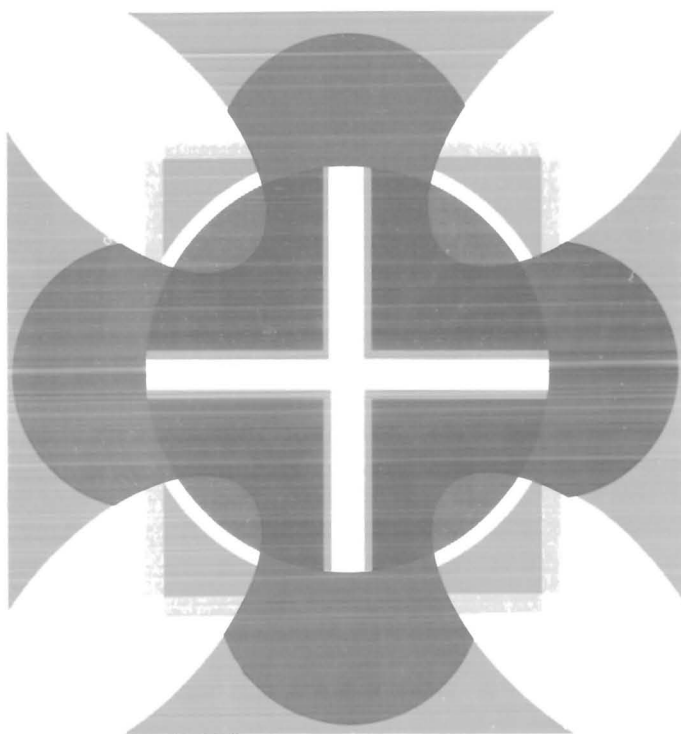


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# Some Concerns About Current Confessional Statements

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Luther on occasion compared the world with a drunken peasant who when he was shoved into the saddle on the one side toppled out of it on the other so that it was impossible to help him, do what one would. The history of theology tempts one to use the same comparison. "What venture-some statements have men permitted themselves to make, statements that ultimately had to lead to disaster because the attempt was made to present a truth that was correct enough in itself but which was taught in a one-sided, undialectic form, with complete contempt and disapproval of its antithesis."<sup>1</sup>

In the current debate in our church regarding subscription to doctrinal definitions written by those in authority it is not, therefore, primarily the correctness of such statements but the principles upon which their demand for official adoption and subscription is based which present real theological difficulties. It is not only desirable but necessary for the church to face these difficulties. Because it is precisely those who preach *sana doctrina* who are under an obligation to find out continually whether, in the course of progress or regress—of time, of the church, of theology, exegesis, history, dogmatics—their doctrine is still *doctrina sana*.

## THEOLOGICAL ETHICS OF THE CONFESSIONAL "WE"

The ancient church attempted to guard the collective "we" against the invasion of hypocrites and self-seekers by requiring an extended period of

catechetical instruction and a personal confession of faith before admitting the neophyte through baptism. This personal confession consisted either in the recitation of a baptismal formula, which in the Western church gradually crystalized in the *Apostolicum*, or in affirmative answers to a number of questions based on the creed which were asked of the candidate for baptism. That accounts for the "I" in most baptismal creeds; the "we" formula was used only when several converts were baptized as a group. It then referred to their number and is, therefore, a cumulative "we." The seventh book of the *Apostolic Constitutions* requires the neophyte to use the "I" formula. Did this requirement of a personal credo actually safeguard the collective "we" to the extent that the entire number of those who bore the name were actually real Christians? If that were the case, then their complete aggregate plural, the cumulative "we," would be identical with the collective "we" of the holy Christian church, a consummation to be achieved only in heaven.

While it can be said of the blessed saints that the cumulative "we" and the objective, collective "we" have become fused, we now find a situation in which that claim is made for those who confess certain prescribed orthodox definitions. A recent confessional statement states its creed as follows: "We believe, teach, and confess . . . affirm . . . accept . . . acknowledge . . . recognize. . . . We therefore reject."<sup>2</sup>

<sup>2</sup> *A Statement of Scriptural and Confessional Principles* which, according to Resolution 3-01 of the New Orleans convention of the LCMS, adopted by simple majority vote, "in all its parts . . . derives its authority from the Word of God."

<sup>1</sup> Adolf Koeberle, *The Quest for Holiness* (Minneapolis: Augsburg Publishing House, 1938), p. 259.

This formula is debatable, especially since it makes the claim that it expresses the "Scriptural and confessional stance" of the Synod and unilaterally denies recognition to any other position. In other words, all those who subscribe to all parts of this document (the cumulative "we") stand in the tradition of the Synod and are in line with the church of the fathers, part of the corporeity of Christ (the collective "we"). This leaves the strong impression that *extra orthodoxia nulla ecclesiam est*. Here we remember, among others, the event of the thief on the cross which provides a paradigm for all who are *in ecclesia* according to God's own promise, without express orthodox subscriptions to all matters recorded in the Bible and subsequently defined by theologians. And while it is true that all Christians must—upon instruction and with opportunity—confess an orthodox faith, it does not follow that all who are orthodox are Christians.

No one is justified before God by verifying his status as a member of Christ's church through doctrinal subscription. In the instance just mentioned, the collective "we" formula deprives the statements which it prefaces of their intended objective-ethical importance through the fallacy that the "we" is representative of the church and that the formulae which it introduces are therefore the essential faith of the church.<sup>3</sup> The fact is, pure doctrine and orthodox confession are not faith itself but rather the results

or fruits of faith, meaningful only as *externa* before men.<sup>4</sup> God does not need them in order to judge the church or any individual Christian.<sup>5</sup>

Unfortunately, that is the very function to which they may be put among and by those who are called *familia Dei*. Because if doctrinal confessions are meaningful only as *externa* before men, then *why* are they given? Here it is revealing to observe how a confessional statement is treated. If the primary purpose of a confessional statement is unity, there is voluntary subscription; if the primary purpose of a confessional statement is correction, there is usually a purposeful *tour de force*, such as the parliamentary action of a council or synod. In this connection it is important to note by what means the confessional "we" is justified. Because the question occurs: How can

tions—that as a result of an academic externalizing of faith, the freely promising, personal working of God is dissolved into an operative function of man.

<sup>4</sup> Ap IV 193. Article IV of the Apology establishes that faith is not to be identified with doctrinal declarations either as their essence (that doctrinal orthodoxy justifies), or result (that belief is posited upon a doctrine, such as Scriptural inerrancy), nor as being merely involved (the concomitance of *docenda et credenda*; see footnote 3), but as the causative agent, resulting in doctrine's "sanctification of the name of God." (LC Ten Commandments 64)

<sup>5</sup> What exempts the Lutheran Confessions from this criticism? The Lutheran confessors submitted the dogmatic assertions which were prefaced by their corporate "we" to the voluntary, evangelical subscription of *all* those who, in danger of life and limb, professed their articles *prior* to their official presentation and use. The "we" of the Confessions is the apologetic "we" which gathers along one line of defense all those who bear the name of Christ, and entitles even one individual who is accused for the sake of this name to speak for the entire community of believers. All subsequent confessional statements, no matter how ideally motivated, find themselves using the subjectivistic ethic of claiming to authoritatively represent the Lutheran Confessions while addressing those who have already subscribed to them.

<sup>3</sup> Regardless of the import of the collective "we" formula, it can be argued that such doctrinal statements are not intended to be taken as substitutes for faith, but only to serve as intellectual guidelines. Yet such a line of reasoning is guilty of incoherence, since it is inconsistent with the clear meaning of Scripture that the precepts of Christ should be applied not only to the mind but also to the whole will of man and all his emotions. Thus there can never be a presentation of *docenda* (things to be taught) which is not at the same time also a presentation of *credenda* (things to be believed). And there is the *periculum* of all dogmatic asser-

a man or a group of men, speaking *to* the church, claim to speak *for* the church? If such a claim is justified by the majority vote of a council or synod, this very parliamentary action implies that the author or authors have spoken *to* the church, because their claim of representative authority has been submitted to the deliberation of their church's legislative body for a definitive decision. Only after their church has decided to adopt such a statement as its own are the author or authors justified in their claim that they are speaking for the church. Until such time, their confessional statements must reflect the conditionality of the individual's humble recognition of the internal solidarity of his church's official confessions.

### CONCERNS ABOUT PROSCRIPTION AND PRESCRIPTION

Whether the parliamentary action itself is justified for settling doctrinal issues is highly debatable. A case in point is the controverted majority vote of our Synod's New Orleans convention by which *A Statement of Scriptural and Confessional Principles* was officially adopted. Those who protest this action point to Article VIII of the Synod's Constitution, which makes abundantly clear that a church, and particularly our church, cannot be constituted, guided, or represented by majority vote in *doctrinal* matters. Proponents of the majority vote argue somewhat like this: Article VIII does not determine that the Synod can never vote on doctrine. How else can it adopt any position as its own, except by vote? What Article VIII does determine is that those who vote on doctrinal matters are to base their judgment upon the Word of God.

This is an almost classic example of an a priori assumption, characterized by the kind of reasoning which deduces consequences from principles which are regarded as self-

evident. From the not at all self-evident generalization that our church has to be able to adopt doctrinal positions, the inference is drawn that doctrinal statements are subject to majority vote. This presents an opportunity for a most interesting exercise in logic.

If all doctrinal positions are subject to the vote—and the Nicene *homoousios*, for example, is a doctrinal position—then the Nicene *homoousios* is subject to the vote. Obviously, this little syllogism, although its propositions are essentially sound, gives rise to a patent absurdity. With such reasoning anything could happen to the doctrines of the church by means of a majority vote. It will be pointed out, quite rightly, that the major premise should be redefined. Because the doctrine of the Nicene *homoousios* is fixed (in the sense of rendered permanent) in the Lutheran Confessions,<sup>6</sup> it is therefore not subject to any vote. That means that all doctrinal positions *other than* those contained in the Confessions are subject to the vote. Yet *A Statement of Scriptural and Confessional Principles* contains copious direct and indirect quotes from the Lutheran Confessions and claims to represent them faithfully. Thus it must be concluded that the majority vote on the *Statement* leaves the Synod with one of the following three alternatives: (1) the entire *Statement* contains doctrine other than that of the Confessions and has misrepresented itself; (2) the Synod must find those portions of the *Statement* which present doctrine *other than* that contained in the Confessions and declare that its vote applies only to such articles; (3) the Synod has voted on a doctrinal statement which is rooted in the Confessions, *with the implication that established doctrine is subject to a majority vote*. The last of the above alternatives is, as it appears, exactly

<sup>6</sup> AC I.

what the Synod has done. This leads back to the syllogism and its conclusion that the Nicene *homoousios* (as well as any other doctrine to which we have subscribed) is subject to acceptance or rejection by majority vote. At the very least such a position is unethical since it violates the objective affirmation of the ordination vow. Are the clergy of the Synod serving a church where the doctrines to which they are pledged may be changed by majority vote? Such an implication is inescapable in the face of a majority vote on a doctrinal statement which—according to its own claim—represents established and fundamental doctrines. It is exactly to avoid such a conundrum that Article VIII of the Constitution of Synod states that matters of doctrine shall be settled by the Word of God and specifies that *all other* matters be determined by majority vote.<sup>7</sup>

The as yet ill-defined auxiliary capacity of the *Statement* to the Lutheran Confessions is another problem that will trouble the church until it squarely faces the issue of how, with whatever qualitative difference it finds between the Confessions and the *Statement*, it will determine the extent of subscription to the *Statement* demanded of its ministers and teachers. The Solid Declaration of the Formula of Concord, Rule and Norm, not only denies the preparation and acceptance of any other confessions (Rule and Norm 2), but also ascribes to writings such as “interpretations of the Holy Scriptures, refutations of errors, and expository articles of doctrine” no ecclesial authority and only an acceptable usefulness (Rule and Norm 10), “if they are in accord with the aforementioned pattern of doctrine” (the Scripture and the Book of Concord).

<sup>7</sup> If this plain sentence is subject to an interpretation which, in fact, makes it say the very opposite of what the objective words convey, then those who use it in such a manner are engaging in the very activity of which they accuse those whom they consider *adversarii*, namely, faulty exegesis.

The proponents of the *Statement* maintain that *any* doctrinal formulation must derive its authority from the Word of God. Therefore, even though the stricture is expressed that no one may teach or preach publicly contrary to the *Statement*, it is held that proper dissent is possible, since the *Statement* is binding *insofar* as it is in accord with the Scriptures. Yet the majority vote *declared* that the *Statement* derives its authority “in all its parts . . . from the Word of God.” And the impression is inescapable that especially the *damnamus* clauses of the *Statement* can be justified logically only *inasmuch* (not *insofar*) as the *Statement* is in accord with the Word of God. The question therefore occurs: Is it possible to declare the *Statement's* claim of authoritative representation justified by majority vote and still maintain that it is binding only *insofar* as it is in accord with the Scriptures?

The *Statement* claims to correctly represent the Scriptures; the majority vote has officially sanctioned that claim. Saying that it is binding only upon the condition that it is in accord with the Word of God clearly contravenes the parliamentary action which officially declares that the *Statement* is in accord with the Word of God, that the *Statement's* claim that it “expresses the Synod's Scriptural and confessional stance” is a *fact*. That makes the exercise of the privilege of dissent, as outlined in Resolution 5-24 of the Milwaukee convention, a futile and an empty gesture. Those who dissent find themselves in the disagreeable position of protesting—according to the majority vote—the historic “stance of the Synod.”<sup>8</sup> The only avenue left to those who dissent is to remind the

<sup>8</sup> There are indeed portions of *A Statement of Scriptural and Confessional Principles* which are, strictly speaking, neither confessional nor Biblical. A few examples will suffice. The sentence, “. . . we acknowledge that the recognition of the soteriological purpose of Scripture in no sense permits us to call into question or deny the historicity or factuality of *matters* [emphasis added] recorded in the Bible” (Article IV, B of

church of the explicit statements in the Lutheran Confessions which *do not permit any binding* of consciences *by any other standard* than the Word of God and the Book of Concord.<sup>9</sup> This has certain implications also for the stricture that no one is to teach or preach publicly contrary to the *Statement*.

Finally, there are the well-known theses (*propositiones*) of Blessed Martin Luther on the authority of the church in matters of doctrine and in adiaphorous matters:

The Christian Church has no authority to ordain any article of faith, never has

*A Statement*) presents difficulties and needs more definition. Luther, for example, did not think that the book of Job was a historical account (St. Louis edition, XXII, 1422). The terms "interim" (Article I of *A Statement*), and "Material and Formal Principles" (Article IV, C) are not found in the Confessions and may introduce concepts which are entirely foreign to the Scriptures and the Confessions. The confessors wisely avoided any suggestion that there is a time interval between death and resurrection since, quite obviously, there is no "time" for the departed. They neither used or intimated an "interim." In fact, it would be just as Scriptural to speak of the immediacy of the resurrection for those who die (Heb. 9:27), since they do not have to undergo the interval of time which all those who are yet living within a dimensional world must experience. In any case, the word "interim" does not introduce the one and only correct conception of what happens after death. Luther was very guarded in his comments about a "state" of the soul after death and before the resurrection (see St. Louis edition, I, 1758 ff.; II, 251 ff.). In regard to the "Material and Formal Principles" see the section "The Media Is Not the Message," especially pp. 214-216, in the essay *Kyrios Jesus*. CTM. XLIV (May 1973), where I suggest that the distinction between the so-called material and formal principles is *functional* instead of schematic.

<sup>9</sup> "We receive and embrace with our whole heart the Prophetic and Apostolic Scriptures of the Old and New Testament as the pure, clear fountain of Israel, which is the only true standard by which teachers and doctrines are to be judged" (FC SD Rule and Norm 3). See also FC SD Rule and Norm 2 and 10.

"For it will not do to frame articles of faith from the works and words of the fathers. . . . The rule is: The Word of God shall establish articles of faith and no one else, not even an angel." (SA II 2, 15)

ordained and never will ordain one. The Church of God has no power to enact any precept as to good works, never has done it, never will do it. All articles of faith are fully established in Holy Writ, so that there is no need of ordaining even one more. All precepts of good works are fully prescribed in Holy Writ, so that there is no need of appointing even one more. *The Church of God has no authority to ratify articles of faith* or precepts of good works [emphasis added], or to give sanction to Holy Scripture itself, as though the Church were a higher authority or clothed with judicial powers, never has done it, nor ever will do it. On the contrary, the Church of God is ratified and endorsed by Holy Scripture as its lord and judge. The Church of God approves, that is, recognizes and acknowledges the articles of faith or Holy Scripture as a subject or a servant does the seal of his lord. For the maxim is sure: He who has no power to promise and grant either the future or present life, cannot ordain articles of faith.<sup>10</sup>

<sup>10</sup> Dr. Martin Luthers *Saemmtliche Schriften*. Neunzehnter Band (St. Louis: Concordia Publishing House, 1898), p. 958.

Of great interest are also the many other sentences of Luther regarding the subjects of authority and discipline in the church. Given below, for example, is an excerpt from one of Luther's letters to Melancthon regarding the latter's query about Eucharistic regulations and whether traditional service orders now established by church law are binding. In his reply, Luther discusses the church's authority in establishing *Satzungen*, which term is literally translated as "statutes," that is, *laws enacted by legislative bodies such as church councils*. In the quote given below, Luther's reference is to "canon laws" (*canonici*), enacted by a council and confirmed by a pope.

"The following particulars essential for establishing [a] law are missing in the church: the author, because no one has the power; the end, or purpose, because all that is godly, lawful, honorable, and necessary for salvation has already been commanded and ordered; the subject, because the estates of the church do not consist in external worldly goods, but are spiritual and eternal; the form, because nothing better nor more formally explicit can be established than the Word of God, which has qualitatively, quantitatively, and formally established everything that there is: faith, love, cross-bearing, the Ten Command-

### CONCERNS ABOUT EFFECT

Aside from the incalculably damaging effect of the dissension in our circles on the life of the Synod and the harm done our church by the negative public relations resulting from these dissensions,<sup>11</sup> there is concern that our church's theological emphasis is shifting in the direction of a Reformed, fundamentalistic insistence on the role of the believer, not only in accepting but also in affirming God's grace according to the believer's definitions. If the publication and acceptance of a set of theological definitions can be said to properly belong in the sphere of sanctification (in the wider sense), then the insistence, *any* insistence, that such a set be taught and believed is an encroachment upon

ments, doctrine, promises. Enough said! Reason cannot comprehend the form or shape of laws, neither their subject, author, end, or purpose in the church. The end or purpose of laws in the church should be eternal life. The subject: sin, and the sinners who believe and shall be justified—namely, righteousness before God. The author must be the Lord of life eternal. The form: the external Word taught by the Spirit, not just written down on paper, or descriptively voiced [an alternate translation could be: "verbally subscribed"—an interesting possibility, justified by the Old German "*gezeichnet*"]. Because what is the law of the churches? It is the Word given by God, confirmed by the Spirit unto eternal life. This is incompatible with any external laws.

Walch, *Saemmtliche Schriften*. Sechzehnter Teil (Halle: Joh. Gebauer, 1745), pp. 1218-19. The letter is dated Aug. 4, 1530.

<sup>11</sup> Typical of numerous articles and comments in the news media about the abrasive situation in the Missouri Synod and representative of the fact that the Missouri Synod is obtaining a special notoriety is the following Religious News Service Release (Special Correspondence) from Washington, D. C., titled "Catholics Warned": "In a strongly worded letter to Catholic bishops, the executive board of the Catholic Biblical Association has warned that Roman Catholic fundamentalists who 'freely level against responsible scholars charges of heresy and perversion of faith' threaten to create a situation similar to that existing in the Lutheran Church—Missouri Synod. . . ." (*The Milwaukee Journal*, Oct. 6, 1973).

that function which solely belongs to God, namely that of being *actuosis-simus*. Only God's insistent call moves man to believe and teach. Only the forgiveness of sins carries with it the power of resurrection, spiritually and physically. "*Remissio est regeneratio. . . Consolatio est nova et spiritualis vita*";<sup>12</sup> the *justificare* is a *justum reputari et effici* in one, and both are grounded on the *certa promissio Dei*. If there is any hint that one may not subscribe voluntarily to that truth (the Word) in and through which the Holy Spirit convicts and comforts, when faith is expressly defined and it is taught that it must be believed according to such definition, then the initiative has been taken away from the Holy Spirit and the Gospel and the freely promising, personal working of God is dissolved into an operative function of man. Theology can never form a system because it cannot "seize" its object.<sup>13</sup>

### THE PROPRIETY OF THEOLOGICAL CRITICISM OF CURRENTLY ACCEPTED CONFESSIONAL STATEMENTS

It has to be realistically taken into account that the church or Synod is a community of men, that is, a community of sinful and erring men; that though the church does indeed live by the Word of God, yet, despite all the hearing and obeying done by her members, she is constantly *not* hearing and *not* obeying, too; that along with her faith there is always false belief and unbelief as well; that even in her

<sup>12</sup> Ap IV 62.

<sup>13</sup> The great Reformed theologian, the now sainted Karl Barth of Basel, always insisted—in spite and, perhaps, because of his own ponderous *Church Dogmatics*—that there can be no "fundamental last word" on *our* part, unless we fall into the mistake of confusing our conversation with God, while we are yet sinners, "with the dogmatics of the saints in heaven" (*Antwort: Karl Barth zum 70. Geburtstag* [Zuerich: Zollikon-Zuerich, 1956], pp. 895 ff.). As long as we are here on earth, our conversation *about* the Word can never lose its form of a dialog, of question and answer.

preaching, teaching, and pastoral work, there are therefore tares as well as wheat.

While upholding his church's contemporary expressions of faith and definitions, the theologian has the right and duty to use all means to investigate, humbly but without constraint, how far contemporary doctrinal statements bear witness to the Word of God in Scripture; how far they do this directly, clearly, and accurately, or indirectly, obscurely, and approximately; how far some are nearer to and others further from the testimony of the Old and New Testaments; how far they confess and how far they combat, polemicize, or expound, affirm or react, declare a judgment or pronounce a condemnation; how far they are spoken in this or that particular direction; how far the humanity and weakness of those who took part in framing them has its effect; how much influence there is from the current historical situation in church, state, and society; how far there has been an effect from the way questions have been stated because of factors arising from philosophy, psychology, or the general cast of thought; how far different concepts of the world and of man have colored these utterances; and how far various traditions of schools of theology, universities, and other influences have been a factor in determining them. A theologian constantly has the huge and difficult task of sifting, testing, examining, and discerning. This work of discerning (*krinein*), this theological criticism, consists in using all the means of research available to theology as an exegetical, historical, systematic, and practical science for the purpose of measuring, testing, and correcting the way the church speaks of God by the standard of the original message, the Word of God itself.

Is all that the church is doing and saying, in matters great and small, derived, as the church herself desires

to be, from the Word of God? Does it lead back to the Word of God? Is it in accord with it? This discerning activity on the part of theology is not directed against confessional authority, the church's integral apologetic and Scriptural stance. What theology wants is to help such authority with the tools of theological science to maintain its integrity and "once and for all" character.

Whenever it happens that in preaching, teaching, pastoral work, and the church's and the individual's life of faith the right emphasis shifts, consciously or unconsciously; whenever, unawares or not, true proportions are distorted; whenever side issues become main issues and main issues side issues; whenever peripheral things are made central and central things peripheral; whenever truths are obscured or buried or forgotten and errors or half-truths glossed over and disseminated, then it is time for theology to exercise its function of negative criticism, which is at the same time positive and constructive criticism: the continual pointing out, everywhere and with all the means at its disposal, of the main issue, the central point and, at the same time, the expression, in its fulness, of the whole message. That this can be done and doctrinal disagreements discussed while still part of the one *familia Dei* is evident from the Scriptures (for example, 2 Thess. 3:15) and the history of our church.

Whoever has received from the *Damnamus secus docentes* of the Lutheran Confessions an impression of a formalistic intellectualism and rigidity which rates all opposing doctrines as heresy and denies the name of Christian and brother to all who hold such doctrines has misread the Lutheran fathers. Brotherly love is the highest law also in controversy with erring disciples. Love is still the "bond of perfection" (Col. 3:14). Our Confessions interpret this passage to mean



"that there should be love in the Church in order that it may preserve harmony, bear with the harsher manners of brethren as there is need, overlook certain less serious mistakes, lest the Church fly apart into various schisms, and enmities and factions and heresies arise from the schism."<sup>14</sup> The Latin is striking: Love has the function *to ignore*.

Both sides in the current controversy must take this injunction of the fathers to heart. The only exception can be if one party should try to *compel* others to accept their view-

point. That is when those who for conscience' sake assert their own confessional "we," claim that "we" which is totally cumulative in its declaration of their personal and joint readiness to take an unequivocal stand.

That is when a hard but also familiar refrain is heard in the church: We confess the common confession of the Lutheran fathers in the Book of Concord. We will not submit to any new confession. Our allegiance is to Him by whose name the church is named, and whose marks we are ready to bear. And to that we add the church's corporate "Amen!"

West Bend, Wis.

<sup>14</sup> Ap IV 232.