

Lay Elders: A Brief Overview of Their Origin in the Missouri Synod Implications for Elders Today

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Many young pastors arrive at their first parish to discover a group of men bearing the title of elder. They frequently have no idea where these men came from (their origin), nor are they entirely sure what they are supposed to do. Usually what happens is that the young pastor asks them what their custom is and he continues along that path, perhaps making minor changes here or there. When a younger pastor asks an older pastor about lay elders, the older pastor just shrugs his shoulders and says something to the effect, "They are what they are." No one really seems to know what the lay elder is because we have forgotten our history.

The office of lay elder is subject to much confusion. This confusion stems in part because lay elders simply do what the congregation desires them to do. In some congregations, the lay elders read the Scripture lessons, pray publicly in worship and meetings, assist in the distribution of Holy Communion (sometimes they even administer the host), assist at and witness Baptisms, and so on. Some congregations even have their lay elders preach and conduct service in the absence of their pastor. It would seem that whatever the congregation wishes the elders to do, they may in fact do. After all, the only limitation upon a lay elder is that he does not infringe on the Office of the Public Ministry. Although neither Walther nor Graebner provided any explicit examples of what might infringe on the pastor's office, there are some hints regarding what they had in mind.

In the 1850 Synodical Convention, a pastor asked the President of the Synod (Walther) for help to settle a dispute that had arisen in his congregation. A dispute arose whether or not a lay elder could by virtue of being the head of his household lead a public prayer in the church. Apparently, the lay elder believed he had the right to lead the congregation in public prayer, while the pastor did not think he did. The pastor asked Walther, "Could the ruling elder (*der regierende Vorsteher*) take the liberty to lead the prayer?" Walther's response was adopted as a synodical resolution (which presumably is still binding today). The response reads:

To begin with the official prayer-office was considered an essential part of the official authority of the spiritual priesthood, whose possession is transferred to the called preacher of the Divine Word,

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therefore, that the hearers relinquished according to God's ordinance and command all rights in this matter (with the exception of cases of necessity); on account of which the authority to pray publicly is denied also to the ruling elders (*den regierenden Vorstehern*), which are not at the same time fellow-laborers in the Office of the Word, except that, in cases where the preacher is not present for the congregational-assembly, the elders (*Vorsteher*) may read a prayer written by the preacher in his place. The prayer for the congregation is not essentially different from the rest of the public preaching and teaching.¹

According to this convention resolution, a lay elder may not lead the congregation in public prayer. To do so would infringe on the pastor's office. As far as Walther is concerned, public prayer is not "essentially different" from public preaching and teaching. Since a "ruling elder" is not given to preach and teach, he is not given to pray publicly either. For Walther, public prayer by a lay elder in worship is unimaginable. This convention resolution deals specifically with public prayer led by a lay elder "outside" the *öffentlichen Gottesdienst* ("public Divine Service"). Even outside of the public worship of the congregation, according to Walther, a lay elder may not lead the congregation in prayer, for instance at a congregational meeting or some other non-worship gathering. The only exception is that when the pastor is not available for the congregational meeting, the lay elder may read a prayer prepared by the pastor. Using this convention resolution as a guide, we would conclude that anything ordinarily done by the pastor, such as preaching, teaching, the reading of the Scriptures in worship, public prayer, the administration of Holy Communion and Holy Baptism, is not permitted for the lay elder.

Another area of confusion is that of the deacon. As far as Walther, Stellhorn, and Graebner were concerned, a deacon was a lay elder. They could not conceive of a "deacon" who would take the place of a pastor. From their perspective a deacon was someone who did not labor in the

¹Synode von Missouri, *Synodal-Bericht der Deutschen Ev. Luth. Synode von Missouri, Ohio, u.a. Staaten Vom Jahre 1850*, 143. "Zuvörderst ist das öffentliche Betamt als ein wesentliches Stück der öffentlichen Verwaltung des geistlichen Priesterthums anzusehen, die dem berufenen Prediger göttlichen Worts übertragen worden, also daß sich der Zuhörer nach Gottes Ordnung und Befehl alles Rechtes in diesen Stücken (ausgenommen die Nothfälle) begeben hat; weshalb auch den regierenden Vorstehern, als welche nicht zugleich am Amte des Wortes Mitarbeiter sind, die Befugniß, öffentlich zu beten, abgesprochen wird, es sei denn, daß in den Fällen, wo in Gemeindeversammlungen der Prediger nicht anwesend ist, die Vorsteher an des Predigers Statt ein ihnen vorgeschriebenes Gebet verlesen. Das Beten vor der Gemeinde ist nicht wesentlich unterschieden von dem übrigen öffentlichen Predigen un Lehren." Important doctrinal convention resolutions may be found in Charles Schulz, "The Doctrinal Record of The Lutheran Church-Missouri Synod: An Index of Convention Resolutions" 1999, ed. Robert E. Smith. *Concordia Seminary*, Walther Library Concordia Theological Seminary, 29-1-04 <<http://www.ctsfw.edu/etext/synod/resolutions.pdf>>.

public/official preaching and teaching of the Word. Anyone who did labor in the public/official preaching and teaching of the Word was a pastor. There was no third thing.

Understanding how Walther worked through the issues concerning the lay elder may provide us with the resources to examine and evaluate questions we face regarding the role of the laity, lay elders, and deacons.

Lay Elders Among the Saxon Immigrants—The Missouri Synod

The teaching on lay elders in the Missouri Synod originates from three basic sources. C. F. W. Walther, Frederick William Stellhorn (1841-1919), and Theodore Conrad Graebner (1876-1950). Both Stellhorn and Graebner were born before Walther died, and both continued and expanded his teaching on the lay elder. Graebner bears the distinction of bringing Walther's teaching on lay elders to English-speaking Lutherans. In many ways, Graebner is responsible for the current teaching on and practice of lay elders in the Missouri Synod, even though in the early twenty-first century Missouri's understanding of the lay elder is based more on oral tradition than anything else. In 1986, Victor Constien wrote a book for elders of the late twentieth century to serve as a training tool and a reference guide.² Constien, other than being another witness to the Missouri Synod's teaching on lay elders, makes no significant theological contribution to Missouri's tradition of lay elders, and it was likely not his intent to do so. Of the three contributors to Missouri's teaching on lay elders, Walther was the first and the most important.

In 1858, C. F. W. Walther authored a series of articles on elders. These appeared in *Lehre und Wehre*.³ Although it is not the first time Walther mentions lay elders, it is the first substantial discussion of them.⁴ Lay elders have had a role in the Missouri Synod since her earliest days. Other Lutheran churches in America already had had lay elders sporadically since the seventeenth century. It seems unlikely that such a fact escaped Walther. Whether or not these other Lutherans in America directly influenced Walther is harder to determine. Yet, Walther did indeed draw from some of the very same sources as other Lutheran groups had to support his position that lay elders were appropriate and even needed in the Lutheran church in America.

²Victor A. Constien, "The Caring Elder," in *The Caring Elder: A Training Manual for Serving* (St. Louis: Concordia, 1986). Constien's book has no bibliography or notes, so it can not be determined if he was aware of Walther's, Stellhorn's, or Graebner's contributions on lay elders, Constien may have simply based his book on Missouri's oral tradition.

³C. F. W. Walther "Ueber Laienälteste oder Gemeindevorsteher," *Lehre und Wehre* 4, no. 2 (1858): 54-57. C. F. W. Walther, "Ueber Laienälteste oder Gemeindevorsteher," *Lehre und Wehre* 4, no. 3 (1858): 82-89. C. F. W. Walther, "Ueber Laienälteste oder Gemeindevorsteher," *Lehre und Wehre* 4, no. 4 (1858): 110-113.

⁴As previously mentioned, the first occurrence we found of lay elders is in the 1850 Convention Proceedings, just three after the Synod was founded.

Now we might ask why Walther wrote a series of articles on lay elders. There is no documented controversy involving lay elders. In some ways, lay elders were the practical outgrowth of how Walther affected the organization of the Missouri Synod. Yet, this solution in America would naturally seem strange to the German immigrants who increasingly made up the membership of the Missouri Synod. Since there is scant (although Walther will claim there is some) evidence for lay elders in Germany, the concept was foreign to most German Lutherans. One can reasonably suppose that Walther's series of articles was to explain and justify Missouri's position to those who thought it, at the very least, odd or even non-Lutheran. In fact, it can be documented that the General Council openly wondered where Walther found lay elders in the Lutheran tradition.⁵ Quite simply, people wondered what these lay elders were, where they came from, and what they were to do. Walther sought to answer those questions in his article, "Ueber Laienälteste oder Gemeindevorsteher" or "Concerning lay elders or congregational leaders."⁶

In this article on lay elders, several different terms will be used, frequently in a synonymous way. Most commonly these terms have been translated into English simply as "elder." The term "*Laienälteste*" is simply a cognate to the "lay elder." Both translate the Latin "*presbyteri laici*." The term "*Älteste*" is a cognate of the English "elder" and the Latin "*Senior*." The Latin "*presbyter*" and "*senior*" both translate the Greek *πρεσβύτερος*. The modifier "*Laien*" presupposes that there can be another kind of elder besides "lay." Stellhorn will actually translate "*Laienälteste*" as "ruling elder."⁷ The more natural term in German for a lay-leader in the congregation is "*Vorsteher*." Oftentimes, this is translated as "elder" with the sense of "lay elder." We will render "*Vorsteher*" as "leader" in our translations. Walther will also speak of "*regierende Aeltesten*" ("ruling elders") and "teaching elders" ("*lehrende Aeltesten*"). Rev. W. Cook will translate Graebner's "*Vorsteher*"⁸ as "Deacons."⁹ Walther also speaks of "*Diakonen*" as "lay elders." In summary, one term in Greek, *πρεσβύτερος*, is translated by two terms in Latin, "*presbyter*" and "*senior*," which is translated by at least three different terms in German (more if one includes modifiers such as "*laien*" and "*gemeinde*"): "*Älteste*," "*Vorsteher*," "*Diakonen*," all of which are loosely rendered into English as "elder." Occasionally the term

⁵The General Council did in fact have isolated occurrences of lay-elders in their congregations; however, as a whole the General Council determined that their origin was non-Lutheran. Therefore, the General Council wondered where Walther found support in the Lutheran tradition.

⁶Walther, "Ueber Laienälteste order Gemeindevorsteher," 54.

⁷F. W. Stellhorn, "Dr. Krauth und Laienälteste," *Lehre und Wehre* (1875), 104. "...Laienältesten (ruling oder lay elders)."

⁸Theodore Graebner, "Vom Amt der Laienältesten oder Vorsteher," *Der Lutheraner* 23 Nov. 1915: 458.

⁹Theodore Graebner, "Elders and Deacons in the Lutheran Church," trans. W. Cook, *The Lutheran Witness* (St. Louis, MO) XXXV, no. 15 (July 25, 1916): 221.

“*Kirchenvater*” (literally “church father”) will be translated as “elder.” Although we acknowledge there are different ways to translate words depending on the given context, the inconsistent way this was done has no doubt increased confusion on the subject.

Walther begins his article by acknowledging that over time the idea of lay elders has been associated as a Shibboleth of the Reformed Church and their teaching on the office and church government.¹⁰ Walther notes that some think the institution of lay elders is strange and contrary to the teaching of the evangelical Lutheran church. From the start, Walther has an uphill battle to convince his fellow Lutherans that lay elders do not belong only to the Reformed. In typical Waltherian fashion, Walther will attempt to prove his point by making a statement followed by several quotations from various authorities. He begins by quoting Dr. Rudelbach’s *Zeitschrift*.¹¹ Rudelbach states it is merely an assertion that lay elders belong only to the Reformed. He argues that a synodical form of church government cannot exist without lay elders.¹² Since you cannot have a synod without lay elders, what does this mean for the Lutherans in America? Walther writes:

In any case even more important here in America, where the Church and State are separated and the ecclesiastical congregation, independent and autonomous, stands beside the civil, as a consequence the lay elder must of necessity be instituted. And in any case one deviates from the right observation itself from the right to the left: in order to desire to permit to do it here, concerning this institution, of which the biblical foundation, producing [of witnesses], operation and authority, which to hear the voices of our orthodox teaching-fathers. We divide thence here a sketch concerning the witnesses in the following.¹³

Walther concludes that the lay elder must out of necessity be instituted here in America. His assumption, his presupposition, is that elders are necessary.

¹⁰Walther, “Ueber Laienälteste oder Gemeindevorsteher,” 54. “Nach und nach ist in der lutherischen Kirche der Gedanke fast herrschend geworden, das Institut der s. g. Laienältesten (der presbyteri laici, seniores plebis) sei ein Schiboleth der Reformirten Kirche und der Lehre derselben von Amt und Kirchenverfassung, hingegen dem Geiste und der Lehre der evangelisch-lutherischen Kirche fremd und zuwider.”

¹¹*Zeitschrift für die Gesammte Lutherische Theologie und Kirche*, ed. A. G. Rudelbach and H. E. F. Guericke (Leipzig: Dörffling und Franke, 1850).

¹²Rudelbach quoted in Walther, “Ueber Laienälteste oder Gemeindevorsteher,” 54. “denn unmöglich kann sich eine organische Synodalverfassung bilden, ohne daß Presbyterien ihr zur Seite stehen.”

¹³Walther, “Ueber Laienälteste oder Gemeindevorsteher,” 55. “Je wichtiger nun gerade hier in Amerika, wo Kirche und Staat getrennt ist und die kirchlichen Gemeinden unabhängig und selbständig neben den bürgerlichen dastehen, nothwendig ein Institut sein muß, wie das sogenannter Laienältester, und je mehr man in der rechten Anschauung

Putting aside any nefarious reasons, Walther's intention for writing on this topic seems to explain the introduction of elders into Lutheran congregations. Clearly most Lutherans in America were unfamiliar with lay elders and thought they were an innovation. The German immigrants did not know of lay elders from their German homeland. And though lay elders had appeared in some Lutheran congregations in America during the seventeenth century, this practice was not widespread. Walther seems to think the office of lay elder is an outgrowth of the synodical system. Since he believes Luther himself envisioned the synodical system, the office of lay elders is an unfolding of Luther's envisioned (though not realized) synodical system, even though Luther himself knew nothing of lay elders. The fact that Luther knew nothing of the lay elder is explained by the belief that the office of lay elder disappeared during the dark days of the papacy.¹⁴ Graebner is at least willing to admit, "[The office of the lay elder]... also rarely appeared in the Lutheran church in Germany."¹⁵ One might add that it rarely appeared in Germany even after the Reformation. This, in fact, is part of Walther's problem; why do so many Lutherans in America think he has introduced an innovation into the Lutheran church. After Walther dismisses the charge that lay elders are from the Reformed and states that the office of lay elder is necessary in America, he proceeds to cite his sources at great length. He quotes various authors beginning with Chemnitz and Gerhard to show that some early Lutherans were aware of the concept of lay elders. His quotations are less than convincing, for his Chemnitz quotation only demonstrates that there were various rankings among the clergy, while his Gerhard quotation follows the example of Calvin declaring two kinds of elder, teaching and ruling.

Walther seems most concerned with the accusation that lay elders came from the Reformed. He quotes a Swedish bishop from Copenhagen.

desselben bald zur Rechten bald zur Linken weit abweicht: um so erwünschter dürfte es manchen hier sein, über dieses Institut, dessen biblische Begründung, Stellung, Wirkungs[k]reis und Gewalt, die Stimme unsere rechtgläubigen Lehrväter zu vernehmen. Wir theilen daher hier eine Reihle betreffender Zeugnisse im Folgenden mit." (I would like to thank the Revs. Benjamin Mayes and Charles Schaum, who answered my questions on German grammar without complaint. Any mistakes in the translations are my very own.)

¹⁴Theodore Graebner, "Elders and Dacons in the Lutheran Church," 223. "Therefore our American Lutheran Church has done well to reinstitute the office of deacons, elders, rulers, and helpers, which had been lost sight of in those dark times when priest rule was supreme." See also Theodore Graebner, "Vom Amt der Laienältesten oder Vorsteher," 460. Note that Graebner's original doesn't read exactly the same as the English translation. "Und weil dies der Fall ist, hat unsere amerikanisch-lutherische Kirche wohl daran getan, das Amt der Laienältesten, welches im Papsttum untergegangen war und auch in der lutherischen Kirche Deutschland seine seltene Erscheinung gewesen ist, wieder aufzurichten."

¹⁵Theodore Graebner, "Vom Amt der Laienältesten oder Vorsteher," 460. "das Amt der Laienältesten...auch in der lutherischen Kirche Deutschland seine seltene Erscheinung gewesen ist..." The English translation in *The Lutheran Witness* omitted this crucial detail.

Casper Erasmus Brochmand, who died in 1652, takes up the debate regarding the two kinds of elders. Just as Gerhard acknowledged there were some who thought elders always referred to pastors, Brochmand managed to find a couple of Reformed theologians who thought the same. This is a crucial quote for Walther. If there are two Reformed theologians who erroneously deny the distinction between teaching and ruling elders then lay elders cannot be from the Reformed. Just because the Lutherans and the Reformed agreed on the interpretation of a single passage did not mean the Lutherans derived the idea from the Reformed. Bishop Brochmand cites two Reformed theologians named Adrian Saravia and Erastus.¹⁶ They taught that the presbytery existed not by divine institution but by human authority. These Reformed theologians claimed that the Scriptures recognize as an elder one who is in the Office of the Ministry. In other words, there are no lay elders. Brochmand (and Walther) believe these two Reformed theologians are in error. He argues that Saravia's and Erastus' interpretation is unnatural since St. Paul mentions other elders and speaks of a double-honor. Since all elders are worthy of honor, why would he mention a double honor unless there were two types of elders? On this point, the two Reformed theologians' interpretation is closer to Luther's than to that of the Lutheran bishop from Copenhagen. Nonetheless, this quotation serves Walther's argument well.

Walther produces several more quotations from the dogmaticians, including Calov, Georg Weinrich, Johann Quistorp, Sal. Glassius, Daniel Arcularius, Jeremiah Kromayer, and Conrad Dannhauer, who was Philip Jakob Spener's teacher. All of these men spoke of two kinds of elders: teaching and ruling. The teaching elder belonged to the Office of the Ministry and was entrusted with the preaching of the Word and the administration of the Sacraments. The ruling elder, on the other hand, was entrusted with church discipline. Walther, as if realizing he does not have time to cite every Lutheran theologian writes, "In a similar way nearly all of the mentioned theologians of our church spoke out concerning the aforementioned lay elder"¹⁷ and finds the evidence "incontestable."¹⁸ Walther concludes by saying "the institution of the lay elder is in no way, as is asserted here and there, specifically Reformed or anti-Lutheran."¹⁹

¹⁶Walther, "Ueber Laienälteste oder Gemeindevorsteher," 83.

¹⁷Ibid., 86. "In ähnlicher Weise sprechen sich fast alle namhaften Theologen unserer Kirche über die s. g. Laienältesten aus."

¹⁸Ibid., "*unwidersprechlich.*"

¹⁹Walther, "Ueber Laienälteste oder Gemeindevorsteher," 112. "das Institut eines s. g. Laienpresbyterats keinesweg, wie hie und da behauptet warden will, specifisch Reformirt oder antilutherisch sei."

Walther's Other Writings on Lay Elders

Considering the importance of Walther's *Church and Ministry*²⁰ for the Missouri Synod, which appeared in its first edition in 1852, it is no surprise that the topic of lay elders appears. In Thesis VIII, Walther writes, "The preaching office is the highest office in the church, from which all other church offices flow."²¹ Walther will argue from this point that all auxiliary offices in the church including that of the lay elder flows from the preaching office (*Predigtamt*). This forms the basis of Walther's doctrinal argument for the office of lay elder.

Walther begins by first speaking of those in the public preaching office. He writes, "Therefore, in Scripture the incumbents of the ministerial office are called elders, bishops, rulers, stewards, and the like; and the incumbents of the subordinate offices are called deacons, that is, servants, not only of God but also of the congregation and the bishop."²² In this passage, Walther is speaking of clergy. The terminology he uses is noteworthy: elders (*Aelteste*), bishops (*Bischöfe*), rulers/leaders (*Vorsteher*), and stewards (*Haushalter*). What is immediately apparent is that the terms elders (*Aelteste*) and rulers/leaders (*Vorsteher*), which are frequently associated with laymen, are here used to speak of the clergy.²³ In this passage, Walther reserves the term "deacon" (*Diakonen*) for laymen. From Walther's and Graebner's point of view, the Missouri Synod has had a diaconate as long as she has had lay elders. In the early twenty-first century, some have suggested the institution of a diaconate to help alleviate the shortage of pastors.²⁴ These deacons would be authorized to act as pastors, yet they would not in fact be ordained or classified as pastors. These men would apparently have different and shorter educational requirements than those who would be pastors. Walther and Graebner could not conceive of such an arrangement. Deacons to them were laymen.

Walther continues, "Every other public office in the church is part of the ministry of the Word or an auxiliary office that supports the ministry,

²⁰The title would be better translated *Church and Office* after *Kirche und Amt* in the original.

²¹C. F. W. Walther, *Die Stimme Unserer Kircher in der Frage von Kirche und Amt* (Erlangen: Andreas Deichert, 1875), 342. "Das Predigtamt ist das höchste Amt in der Kirche, aus welchem alle anderen Kirchenämter fließen." The Mueller translation, which is based on the 3rd edition of 1875, renders "Predigtamt" as "pastoral ministry." C. F. W. Walther, *Church and Ministry: Witnesses of the Evangelical Lutheran Church on the Question of the Church and the Ministry*, trans. J. T. Mueller (St. Louis: Concordia, 1987), 289.

²²Walther, *Church and Ministry*, 289.

²³The German terms may be found in both the 1852 and 1875 edition. C. F. W. Walther, *Die Stimme Unserer Kirche in der Frage von Kirche und Amt* (Erlangen: C.A.Ph.Th. Bläsing, 1852), 386. Walther, *die Stimme Unserer Kirche in der Frage von Kirche und Amt*, 1875, 342.

²⁴Andrew H. Bartelt, "A Confessional Lutheran Approach to the Diaconate," *Logia* X, no. 3 (Holy Trinity 2001): 49-53.

whether it be the elders who do not labor in the Word and doctrine (1 Tim. 5:17) or the rulers (Rom. 12:8) or the deacons (the office of service in the narrow sense) or whatever other offices the church may entrust to particular persons for special administration.”²⁵ In this section, Walther’s language changes. Here he speaks primarily of the laity and not clergy. What the English translation renders as “elders,” Walther writes, “*Aeltestenamt*,” or literally “office of elder,” which is defined as someone who does not labor in the preaching of the Word.²⁶ The “ruler” is not “*Vorsteher*,” as we might expect, but “*Regieramt*,” literally, “ruling office.”²⁷ Likewise, “deacons” are referred to as “*Dienstamt*,” that is, a “serving office.”²⁸ The office of elder, ruler, and servant are called a “*Hilfsamt*” (“a helping office”) to the “*Predigtamt*” (“the preaching office”).

Twelve years after writing *Church and Ministry*, Walther wrote *Die Rechte Gestalt*,²⁹ which describes the right form of a Lutheran congregation.³⁰ In section 27 of this work, Walther describes the office of the lay elder. He writes:

The congregation has also established the office of such a kind as elders (*Aeltesten*) or leaders (*Vorsteher*), who do not work in the Word or in the Teaching (1 Tim. 5:17: “Let the elders who rule well be considered worthy of double honor, especially those who labor in preaching and teaching [RSV].”), but are to help those who are in the Office of the Word in the rule and in the administration of discipline and order in the congregation (Rom. 12:8: “He that ruleth, with diligence (KJV).” 1 Cor. 12:28: [112] “And God has appointed in the church first apostles, second prophets, third teachers, then workers of miracles, then healers, helpers, administrators, speakers in various kinds of tongues (RSV).” The requirements to be elected to office are given in Acts 6:3, “Therefore, brethren, pick out from among you seven men of good repute, full of the Spirit and of wisdom, whom we may appoint to this duty (RSV).” 1 Tim. 3:8-12: “Deacons likewise must be serious, not double-tongued, not addicted to much wine, not greedy for gain; 9 they must hold the mystery of the faith with a clear conscience. 10 And let them also be tested first; then if they prove themselves blameless let them serve as deacons. 11 The women likewise must be serious, no slanderers, but temperate, faithful in all things. 12 Let deacons be the

²⁵Walther, *Church and Ministry*, 289-290.

²⁶Walther, *Die Stimme Unserer Kirche in der Frage von Kirche und Amt*, 1852, 386. Walther, *Die Stimme Unserer Kirche in der Frage von Kirche und Amt*, 1875, 342.

²⁷Ibid.

²⁸Ibid.

²⁹C. F. W. Walther, *Die Rechte Gestalt: Einer Vom Staate Unabhängigen Evangelisch-Lutherischen Ortsgemeinde* (St. Louis, MO: Aug. Wiebusch und Sohn, 1864).

³⁰See Norman E. Nagel, “The Divine Call in Die Rechte Gestalt of C. F. W. Walther,” *Concordia Theological Quarterly* 59, no. 3 (1995): 161-190.

husband of one wife, and let them manage their children and their households well (RSV).³¹

This passage shows Walther's Scriptural basis for instituting the office of lay elder. Here the terms *Aeltesten* and *Vorsteher* are synonymous with lay elder. The fluidity of the terminology can introduce confusion. As we saw in Walther's *Church and Ministry*, these same terms referred to clergy.

1 Timothy 5:17 is the lynch pin passage, "elders who rule well." These are understood to be laymen who do not preach and teach. Until Calvin, no one interpreted 1 Timothy 5:17 in this way. Another important passage is Acts 6:3. The Office of the Seven are understood by Walther and others to be laymen, not clergy. Once again this passage's interpretation has changed in the last five hundred years. After Walther quotes his support from the Scriptures, he produces a number of lengthy quotes, several of which are the same ones he used in his article on lay elders four years earlier. In the article from 1858 and the passages in *Church and Ministry* and *Die Rechte Gestalt*, we see the basis for Walther's institution of the office of the lay elder.

The General Council's Disagreement with Professor Walther

Walther's writings on the lay elder did not escape the notice of other Lutherans in America, most notably that of Charles Porterfield Krauth of the General Council. Krauth held Walther in great esteem and saw him as an ally on the confessional Lutheran front. Although Krauth and Walther agreed on many things, they were not in agreement on lay elders. The *Lutheran and Missionary* reports, "One authority that Prof. Krauth has great reverence for—viz: Prof. Walther, of Missouri—expressed an opinion contrary to that held by the speaker."³² The opinion Krauth held is summarized here:

³¹Walther, *Die Rechte Gestalt*, 111-112. "Die Gemeinde hat das Amt auch solcher Aeltesten oder Vorsteher unter sich aufzurichten, die nicht im Wort und in der Lehre arbeiten (1 Tim. 5:17: 'Die Aeltesten, die wohl vorstehen, die halte man zweifacher Ehre werth; sonderlich die da arbeiten im Wort und in der Lehre'), sondern in der Regierung und in der Handhabung der Zucht und Ordnung in der Gemeinde dem, der das Amt des Wortes hat, zur Hülfe sind (Röm. 12:8: 'Regiert jemand, so sei er sorgfältig.' 1 Corinthians 12:28: 'Gott hat gesetz in der Gemeinde aufs erste die Apostel, aufs andere die Propheten, aufs dritte die Lehrer, darnach die Wunderthäter, darnach die Gaben, gesund zu machen, Helfer, Regierer'). Die Erfordernisse der Wahlfähigkeit sind zu bestimmen nach Apostelg. 6, 3: 'Sehet unter euch nach sieben Männern, die ein gut Gerücht haben, und woll Heiliges Geistes und Weisheit sind, welche wir bestellen mögen zu dieser Nothdurst.' 1 Timothy 3:8-12: 'Die Diener sollen ehrbar sein, nicht zweizüngig, nicht Weinsäufer, nicht unehrliche Handthierung treiben, die das Geheimniß des Glaubens in reinem Gewissen haben. Und dieselbigen lasse man zuvor versuchen; dann lesse man sie dienen, wenn sie unsträflich sind. Desselbigen gleichen ihre Weiber sollen ehrabar sein, nicht Lästerinnen, nüchtern, true in allen Dingen. Die Diener laß einen jeglichen sein Eines Weibes Mann, die ihren Kindern wohl vorstehen, und ihren eigenen Häusern.'"

³²"The Convention of the General Council," *The Lutheran and Missionary* (Philadelphia), October 22, 1874.

Rev. Dr. Krauth spoke of the orders in the Church. That there was no Scriptural recognition of the office of Elder as distinct from that of the Pastor. That Elder Bishop and Pastor referred to one and the same office in the Church. That there are but two offices of divine right in the Church, viz: Elders and Deacons. That there is no warrant in the Word of God for the appointment of *Lay Elders*, nor are there any traces in the history of the Church of their appointment. Among the early Christians, "*Lay Elder*" was a fallacious term. The word *lay* is non-official. A *Lay Elder*, therefore, would be a *non official official*. The passage in the New Testament on which authority is claimed for a distinction between *ruling* and *teaching* elders is First Tim. v. 17. This passage, correctly understood, makes no distinction. You find the emphasis is on the word "well," and shows a distinction between those of the same class, who diligently labor, and those who do not labor in the exercise of their offices.³³

Here Krauth is simply presenting what was held for much of the church's history. Before Calvin, the commentaries on 1 Timothy 5:17 simply considered "elder" to be one and the same as the pastor. Krauth, being an English speaking Lutheran, gives some insight into the term "lay elder" by defining it as a "non official official." He states that this is a fallacious term. Krauth's explanation concerning the elder who labors "well" is exactly the same as Luther's.³⁴ This does not describe a different type of elder, rather it describes an elder who performs his duties well, who is faithful to his calling. From this Krauth concludes there was no office of lay elder in the New Testament.

The prevailing opinion was that the office of lay elder was unknown in the New Testament church. The only passage (1 Tim. v. 17) upon which its advocates laid much stress, they had misconceived. The office of lay elder was unknown to the earlier fathers, and the earlier theologians of the Lutheran church. Its introduction into the Lutheran church had its origin in Calvinizing tendencies.³⁵

Krauth can find no evidence for lay elders before Calvin. He diagnoses the source of the lay elder in Lutheran churches as coming from Calvin, whose interpretation was adopted by various Lutherans and finally put into practice in America. Because of Krauth's belief that lay elders originated with Calvin, he had to disagree with the position of the Missouri Synod.

³³Ibid.

³⁴Martin Luther, *Lectures on 1 Timothy*, 1528. AE 28, 348.

³⁵"The Convention of the General Council."

Dr. Krauth stated that he regretted very much that he had to differ in regard to lay elderships from an authority, which he held in the highest esteem, viz: Prof. Walther, of the Missouri Synod. Prof. Walther had failed to quote in support of his position any of the earlier fathers or earlier theologians of the Lutheran church. If there was any passage in these authors favoring this position, they would most certainly have been quoted; for Prof. Walther has these authorities at his fingers' end. He gives a passage, indeed, from Chemnitz, but that does not apply to the case in point.³⁶

Although Krauth greatly respects Walther, he cannot agree with him concerning lay elders. He does not find Walther's argument persuasive, nor his Evidence sufficient.

Krauth's shot across Walther's bow could not go unanswered, not to defend Walther's honor, but to prevent confusion among the congregations and pastors of the Missouri Synod. Walther does not take up this challenge; rather it falls to F. W. Stellhorn. In his article, "Dr. Krauth and Lay Elders," he writes:

Recently, we were disappointed about the author, Dr. Krauth, who in the *Lutheran & Missionary* published several articles about the teaching of the preaching office (*Predigtamt*), in which he especially seeks to demonstrate that our teaching, that is the Missouri teaching, of the lay elder (*Laienältesten*) has no support in God's Word, in the writings and history immediately after the apostolic as well as Reformation times.³⁷

Stellhorn is disappointed because he does not see Missouri's teaching on the lay elder as fundamentally different from that of the General Council. He believes that the General Council's teaching "only makes a distinction from what we ourselves understood of it, and as we have established the matter."³⁸ For Stellhorn it is a matter of differing degrees and not of substance. He argues that all preachers and pastors are elders but not all elders are pastors.³⁹ In the end Stellhorn does not really add anything new

³⁶Ibid.

³⁷Stellhorn, "Dr. Krauth und Laienälteste," 104. "In letzter Zeit hat, wenn wir uns nicht in dem Verfasser irren, Dr. Krauth ihm *Lutheran & Missionary* mehrer Artikel erscheinen lassen über die Lehre vom Predigtamt, in denen er namentlich auch zu beweisen sucht, daß unsere, der Missourier, Lehre von den Laienältesten keinen Grund in Gottes Wort, in den Schriften und der Geschichte der unmittelbar nachapostolischen sowie der Reformationszeit habe."

³⁸Ibid. "scheint nun zwar ganz verschieden zu sein von dem, was wir uns darunter vorstellen, und wie wir die Sache eingerichtet haben."

³⁹Ibid., 110. "Aber nicht alle äeltesten haben das Amt im Wort und in der Lehre zu arbeiten; mit anderen Worten: nicht alle sind Prediger des Evangeliums oder Pastoren. Allen Prediger und Pastoren sind aber zugleich Vorsteher, ja, sie sind die eigentlichen und nächsten Vorsteher."

to Missouri's teaching on elders. He simply defends the teaching first introduced by Walther.

Graebner Brings the Lay Elder to English Speaking Lutherans

As the language of the Missouri Synod shifted from German to English, there was the need to bring the teaching about lay elders into English as well. Theodore Graebner first took up this task in his 1915 *Der Lutheraner* article,⁴⁰ which was translated into English for the *Lutheran Witness* in 1916 by Rev. W. Cook.⁴¹ In this article, Graebner presents Walther's teaching on lay elders in a format for the lay people of the church. He begins by stating, "That elders in the Christian Church are an ancient usage is noticeable from the fact that even the very first congregation in Jerusalem had elders."⁴² The seven men mentioned in Acts 6 are also counted among the lay elders.⁴³ He also considers that Judas and Silas mentioned in Acts 15:22 were examples of lay elders in the apostolic church.⁴⁴ Graebner presents what has become the standard interpretation of 1 Timothy 5:17, namely, that there are two kinds of elders: teaching and ruling.⁴⁵ He identifies that the office of lay elder came from the synagogue:

In the synagog there was no specific office for the purpose of preaching the Word, as we are accustomed to have it in the New Testament; hence the new office received a new name from the Greek

⁴⁰Theodore Graebner, "Vom Amt der Laienältesten oder Vorsteher." Theodore Graebner, "Vom Amt der Laienältesten oder Vorsteher," *Der Lutheraner* 7 Dec. 1915: 473-475. Theodore Graebner "Vom Amte der Laienältesten oder Vorsteher," *Der Lutheraner* 21 Dec. 1915: 496-498. Theodore Graebner, "Vom Amt der Laienältesten oder Vorsteher," *der Lutheraner* 4 Jan. 1916: 2-5.

⁴¹Theodore Graebner, "Elders and Deacons in the Lutheran Church," trans. W. Cook, *The Lutheran Witness* (St. Louis, MO) XXXV, no. 14 (July 11, 1916): 205-207. Theodore Graebner, "Elders and Deacons in the Lutheran Church." Theodore Graebner, "Elders and Deacons in the Lutheran Church," trans. W. Cook, *The Lutheran Witness* (St. Louis, MO) XXXV, no. 16 (August 8, 1916): 240-241. Theodore Graebner, "Elders and Deacons in the Lutheran Church," trans. W. Cook, *the Lutheran Witness* (St. Louis, MO) XXXV, no. 17 (August 22, 1916): 255-256. Theodore Graebner, "Elders and Deacons in the Lutheran Church," trans. W. Cook, *The Lutheran Witness* (St. Louis, MO) XXXV, no. 18 (September 5, 1916): 269-270. Theodore Graebner, "Elders and Deacons in the Lutheran Church," trans. W. Cook, *The Lutheran Witness* (St. Louis, MO) XXXV, no. 19 (September 19, 1916): 285-286.

⁴²Theodore Graebner, "Elders and Deacons in the Lutheran Church," 206.

⁴³Theodore Graebner, *Handbook for Congregational Officers* (St. Louis, MO: Concordia, 1928), 13. "Just how it came about that in the earliest Christian churches lay members were serving alongside of the apostles or pastors, is made clear by a study of the sixth chapter in the Book of Acts."

⁴⁴Theodore Graebner, "Elders and Deacons in the Lutheran Church," 206. "It is highly probable that Judas and Silas, who accompanied Paul and Barnabas on their way back to Antioch, were of the number of lay elders."

⁴⁵*Ibid.*

language, the official title of overseers of cities, the word bishop, *episcopos*. That first committee of seven almoners, or elders, did not receive a new title, for that office was an old institution in Jewry. Nor was this office introduced by divine command, but rather in the exercise of Christian liberty. The seven elders performed such services as the twelve apostles were unable to do for want of time. In order to emphasize the fact, we repeat that this office of eldership was not divinely appointed, nor instituted by God's command, as is the office of the ministry. It simply was inaugurated to supply help for the office of the ministry; it is an *auxiliary office* thereof, instituted by the Church itself according to the liberty which it has in Christ Jesus.⁴⁶

Originally, the office of lay elder came from the synagogue but now is understood to exist according to Christian freedom. It is an auxiliary office instituted by the church. Here he reflects Walther's teaching in *Church and Ministry*. He acknowledges that the Scriptures do not command the existence of lay elders, nor do the Scriptures describe their duties.⁴⁷ In fact, according to Graebner this freedom is what distinguishes the Lutheran teaching on lay elder from that of the Presbyterians. He writes:

From the viewpoint of the Church, a congregation may be a Christian congregation without elders or trustees; the office of lay eldership is not a mark of orthodoxy, nor is it an essential part of the nature of a Christian congregation. Right here you notice one point of difference between our doctrine and the doctrine of the Presbyterians, who believe that the existence of elders, with spiritual powers, *e.g.*, in church-discipline, is an indispensable characteristic of a Christian congregation.⁴⁸

This understanding forms the defense against the view that the Missouri Synod adopted the lay elder because of "calvinizing tendencies." The difference for Graebner is that, although he agrees with Calvin's interpretation of 1 Timothy 5:17, that is, there are teaching and ruling elders, such an arrangement is not necessary for the church to exist. The Calvinist view holds there must be two kinds of elders or the church is not the church. Although the Office of the Public Ministry is necessary for the church, indeed, it is a mark of the church. On the other hand, the office of lay elder is not necessary; rather, it is beneficial for the church. The church may

⁴⁶Ibid., 222.

⁴⁷Ibid., 269. "When a Christian congregation institutes in its midst the office of eldership, it does so according to the liberty wherewith Christ has made us free. There is no command in Scripture for it, neither expressed nor implied. Neither does the Word of God prescribe the number of elders nor the manner in which to elect them. The divine Word does not even contain specific instructions for, and duties of, elders and deacons."

⁴⁸Ibid. 270.

have lay elders or not have lay elders according to their needs and desires on the basis of Christian freedom.

Just as Walther revisited the lay elder later in life, so too did Graebner. Thirteen years after he wrote his article for *Der Lutheraner*, he wrote a *Handbook for Congregational Officers*.⁴⁹ He states that this book grew out of the articles he wrote in 1915 and was written because “no literature on this subject was extant in our midst.”⁵⁰ The lack of literature on the subject of lay elders helps to demonstrate its newness in the Lutheran church. Graebner begins his book with a statement many new pastors have pondered, “I wonder whether the voters ever stop to think how this office, the office of elders, originated.”⁵¹ As the congregations transitioned from German to English, people began to ask where lay elders came from. To make matters more complicated, different congregations use different terminology. “The men called elders in some congregations are called deacons in others. In German we have no equivalent for deacons, but we speak of *Vorsteher* and *Vorstand*, of *Gemeindeaelteste* and *Gemeinderat*.”⁵² Just as Stellhorn did not wish to quibble over terminology, neither does Graebner. All of the aforementioned terms refer to the same office of lay elder.

Although Graebner’s book on congregational offices is much lengthier than his article on lay elders, his argument is basically the same. He does spend more time discussing the role and duties of the elder, but these “duties” are always under the control of the rubric of whatever the congregation desires, provided these duties do not infringe on the pastoral office. It seems likely that Graebner’s book informed the oral tradition regarding elders and other lay-officers in the church, which still governs how most congregations in the Missouri Synod operate today.

Conclusion

Graebner stated that every Lutheran voter should be able to give an intelligent answer about the origin and duties of the lay elder.⁵³ Just as Graebner was confronted by a lack of resources in his day, we too find that “no literature on this subject was extant in our midst.”⁵⁴ Although the oral traditions about lay elders live on in our congregations, our collective memory about the origin of the lay elder has become clouded. We have sought to offer some resources for the reader to “be able to give an intelligent answer” about the lay elder.

⁴⁹Theodore Graebner, *Handbook for Congregational Officers*. I am indebted to Rev. Prof. Brian Mosemann who brought this book to my attention.

⁵⁰*Ibid.*, iii.

⁵¹*Ibid.*, 2.

⁵²*Ibid.*, 3.

⁵³*Ibid.*, 3. “They are questions to which every Lutheran voter at least should be able to give an intelligent answer.”

⁵⁴*Ibid.*, iii.

Walther is most helpful to us when we see how he worked through the difficult problems that confronted him. In the case of lay elders, we see that he needed a way to organize the church here in America without the assistance of the government. Lay elders formed part of his solution. As Walther himself stated, the Scriptures do not command the institution of lay elders; the church is free to have them or not. Walther cited Scripture passages that he believed described lay elders in the early church. Unfortunately, there is no historical precedent for his interpretation of these passages before John Calvin. Nonetheless, we need not agree with Walther's interpretation to retain, utilize, and be thankful for the lay elders who serve in our congregations. Walther's introduction of lay elders to the Lutheran church in America was not based on particular Scripture passages that instituted this office; rather, it was based on the church's freedom in Christ. Walther's teaching on auxiliary offices formed the basis for the lay elder.

For all intents and purposes, Walther did indeed introduce lay elders. He took a practice that appeared in isolation and was regarded with the suspicion of being non-Lutheran and brought it into widespread use in the Lutheran church. Instructed by the way he faced the challenges of his day, one may then face our lack of clarity with similar concerns: what needs to be safeguarded, the proper distinction between Law and Gospel, and between what is a doctrine and what is not. Walther's concern that the lay elder not infringe on the Office of the Public Ministry should still guide us today. According to Walther, the ruling elders, that is, those who were not called into the Public Ministry, were not to act as if they were. Walther's concern to keep "the Office of Teaching and Preaching" distinct and separate from the "Ruling Office" would guide us well, and also clear the way to a clearer recognition of the specific and invaluable role lay elders play in the life of our congregations.