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Ein Prediger muss nicht allein weiden, also dass er die Schafe unterweise, wie sie rechte Christen sollen sein, sondern auch daneben den Woelfen wehren, dass sie die Schafe nicht angreifen und mit falscher Lehre verfuehren und Irrtum einfuehren.

Luther.

Es ist kein Ding, das die Leute mehr bei der Kirche behaelt denn die gute Predigt. — *Apologie*, Art. 24.

If the trumpet give an uncertain sound who shall prepare himself to the battle? — 1 Cor. 14, 8.

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ARCHIVE

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**Theological Observer — Kirchlich-Zeitgeschichtliches**


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**Making Plans for the Lutheran World Convention in 1940.**—From the *Lutheran* we learn that Dr. Knubel, president of the U. L. C. A., and Dr. Ralph H. Long, secretary of the National Lutheran Council, went to Europe to attend a meeting of the Executive Committee of the Lutheran World Convention. The other members of this committee are Erling Eidem, Archbishop of the Church of Sweden, Bishops Marahrens and Meiser of Hanover and Bavaria, respectively, and Alfred T. Jorgensen of Copenhagen. Dr. Hans Lilje is the executive secretary of this committee.

The World Convention is to meet in Philadelphia, May 24 to June 2 next year. The *Lutheran* writes: "Unless the basis of representation is larger than at previous Lutheran World Conventions, the number of official delegates will not exceed 175. But Lutheran church organizations in twenty-seven countries are eligible to send delegates." If all unionistic features could be eliminated, this World Convention might be welcomed as an important agency in bringing about doctrinal agreement in the Lutheran Church. A.

**The Federal Council Planning a World-State.**—This is the comment of Ernest Gordon, able commentator of religious and ecclesiastical movements, whose interesting paragraphs appear from time to time in the *Sunday-school Times*. In a recent issue (May 20) he writes: "At the Madras International Missionary Council the German delegates set themselves squarely in opposition to the light-hearted Americans with their social programs. 'If any of the present panaceas offered to man are realized, it will not be the kingdom of God. We should not become easily optimistic, thinking that material development here and social progress there are necessarily the coming of the Kingdom. We should emphasize the words of the Creed "He shall come again to judge the quick and the dead," and believe that only this eschatological attitude can save the Church from being secularized.' (This is the suggestion of the Germans at Madras.) A paper submitted by the Federal Council of Churches of Christ in America to the Madras Conference may explain the German protest. It proposed plans for a *world society of nations*. 'The Christian forces of the world, having solemnly pronounced judgment upon unqualified national sovereignty, as they did at Oxford, should next declare that there must be a world authority, to which alone the necessary aspects and degrees of sovereignty can be ceded by nations. . . . It may be objected that to propose the limitation of national sovereignty is futile because it is the very basis of the present world order. But this should not discourage Christians. The Christian Church has a world view and an inclusive concern for all peoples. It is therefore incumbent upon it to define the kind of order which is essential to the welfare of the world. . . . By resolutely advocating the world commonwealth of nations, . . . the Church can meet an unprecedented opportunity and fulfil a grave responsibility.' (This is the proposal of the Federal Council.) Last year at Utrecht the Federal Council was planning a

*world-church*; this year in Madras it planned a *world-state*. 'My kingdom is not of this world' evidently has no admonition for it."

Gordon's verdict is strikingly correct and in full accord with the Augustana, which writes on this point: "Therefore the power of the Church and the civil power must not be confounded. The power of the Church has its own commission, to teach the Gospel and to administer the Sacraments. Let it not break into the office of another; let it not transfer the kingdoms of this world; let it not abolish lawful obedience; let it not interfere with judgments concerning civil ordinances or contracts; let it not prescribe laws to civil rulers concerning the form of the Commonwealth." (Cf. Art. 28, 12 ff.; *Triglot*, p. 85.) Today the Calvinistic church group is just as eager "to break into the office of the State" as is Romanism, and it is our duty to proclaim the truth to both these erring sects.

J. T. M.

**The World Council of Churches.**—New York (RNS).—Thirty-six churches from 19 nations of the world have officially joined the World Council of Churches, according to latest reports from headquarters of the council in Geneva. The complete list follows:

Australia: Presbyterian Church of Australia; Canada: Church of England in Canada, United Church of Canada; China: Church of Christ in China; Czechoslovakia: Evangelical Church of Bohemian Brethren; Estonia: Evangelical Lutheran Church, Orthodox Church in Estonia; Finland: Evangelical Lutheran Church; France: Reformed Church of France, Reformed Church of Alsace and of Lorraine; Germany: Old Catholic Church of Germany; Great Britain: Baptist Union of Great Britain and Ireland, the Salvation Army; Holland: Old Catholic Church of Holland; India: Federation of Evangelical Lutheran Churches in India, Mar Thoma Syrian Church of Malabar; Latvia: Orthodox Church in Latvia; Lithuania: Reformed Church of Lithuania; Netherlands East Indies: Protestant Church of the Netherlands East Indies; Poland: Evangelical Church of the Augsburgian Confession, United Evangelical Church, Polish National Catholic Church; Sweden: Church of Sweden; Switzerland: Old Catholic Church of Switzerland; United States of America: Congregational and Christian Churches; International Convention of the Disciples of Christ, Evangelical Church, United Lutheran Church in America, African Methodist Episcopal Church, Polish National Catholic Church of America, Rumanian Orthodox Episcopate in America, Evangelical and Reformed Church, Presbyterian Church in the United States of America, Presbyterian Church in the United States, Syrian Antiochian Church of North America; Yugoslavia: Old Catholic Church of Yugoslavia. — *The Living Church*, June 21, 1939.

**A New Mission in Belgium.**—Pastor F. Kreiss, in *Le Luthérien Français*, under the heading "Une Mission Luthérienne en Belgique," reports a new mission opening for our small Lutheran Church in France in the neighboring country of Belgium, which is almost 100 per cent. Roman Catholic, since here, four hundred years ago, the cause of the Reformation was tyrannically suppressed. Nevertheless, in this country there now exists a small group of evangelical Christians who through their minister have appealed to our Pastor Kreiss in Paris for instruction

in the Lutheran doctrine. During the World War Mr. L. Hellings accidentally (?) secured a copy of the Gospel according to St. John. He read it eagerly and soon found that he could not be a stanch Romanist and yet accept John's gospel. The Word of God so impressed him that he discontinued attending the Catholic services even when, after the War, he had returned home to his mother, who sharply rebuked him for not going to church with her. One Sunday, when again his mother and sisters had left for church and he for a long walk in his native town, he saw a book lying on the ground. Picking it up, he discovered that it was the New Testament. He took the book home, and now his mother and sisters joined him in his Bible-study, the final upshot of which was that they, too, turned away from the Roman Catholic Church. The little group that gathered around them in the course of time met with the American Methodists but were not satisfied with their services and religious tenets. Then hearing of our Lutheran work in Paris, Mr. Hellings wrote a long letter to Pastor Kreiss, asking him for more detailed information on Lutheranism, of which he had heard in the course of his religious research. In closing his letter to Pastor Kreiss, he said: "For five years I have now carried on my work as missionary in Antwerp (Anvers), where by the grace of God I was able to gather a small congregation, faithful and very promising, and walking alone and independently on the way of evangelical truth. Belgian Christians find it hard to accustom themselves to the worship of the Calvinistic sects because these lay so little stress on the holy Sacraments. I myself have always felt the coldness and emptiness which resulted therefrom. Also, we have taken care in our small congregation at Antwerp to continue in the teachings of the Gospel, which we proclaim simply and in all its purity, and in the administration of the Sacraments as our Savior gave them to His Church. Consequently even outwardly our way of celebrating divine services is closely related—it was so even when we knew nothing of the Lutheran Church—to the Church with which we have now become acquainted and which we hope to join."

If Pastor Hellings will join our Lutheran Church, a new country in Europe can be added to the number of those in which we now proclaim "God's Word and Luther's doctrine pure." Let us include also this new mission in Belgium in our intercessions, as Pastor Hellings asks us to do when he writes: "We ask our brethren to pray for us that the Savior may grant us strength to continue the work begun in His name."

J. T. M.

**Concomitance.**—Dr. B. Ivins, Bishop of Milwaukee (Episcopalian), finds that "the subject of the use of the common cup in Holy Communion has become a grave one owing to local health regulations." Moreover, "a new fad or fashion of some women of today has presented the matter in a new and disgusting and revolting manner. I refer to the custom of women painting their lips." The Bishop of Milwaukee is not in favor of intinction. But he has found a remedy. "It seems to me therefore that there is but one further method to consider, and that is the withdrawal of the chalice from the laity and to communicate them under the one species of bread only." And in his pastoral address, published in the *Living Church* of June 7, he justifies this method of getting

rid of the common cup. "Are we, then, ready to break with these Scriptural and Anglican traditions and teachings? Are we being compelled to break with them? And if we are, then let me give you, briefly and sketchily, some theological and philosophical considerations. First, some pure logic and philosophy." Before reading on, let the reader take up Luther's *Bericht an einen guten Freund von beider Gestalt des Sakraments, auf des Bischofs zu Meissen Mandat* (19, 1344 ff.) and see what comes of mixing "pure logic" with theology. "Das Allerfeinste aber in des Bischofs Zettel ist, dass die Pfarrherren sollen das Volk lehren, wie unter der *einen* Gestalt der ganze Jesus Christus, Gottes Sohn, Gott und Mensch, dazu sein Leib und Blut sei. . . . Hiezu schlaegt nun die Konkomitantien, das ist, die Folge. Weil Christi Leib nicht ohne Blut ist, so folgt daraus, dass sein Blut nicht ohne die Seele ist; daraus folgt, dass seine Seele nicht ohne die Gottheit ist; . . . daraus folgt, dass, wer das Sakrament (auch einerlei Gestalt) isst, der frisst den Bischof zu Meissen mit seinem Mandat und Zettel. . . ." You will have to read the whole section. Then you will be prepared to read what the Bishop of Milwaukee has to say on concomitance. Here it is:

"Now, it is axiomatic: Wherever is the body of a living man, there must also be his soul. And our Lord Jesus Christ, being raised from the dead, dieth no more and is alive forevermore. *Ergo*. Wherever the body of Christ is, there is also the soul of Christ. Also, the sacred humanity of our blessed Lord has not, nor ever has had, any personal existence except as united to His divinity. The person of God the Son assumed a human body and a human soul. *Ergo*. Wherever the body or soul of Jesus Christ is, there is also the person of God the Son.

"Another axiom: *One* thing cannot be *two* different things at the same time. And the presence of that which makes a thing a thing constitutes the presence of the thing. Now, that which constitutes the body of Christ is the substance of human flesh which He took of the Virgin Mary, His mother. *Ergo*. The presence of the substance of the flesh of Christ constitutes the presence of His body.

"Yet another axiom: Wherever the body of a living man is, there also are his bones and all things pertaining to the perfection of his nature. These points are the very foundation principles of the Incarnation, and to deny them places one beyond the pale of Christianity.

"Now apply these principles to the matter in hand. If any presence of Christ under the forms of bread and wine is acknowledged, it follows that, as by the power of consecration the body of Christ is present under the form of bread, there is present also His human soul. This is the theological doctrine of *concomitance*. And where the sacred humanity is present, there also is present the divine person of God the Son. Moreover, it follows that this presence is *substantial* and that the consecrated bread is, as we say in the catechism, the 'sign,' while the reality, or 'thing,' there present is the body of Christ. (*Sacramentum* and *Res Sacramenti*.) So, too, with regard to the sacred blood. But *as our Lord is living, one part of His human nature cannot be present without the rest. Ergo, the whole Christ, body and soul and divinity, is present under each kind in the Sacrament—the body by the words of consecration and the rest by concomitance, etc.* This doctrine of concomitance lays

down the premise that the body and blood of Christ, although once separated in death, are no more separable and therefore are not to be separated from each other by the Sacrament. Furthermore, Christ is wholly and indivisibly present in His human and divine natures in each of the consecrated species and in every several particle of each. Such a definition may seem excessively logical and exact in view of the mysteriousness of the subject, but I believe it to be indisputable and necessary to our consideration.

“Let us, then, understand that, while reception of Holy Communion in one kind, that is, in the case before us, of the bread alone, does in some way and to some degree mutilate the Sacrament, yet under either form alone the recipient does partake of the whole Christ and therefore makes a valid and satisfying Communion.”

The Bishop of Milwaukee is as serious about this matter as the Bishop of Meissen was, only not quite so autocratic. “I do not propose to give the clergy any further direction in this matter, nor do I impose anything I have said upon any conscience, but I do submit it to the consideration of you all, clergy and laity, and unless and until either our own General Convention or the Lambeth Conference shall take further action in the matter, I will not question the practise in any cure within this diocese where the chalice may be withdrawn from the laity if it is done with acquiescence of a clear and responsible majority of them. . . . If Communion in one kind is adopted as the parish use and some still wish to receive in both kinds, provision should be made to meet the wishes of those individuals.”

E.

“**Why We are Opposed to Methodist Union.**” — Under this heading the *Christian Beacon* (May 25) publishes the protest of dissenting Methodists, whose objections to the Methodist Union consummated in Kansas City remained unheard. Among other things we read in their protest: “Bishop Francis J. McConnell, in his book *The Christlike God*, has this to say concerning Christ as God: ‘Is not this tendency to deify Jesus more heathen than Christian?’ In other words, he declares that, if we think of Christ as God, then we are heathen in our thinking.” — “Further, in the same book, Bishop McConnell says: ‘Back in the early ages of the Church there were some, probably only a few thinkers, who taught that Satan had a claim on the souls of men which only the death of the Son of God could satisfy, and that God met the obligation by sending the Son to the cross. As an intellectual construction this theory arouses only amused pity today, but its aim is as self-evident as that of any other theory of atonement ever built, namely, to declare that God Himself will do whatever is necessary for the salvation of men.’ Bishop McConnell avers that the Scriptural doctrine of the cross only arouses amused pity; but the Bible very clearly teaches that the cross was necessary.” — “Bishop Ivan Lee Holt, one of the new bishops of the Methodist Episcopal Church, South, was so popular that he was elected bishop on the first ballot. Bishop Holt has stated that the blood Gospel of Jesus Christ was outmoded.” — “Bishop Holt also has stated that the work being done by that great missionary organization the China Inland Mission ‘could not reach modern China.’ That means that the preaching of the faithful missionaries under the direction of that great missionary

organization is worthless to modern China. Yet thousands upon thousands of Chinese have been saved through the work of these missionaries." — "Bishop Holt advocates a world church, and this is his set-up: 'First, the Protestant churches must unite. Then this great Protestant Church will meet with the Greek Catholic Church and unite; and lastly this great body will meet with the Roman Catholic Church and work out a plan for a World Christian Church.' Think of it! It would be a world church, but not Christian." — "Rev. E. Stanley Jones, held up by many as one of the outstanding Christian leaders of our day and no doubt a leader in the New Methodist Church, says in his book *The Choice before Us* that he 'believes in the fatherhood of God and the brotherhood of man,' which the Bible rejects. In the same book he says of atheistic and godless Russia, 'I am persuaded that the Russian experiment is going to help, and I was about to say, to force Christianity to rediscover the meaning of the kingdom of God upon earth.' That means: Atheistic Russia, with all its godlessness, is going to show the Christian Church how really to interpret Christianity." — "Kagawa, a man from Japan, has been eulogized by all of these church-leaders, and his writings have been accepted by them. Kagawa sets aside the blood of Christ as a sin-cleansing agent. He says: 'Not that physical blood can redeem the sins of the soul, but to love other men enough to be willing to pour out your blood for them, that is the acme of spiritual love.' In effect, he states that the blood of Jesus Christ is not necessary to salvation." — The protest closes with the paragraph: "We could continue to pile up evidence of the apostasy that will be brought to the New Methodist Church by these leaders; but this is sufficient. Reviewing the evidence above helps us to state our reason why we are opposed to the Methodist Union as follows: Because of the apostasy and unbelief of these leaders of the Methodist Episcopal Church and their acceptance of the beliefs of such men as Kagawa, we are taking our stand against the Methodist Union." What an accursed thing Modernism is, is again proved both by these quotations from modernistic writers and by the tyranny which its leaders exercise over all who refuse to accept its false teachings. And, let us not forget, the open gate to Modernism is unionism.

J. T. M.

**Constitution Sunday.** — The attention of the *Lutheran* has been called to a joint resolution introduced into the Congress of the United States by which the Sunday preceding September 17 would receive a special civic place in the calendar. The bill was offered in the Upper House by Senator Davis of Pennsylvania. It reads:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Sunday immediately preceding September 17 of each year is hereby designated and shall hereafter be known as Constitution Sunday, to be held in grateful remembrance for the privileges enjoyed under the Constitution of the United States, and the President is authorized and requested to issue annually a proclamation calling upon the people of the United States to observe such Constitution Sunday in an appropriate manner."

That the Christian citizens of the United States are open to the calls of their Government and willing that the churches should manifest their

loyalty and interest "in the powers that be" goes without saying. We accept the revealed principle that "the powers that be are ordained of God," and we recognize in the officers of state and nation and in the institutions of our Government those who have the rule over us. We deem the relationship of Church and State that is established in the Republic by the Bill of Rights among the most essential for the continuance of the liberty we enjoy. We consider so highly providential as to be properly a reason for devout thanks to almighty God the Constitution's careful balancing of civil and ecclesiastical authority, so that the Christian citizen can serve both Church and State and be served by both impartially without entanglements of his loyalty. And because the relationships are so essential, we must scan critically *any* legislation proposed.

First of all, the wording of a bill should be as nearly free from ambiguity in meaning as the English language permits. The draft of the bill quoted above is faulty in that it proposes that a certain Sunday is to be held in grateful remembrance. We assume that the subject of grateful remembrance is the Constitution, but it is not so stated. The concluding words, "in an appropriate manner," are also ambiguous. When is a manner of observance "appropriate"? For example, the President annually issues a proclamation which declares the last Thursday in November to be a national holiday to be devoted to thanksgiving. Originally it was to God that the thanks were directed. In recent years the object of devotion is very obscurely recognized. Also, in these days of shifting theories of government one is justified in asking for quite definite specifications for presidential proclamations that are issued to the churches. It is reported that the Roman Catholic hierarchy in the United States has agreed upon the injection of certain distinctively partisan issues into the celebration of Labor Day by members of that communion. We knew of the project for a Constitution Sunday before we read of the Roman Catholic proposition. Is there involved in this designation of days in September an application of David Harum's version of the Golden Rule — "Do unto your neighbor as he would do unto you, and do it first"? And if so, who was first? We do not hesitate to inject here our personal belief that this latest "act of isolation" on the part of the Catholic hierarchy is loaded with possibilities of danger to American industrial and economic unity. Labor Day is not by its nature of a character and purpose that lend themselves to either hierarchical or evangelical partisanship. We believe both a protest and counteraction must follow action by any minority of the country that subjects any national holy day to sectarian domination. — *The Lutheran*.

**The Temple of Religion at the New York World's Fair.** — On the last Sunday in April the Temple of Religion at the New York World's Fair was "dedicated" to the fatherhood of God and the brotherhood of man. Of this the *Christian Beacon* (May 4) writes: "Prominent leaders of the Jewish, Catholic, and Protestant faiths united in expounding on the fatherhood of God. . . . The meeting closed in warm support of the theory of the brotherhood of man." — "Differences of ritual and ceremony were soon sunk in a 'program,' the common theme becoming the 'belief in a God.' Traditional differences of church decorum also were

soon abandoned." Of the unchristian prayers delivered on the occasion we quote parts to show the extreme syncretism and rank idolatry practised by unbelieving Jews and denying Christians. Said Rev. J. I. Blair Larned, Suffragan Bishop of the Episcopal Church: "In these days, so prone to the peril of shallow thinking, lead us, we pray Thee, step by step, up Thy holy hill, wherein, lifted above the storms of intolerance, the clouds of prejudice, and the mists of passion, we may think Thine own thoughts after Thee." Said Wm. Church Osborn, president of the Temple of Religion: "Here we affirm that the eternal verities of faith and freedom are right in control of our lives. Here the leaders of the three religious faiths most largely practised in this country invite in developing an ideal." Said Grover Whalen: "Catholics, Jews, and Protestants have come forward in providing the temple and its gardens. Surely this edifice is a sign that doctrines of hate need not prevail in the world, and that, removed from fear, we may work together with increased vigor for the happier moments and finer things of life." Said Rabbi David De Sola Pool: "Religion must not divide. It must unite us. Here in this Temple of Religion men and women of different creeds but of one religious spirit shall meet in full, free, frank fellowship of the spirit, renouncing racialism, learning to love the Lord, our God, with all our soul and all our mind, and learning to love our neighbor as ourselves. This Temple of Religion leads our minds to the recognition that man's only glory is his understanding of God." Said the Rev. Dr. R. W. Searle, general secretary of the Greater New York Federation of Churches: "To have built three temples, twenty or a hundred chapels, would have been to symbolize a past darkened with human pride and sinful with religious strife. But we are saying with united voice that there is one God and that it is His will that men should live in brotherhood." Said Mgr. John J. Clarke, dean of the Catholic clergy of Queens: "I want to congratulate the Fair authorities for their eventual decision to erect this monument as a common profession of faith in the existence of a God. Our presence here this morning is to my mind an indication that we believe in God the Father Almighty, Creator of heaven and earth."—The syncretistic religion glorified at the dedication of this Temple of Religion is that of Freemasonry and represents the total denial of all fundamentals that Christianity teaches. J. T. M.

**Sir W. M. Ramsay Deceased.**—New Testament students will learn with regret that Sir W. M. Ramsay died, eighty-eight years old. As he himself said, when he started out on his career as a classical scholar making researches in Asia Minor, he accepted the views sponsored by negative higher critics. By and by he was confronted with evidences which showed him that one of the critics' prime assumptions, the unreliability of the Book of Acts, was utterly wrong. Though not arriving at the conviction of the inerrancy of the Scriptures, he vigorously defended the trustworthiness of St. Luke's writings. His immense learning in the field of Latin and Greek literature, coupled with fearless devotion to what he believed to be true, made the works in which he defended the Sacred Record valuable additions to exegetical and apologetic literature. His searching investigation into the problem of the census taken

at the time when our Savior was born has probably done more to silence those attacking Luke 2:1, 2 than the work of any other scholar during the last sixty years. The titles of some of his works are: *The Church in the Roman Empire* (1897), *Was Christ Born in Bethlehem?* (1899), *Pictures from the Apostolic Church* (1910), *Luke the Physician* (1908), *St. Paul the Traveler and the Roman Citizen* (1895), *The Letters to the Seven Churches* (1905), *The Cities of St. Paul*. A.

**A Business Man Prepares to Enter the Ministry.**—The following, having originally appeared in the *Watchman-Examiner*, is too good not to pass on. "C. Daniel Boone, a prominent young Chicago banker and a great-great-grandson of the famous pioneer, recently closed his desk, resigned his business connections, and prepared to enter the Episcopal ministry. He is a graduate of the University of Chicago. In taking this step, he said, 'I feel I can render a better service to my fellow-man by proclaiming the unsearchable riches of the Gospel of Jesus Christ, which is, after all, the great business in life.' We are desirous of drawing attention to this incident because Mr. Boone had become established in the business world and also because he speaks as a representative of business men when he says, 'I find beneath the surface of business life a deep spiritual longing. Men know they are not finding what satisfies. They are spiritually starving, and they want the broadening of life. I believe the return to religion is the only thing which will save democracy. It provides the incentive for justice and brotherhood on which alone any free civilization can be built.'" Whether one can say that, in order to save democracy, there must be a return to religion we doubt. In general, however, the statement of Mr. Boone is cheering. A.

**Brief Items.**—Next fall will see a new associate professor at the Divinity School of the University of Chicago, Dr. John Knox, elected to serve in the Department of Preaching. During the past school-year he was associate professor of New Testament at Hartford Theological Seminary. He is a dyed-in-the-wool Modernist.

The successor of the late Cardinal Hayes as Archbishop of New York is Mgr. Francis Joseph Spellman, hitherto Auxiliary Bishop of Boston. According to the *Christian Century* the *Catholic Directory* for 1939 states that the Roman Catholic Church in the United States numbers 21,000,000 members, 33,000 priests, 18,000 parishes, 133 bishops.

It will be recalled that last December the Baptist churches in Rumania were ordered closed. Now the church press reports that these churches are to be, or have been, reopened.

From the *Lutheran Companion* we see that in the Scandinavian countries church authorities are thinking of admitting women to the holy ministry. In Denmark a woman who has finished a course in theology has received a call as assistant pastor. Norway has decided to ordain women. Sweden, it is thought, will sooner or later take the same course. The editor of the *Lutheran Companion* calls the ordaining of women a moot question and says he is rather inclined to "question the advisability of such a step." We wish he would have taken the position of Paul and said that such a procedure has to be opposed. A.