶ *Concordia*, Ap XXVIII, 13–14, 250. “¹³ But we are speaking of a bishop according to the Gospel.
We are pleased with the ancient division of power into (a) power of the order and (b) power of jurisdiction.
Therefore, the bishop has the power of the order, that is, the ministry of the Word and Sacraments. He also has
the power of jurisdiction. This means the authority to excommunicate those guilty of open crimes and again to
absolve them if they are converted and seek absolution [John 20:23]. ¹⁴ **But their power is not to be**
tyrannical, without a fixed law. Nor is it to be regal, above the law. Rather, they have a fixed command
and a fixed Word of God, according to which they should teach and exercise their jurisdiction.”

⁷ *Concordia*, SD VII, 123, 580. “¹²³ 12. We reject the teaching about unbelieving and impenitent,
wicked Christians who bear Christ in name only, but do not have the right, true, living, and saving faith. Some
teach that they do not receive Christ’s body and blood in the Supper, but only bread and wine. **And since there**
are only two kinds of guests found at this heavenly meal, the worthy and the unworthy, we reject the
distinction made among the unworthy. Some assert that when using the Holy Supper the godless
Epicureans and scoffers at God’s Word (who are in the Church’s outward fellowship) do not receive
Christ’s body and blood for condemnation, but they only receive bread and wine.”

⁸ C. F. W. Walther, *Church Fellowship* (Saint Louis: Concordia Publishing House, 2015). “The False
Arguments for the Modern Theory of Open Questions,” 1868, translated by William Arndt and Alexander
Guebert, 96. “Furthermore, even in orthodox churches in which the Word of God is taught in its purity and the
Sacraments are administered according to the Lord’s institution, there are many that are weak in Christian
understanding and still entertain erroneous views. **Therefore it is highly important to know whether such**
members may nevertheless be regarded as possessing true faith and, in spite of their weakness in spiritual
understanding, be saved or whether all such weak Christians must be classed with the lost and
condemned.”

45 Pastoral discretion, therefore, applies equally to those within and without the orthodox faith and
46 fellowship, with the exception that those outside must include in their confession and repentance a
47 renunciation of their heterodox errors and fellowship in coming under the banner of the orthodox
48 (Lutheran) Church.⁹ If one does not renounce his known heterodoxy, his repentance is not complete
49 and true. To administer the Lord's Supper in this circumstance implicates both the Pastor and the
50 Communicant in the unrepented sin and error. It is a contradiction to commune a person impenitent of
51 doctrinal sins that otherwise require repentance in the orthodox Church.¹⁰

52 While there are no biblically granted emergencies or exceptions to the "divine ordinances" of the
53 Lord's Supper without the consequent of *sin* and *judgment*,¹¹ exceptions may be granted to "human
54 ordinances" established for the sake of good order in the worship, life, and care of the congregation.
55 What may be *excepted* in "extenuating [or emergency] circumstances" is the *public* confession of
56 one's repentance, faith, and reconciliation with the orthodox Church where these circumstances do
57 not allow, though such has been made in private with the Pastor.¹² If such circumstances abate, then it
58 is expected that a public confession and confirmation in the faith will be made in recognition of the
59 penitent's reconciliation with the orthodox (Lutheran) Church. For to publicly retain membership in a
60 heterodox denomination with which one has otherwise renounced its errors in seeking and obtaining
61 communion from an orthodox (Lutheran) Pastor in the fellowship of the orthodox (Lutheran) Church
62 is also a contradiction.¹³

⁹ C. F. W. Walther, "Communion Fellowship," 174. "[Holy Communion should not be given] to those who have not been reconciled in a Christian way with one who has given offense or has been offended, and likewise also the heterodox **as long as they have not renounced their errors and their heterodox fellowship and in this way have reconciled themselves with the orthodox Church.**"

¹⁰ C. F. W. Walther, "Communion Fellowship," Thesis X, 177. "**Holy Communion is also a mark of confession of the faith and doctrine of those with whom one celebrates it. Therefore the admission of members of heterodox fellowships to the celebration of Communion within the Lutheran Church is in conflict with the following: 1. Christ's institution; 2. The commanded unity of the Church in faith and corresponding confession; 3. Our love for the one to whom the Sacrament is administered; 4. Our love for our own fellow believers, especially the weak, who by this action would be given grievous offense; 5. the command not to become participants in the sins and errors of others.**"

C. F. W. Walther, "Communion Fellowship," 179. "So already two hundred years ago the enemies of the correct doctrine and practice of Communion said that Christians distinguish themselves from the heathen, but not the orthodox from the heterodox, by partaking of this Sacrament. But that is false. All unbelief and every false doctrine is a part of heathenism. **Communion fellowship with all heterodox is forbidden in Christ's institution. . . . What a crass contradiction and what vile mockery of Christ's institution are thus involved if both parties celebrate one combined Communion!**"

C. F. W. Walther, "Communion Fellowship," 182–83. "As for the rest, **it should be noted that through Holy Communion the Church has always separated itself, not only from heretics and heterodox but also from so-called schismatics.** A schismatic is one who has separated himself from the Church—not indeed because of a fundamental article—but still because of a teaching or certain adiaphora. We cannot give the Sacrament to such a one either."

¹¹ C. F. W. Walther, "Communion Fellowship," 168. "**And now consider what a grievous sin those commit who administer Communion to those who are, after all, of another faith and confession, and confess themselves to be one and brothers with them. . . . All should indeed come to preaching, but only Christians who confess the proper Christian faith with [their] mouth should come to Communion.**"

¹² John Gerhard, "De Coena Sacra," *Loci Theologici*, Vol. V, p. 220, as cited in John F. Brug, "Can There Ever Be Exceptions," 14. "If excommunicated persons are struck down by a fatal sickness and seek the Holy Supper from the clergy, **they are indeed admitted as soon as they have shown that they have repented from the heart of their previous sin and have promised to be reconciled to the church after the restoration of their health.** For it is established from the history of the early church that in peril of death people were granted absolution and the Holy Supper before the completion of the penitential period."

¹³ C. F. W. Walther, "Communion Fellowship," 1870, Thesis IV, 159. "**Everyone is obligated to avoid heterodox churches, and if one belongs to one such as that, he is obligated to renounce it and leave it.**"

63 In emergency circumstances that do not allow for proper preparation and examination in keeping with
64 the divine ordinances of the Lord's Supper, the Pastor has other tools at his disposal to administer
65 God's grace to one in need as given in Confession and Absolution.

66 In deathbed circumstances with those not of the orthodox (Lutheran) Church, it *may* be acceptable to
67 commune one who, in humility and contrition realizes his depravity before God, repents of all sins,
68 known and unknown to him as done in the Lord's Prayer (and that of the despondent father "**I
69 believe; help my unbelief**" Mark 9:24), confesses faith in Christ in keeping with the pure Gospel,
70 and desires the Holy Communion for its right and intended purpose trusting in these words "given
71 and shed for you for the forgiveness of sins," and in the real presence of Christ's body and blood. If
72 such person in his repentance renounces all *known* heterodox errors and fellowship¹⁴ and so confesses
73 the orthodox faith, and is open and receptive to the full counsel of God and thus not blaspheming the
74 divine truth of God and so overturning the "organic foundation",¹⁵ Holy Scripture, and places himself
75 under the full and continual care and catechesis of the orthodox Pastor until death does he part, may
76 he then worthily receive the Holy Communion as one now under the banner of the orthodox
77 (Lutheran) Church.

78 In each and every case of pastoral care and discretion it is the God-given and ordained duty and
79 responsibility of the Pastor to bring all impenitent sinners into reconciliation with God and the
80 communion of saints (the one holy Christian and apostolic Church) as found in the fellowship of the
81 orthodox (Lutheran) Church.¹⁶

¹⁴ C. F. W. Walther, "Communion Fellowship," Thesis XI, 187. "**Members of heterodox fellowships are not excommunicated by their nonadmission to the celebration of Holy Communion in fellowship with the Lutheran Church, much less are they (declared to be heretics and)**¹⁵ **condemned, but only suspended until they become reconciled with the orthodox Church by leaving the false fellowship in which they stand.**" (¹⁵ Here Walther has the following footnote: "The words in parentheses were inserted into the thesis by resolution of the convention.")"

C. F. W. Walther, "Open Questions," 103–04. ". . . **as soon as an individual or a whole church body manifests the attitude of willingness to submit unconditionally to the whole Word of God and not to teach anything that opposes the foundation of Christian faith, be it the real or the dogmatic or the organic foundation, we extend in every case with joy the hand of fellowship to such an individual, and we are altogether willing and ready to cultivate church fellowship with such an organization.** . . . because we know there are errors that proceed from weakness, and that a Christian may intellectually err even with respect to a fundamental matter without subverting the foundation in his heart."

C. F. W. Walther, "Open Questions," 101. ". . . if a church has exhausted all means of bringing such an erring brother to the acknowledgment of the truth and his adherence to the respective error evidently is not due to insufficient intellectual understanding of Scripture-teaching, and hence through this non-fundamental error **it becomes manifest that he consciously, stubbornly, and obstinately contradicts the divine Word and that accordingly through his error he subverts the organic foundation of faith [the Scriptures],** then such an erring person, like all others that persevere in mortal sins, must no longer be borne with, but **fraternal relations with him must be terminated. The same thing applies to a whole church-body that errs in a non-fundamental doctrine.**"

¹⁵ *Concordia*, Ap VII/VIII, 20–21, 146. "²⁰ **The 'foundation' is the true knowledge of Christ and faith. There are also many weak persons, who build upon the foundation stubble that will perish (v. 12), holding certain harmful opinions. Nevertheless, because the weak do not overthrow the foundation, they are both forgiven and corrected.** ²¹ The writings of the Holy Fathers declare that sometimes even they built stubble upon the foundation, but that this did not overthrow their faith. But most of those errors do overthrow faith. Our adversaries defend these errors. Among them is their condemnation of the article about the forgiveness of sins, in which we say that the forgiveness of sins is received through faith. **Likewise, it is a clear and deadly error when the adversaries teach that people merit the forgiveness of sins by loving God, before grace. This is an example of removing 'the foundation,' Christ.**"

¹⁶ C. F. W. Walther, "Communion Fellowship," 171. "So Christians should show that they are the Church and the people of God, not only through good works, but especially also through the Holy Sacraments. The Sacraments should gather the Church and mark its members. **A communicant becomes a preacher in that, as I said, where he communes he declares his allegiance as to the true Church. . . . It is therefore so**

82 **THESIS VII ... Therefore we hold that what is prerequisite by *divine ordinance* to a faithful**
83 **administration and worthy reception of the Lord's Supper in normal circumstances, including**
84 **reconciliation and fellowship with the orthodox (Lutheran) Church, is also prerequisite in all**
85 **"extenuating or emergency" circumstances.**

much the more grievous and a lie in the name of God when they impress the seal of orthodoxy on those who believe differently by receiving them to Holy Communion. . . . For if the Sacraments are marks of confession, as they are, then they are marks of *pure confession*."

(*Concordia*, AC VII, 1–4, 34) ¹ Our churches teach that one holy Church is to remain forever. **The Church is the congregation of saints [Psalm 149:1] in which the Gospel is purely taught and the Sacraments are correctly administered.** ² For the true unity of the Church it is enough to agree about the doctrine of the Gospel and the administration of the Sacraments. ³ It is not necessary that human traditions, that is, rites or ceremonies instituted by men, should be the same everywhere. ⁴ As Paul says, "One Lord, one faith, one baptism, one God and Father of all" (Ephesians 4:5–6).