

7. Confessional Declaration

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... "That the truth of the Gospel might continue with you"
... Galatians 2:5

Not long ago a young pastor torn between his loyalty to the Scriptures and his love of the church asked me with evident anguish: "How can I remain faithful to the Word and our Confessions while my Synod involves me in ties with church bodies whose teachings and practices I recognize to be un-Scriptural?" He realized that the Scriptures bind a bishop to "hold fast the faithful Word as he hath been taught that he may be able by sound doctrine both to exhort and to convince the gainsayers" (Titus 1:9). He recognized his duty to confess and confute the opposition. He remembered how faithfulness moved St. Paul in a time the Gospel was endangered to "withstand to the face" His own fellow-apostle (Gal. 2:11) and never to give place by subjection to false brethren, no, not for an hour; that the "truth of the Gospel might continue with you" (Gal. 2:5). He knew that times would come when men would not stand for sound doctrine and "gather a crowd of teachers to tickle their ears" (II Tim. 4:2-5 NEB). He understood also that Scriptures such as II John 9-11 clearly demand *separation* if clear, decisive steps to thorough reform are not taken or are indefinitely delayed.

The young pastor's question, therefore, is one that concerns all faithful Christians who suddenly find themselves in church bodies which make official doctrinal pronouncements or take fellowship actions that compromise the Word and endanger the Gospel. What shall they do?

That they are in a church whose doctrine and practice cannot be tolerated indefinitely without becoming "partakers of the evil" is evident (II John 11). In times past some loyal evangelical pastors and congregations felt they could maintain their doctrinal integrity while remaining in their apostate group, but they soon found their witness muffled and their stance weakened. It wasn't long before they became not only partakers but also victims of their denomination's evils. To prevent that tragedy what can the faithful do? What is required?

Immediate Withdrawal?

I have felt that to leave abruptly without seeking to effect an internal reform by demanding disciplinary action of those who are causing division through their persistence in error and to turn away suddenly without consideration for loyal members who are still unaware of the peril and without serious attempts both to inform and draw the concerned together in a new alignment would not be in accord with Christian love. Some time must be allowed for corrective endeavors and unifying efforts. This is a part of sound confessional declaration.

But the question is: What can the faithful do to avoid compromise in their own deteriorating organization and maintain a good conscience with respect to the Scripture's requirements for purity of doctrine and practice during the difficult in-between-period while avenues are being explored to restore doctrinal unity or attempts are being made to form a new alignment?

To the distressed young pastor who posed this very vital question I answered: Declare yourself openly to be *in statu confessionis* and encourage your congregation and brother pastors to do the same.

"In Statu Confessionis?" What Is That?

Dr. John W. Montgomery recently described to a friend the meaning of

that Latin term thus: "A technical term of Lutheran theology meaning: officially labelling the body as apostate and giving public notice that the continuance of error is intolerable and cannot be given support until doctrinal clean-up takes place and ways and means are discovered for creating a new pan-Lutheran confessionally orthodox church body if officials cannot be brought to act responsibly."

Actually, the Lutheran Church is the only group that has developed this recognized procedure. It has done so, however, not merely with the purpose of bringing pressure on elected officials to act responsibly but primarily to help faithful confessional Christians to maintain a good conscience in the difficult period when their organizational ties involve them in alliances, practices and publications that are un-Scriptural.

This procedure of declaring oneself *in statu confessionis*, i.e., in a state of confessional protest, grew out of the adiaphoristic controversies which led to the Formula of Concord (1577). It should be noted that this great Confession of the Lutheran Church is so conscientious in avoiding even the appearance of compromise that it disallows (refuses to approve) making concessions under certain defined circumstances even in matters which are not in themselves right or wrong.

The statement reads: "There has been a controversy among some theologians of the Augsburg Confession concerning ceremonies and church rites which are neither commanded nor forbidden in the Word of God but which have been introduced into the church with good intentions for the sake of good order and decorum or else to preserve Christian discipline. The one party held that even in a period of persecution and a *case of confession*, when enemies of the holy Gospel have not come to an agreement with us in doctrine, one may still with a clear conscience, at the enemies insistent demand restore once more certain abrogated ceremonies . . . The other part, however, contended that under no circumstances can this be done with a clear conscience and without prejudice to the divine truth, even as far as things indifferent are concerned, in a period of persecution and a case of confession." (FC, Art. X, Tappert)

Using Scriptural references such as Gal. 2:5, St. Paul states: "To whom (the Judaizing brethren) we gave place by subjection, no not for an hour; that the truth of the Gospel might continue among you," the Formula of Concord in the Epitome, Art. X, Antithesis 3 answers: 'We reject and condemn as false and contrary to God's Word . . .' That in a time of persecution and when public confession is required, one may make concessions to or come to an understanding with the enemies of the Holy Gospel . . . in such indifferent things and ceremonies." And is it not rather significant that it was precisely such an indifferent thing — a ceremonial matter — which constituted the difference between Paul and Peter at Antioch, and caused the former to oppose his fellow-apostle publicly because at that time the relation of Law and Gospel was in dispute.

Thus the Epitome states that these restrictions apply "in *casu confessionis*". The original German of the Thorough Declaration twice uses the term — "im fall des Bekenntnisses", the literal English for both phrases "in case of confession" (Concordia Triglotta, pp. 828 and 1052). From this term the later form *in statu confessionis* is derived. Both terms mean, in general, a *situation in which clear-cut confession is called for*.

Application Of The Status Confessionis

It is to be noted that confessionally oriented church bodies, such as The Lutheran Church-Missouri Synod traditionally has been, are normally and continually in a state of confessional separation, thus giving an implied or an expressed testimonial protest against other church bodies which deviate from their ecumenically valid standard of confessional truth.

But, the term *in statu confessionis* has been employed especially when an individual or a group within a church body has discerned deviations from the

standard among its own associates and has found it necessary to protest against them.

Thus after The Lutheran Church-Missouri Synod's Denver Convention of 1969 many of its pastors, laymen and congregations found the Altar and Pulpit Fellowship Declaration with the American Lutheran Church (Res. 3-15) to be based not on the Scripturally required agreement in doctrine and practice but on a bare majority vote. Convinced that the radical differences on Scripture, lodge-practice and unionistic involvements with the WCC, LWF and other erring groups had not been Biblically resolved, my congregation and I felt compelled by doctrine and conscience to protest the action of the Convention. We let it be known to the elected officials of our Synod, Districts and Circuits that for conscience's and doctrine's sake we could not at this time offer the hand of fellowship to the American Lutheran Church much as we desire the reunion of Lutheranism and all Christendom. We committed ourselves to pray that through orderly efforts of our leaders as well as our own confession and writings the obstacles might be removed, and we declared that if there was no real progress in those efforts we would be forced to require Synod to rescind the Fellowship Resolution at its next convention.

In this way we declared ourselves "in statu confessionis." And we have been heartened by the fact that many others have done likewise. It is generally publicized that only 20 pastors have separated themselves from our Lutheran Church - Missouri Synod pursuant to its Denver action, but it isn't emphasized that we have in our files no less than 246 pastors, 133 teachers and 295 laymen, a total of 655 people who took the time and effort to study the matter and with their own signature declare themselves *in statu confessionis*; nor does this include many others who are expressing the same position in other ways.

We realize that in many quarters the "Status Confessionis" is decried as "unnecessary polarization," right wing-radicalism and extremism. But this indicates that even our opponents recognize its procedure and practice to be what it intends to be — the very strongest kind of protest that can be made without actual separation.

The Need Of Confession With Protest

There is great need in Lutheranism as well as all Christendom for Confessional Declaration in the form of some clear-cut precise statements and definitions on the nature of the Word of God, the Church and Its Mission.

Some of us in California have tried to make a beginning in what we have called "An Ecumenical Declaration Of Faith," to which we invite all theologians of the world to offer their constructive critique through our bi-monthly journal *Sola Scriptura*. We reject the position of the American Lutheran Church, officially and unanimously endorsed in its "Doctrinal Concerns" (A.L.C. General Convention 1966, Point 4) that the past Confessions are all-sufficient and that no new credal confessional statements can be made binding on the conscience of Lutherans and other believers. This not only violates the very spirit in which the Lutheran Confessions were drawn up but also ignores the fact that it was always the historical situation which compelled the fathers to compose the Confessions. Thus the fact is conveniently bypassed that the current existentialistic approach to Scripture with ultimate disregard of its objective, propositional Word of God character veritably shouts for an additional statement of certain issues not specifically covered by the Confessions of the past.

To deal with the new problems and the new errors that insinuate themselves into the Church is the theological task and requires further confessional statements. In fact, I venture to predict that if Lutheranism's conservative theologians will not do this, in a few short years the liberal ones will, and we shall have on our hands an ambivalent ambiguous synthetic neo-orthodox statement foisted on our people much like the Presbyterians with their New Confession of 1967.

But while we contend that Confessional Declaration requires a clear thetical and anti-thetical statement, we must also ask what does such declaration amount to if it is not backed up with proper practice and a proclamation that includes vigorous public protest in word and deed over against the errors and errorists weakening the church? Without that, Confessional Declaration becomes meaningless religious jargon, promotes rather than prevents relativizing the Scripture's concept of truth, and serves only as a kind of hallucinatory drug that creates the illusion of strength and purity while becoming more accustomed and addicted to the deviants from truth.

"The Practice Of Truth"

I was happy, therefore, to note that our guest lecturer, Dr. Francis A. Schaeffer of L'Abri, Switzerland, made a notable contribution to our cause. His book, "The God Who Is There" in the chapter "The Practice Of Truth" sees and underscores an important issue. His basic principle is "the full doctrinal position of historic Christianity must be clearly maintained," and he adds: "it would seem to me that the central problem of evangelical orthodoxy in the second half of the twentieth century is the problem of the practice of this principle."¹

"Thus," he continues, "it must be said that in spite of (and even because of) one's commitment to evangelism and cooperation among Christians, I can visualize times when the only way to make plain the seriousness of what is involved in regard to a service or an activity where the Gospel is going to be preached is not to accept an official part, if men whose doctrine is known to be an enemy are going to be invited to officially participate. In an age of relativity the practice of truth when it is costly is the only way to cause the world to take seriously our protestations concerning truth. Cooperation and unity that do not lead to purity of life and purity of doctrine are just as faulty and incomplete as an orthodoxy which does not lead to a concern for, and a reaching out towards, those who are lost."

This is the spirit of St. Paul's vital "protestifying" (as one has called it) letter to the Galatians with its uncompromising martial call: "Though we, or an angel from heaven, preach any other Gospel unto you than that which we have preached unto you, let him be accursed" (1:8). And when confronted with "false brethren" (2:4), he did not give place by subjection (yield by submission), not for an hour, "that the truth of the Gospel might continue with you" (2:5). But can we say that is our situation today?

Are We In Imminent Danger Of Losing The Gospel?

About a month ago in Washington, D.C. it happened that the president of my congregation in North Hollywood, Calif., an extremely handsome, astute, 32 year old corporation attorney attended the Bible Class as well as the worship service of one of our churches near his hotel. Some having read *Newsweek's* article on the LCMS, wanted to know what the issues were which are currently troubling the Synod. When the pastor answered that they were nothing to worry about, purely academic matters, of concern only to scholarly theologians, our young lawyer arose and asked in his very courteous friendly way, "Had this been Luther's policy in the 16th century to keep people uninformed and uninvolved, would there have been a Reformation?" No answer was given.

But are the concerns which have brought us from far and near to this Lutheran World Congress purely academic? Are they issues that need not interest laymen and that parish pastors may minimize? Is it just an academic question whether seminary faculties have the right to use the historical critical method, and that consequently nothing essential, doctrinal or confessional is at stake? Is it just a play of power politics, a battle of the ultras (the ultras of the right and the ultras of the left), a struggle between "purists" who insist on agreement in the tiniest detail and the "pluralists" who want openness to diversity even on essentials, a conflict at which the great moderate middle may stand off and look on in silent amusement?

I submit that the aberrations from the truth of the Gospel in modern Lutheranism, including my own Synod, are as serious as those which moved the inspired apostle of our Lord, St. Paul, to protest in Jerusalem and tell the Galatians later: "To them we did not yield submission even for a moment; that the truth of the Gospel might be preserved for you" (2:5). If God condemned the "Judaizers," the "false brethren," whom Paul withstood in Jerusalem, what would he say today to Lutherans who deny the historicity of Jesus' life, death and resurrection, the inspiration and factual accuracy of the Scriptures? They were not questioning the reality of Old Testament prophecy and its fulfillment or the propositional objective Word of God character of the Bible. They were not advocating evolution in place of Creation or denying the account of man's fall into sin and his consequent need of an atoning, forgiving Savior as is being done in modern Lutheranism. If St. Paul declared himself so vehemently to them to protest — "that the truth of the Gospel might be preserved unto you," what would he say today to Lutherans who embrace the "New Theology" with its attack on Gospel content?

What shall we say when we now see that precious Gospel of grace and freedom in Christ our Savior diluted by vicious and cunning errors? What shall we do so that its truth may continue among us? Say nothing? Cool it? Tell our people that there's nothing to worry about, it's all a lot of nit-picking, leave it to the scholars and theologians and seminary faculties, trust your elected officials to clean house, and don't rock the boat? Raise no protest? Take no stand? It is difficult to see how any authentic confessional Lutheran can long maintain a good conscience and make a good confession in a doctrinally deteriorating organization in such a way. Faithful confessional life in the Church requires much more. It demands of us an either-or.

An Either - Or

Either there is a decisive move toward reform or cost what it may we must (separate and) seek a new alignment.

The "Status Confessionis" procedure implies this, as the Commission of Theology and Church Relations (LCMS) in its April 1970 opinion of the term well recognizes.

"In the current usage of our church it is quite generally employed to declare that a particular teaching, practice or action of the church against which the protest is lodged is contrary to the Word of God or endangers the Gospel. Used in this sense the declaration that one is *in statu confessionis* is not tantamount to the breaking of fellowship. If, however, the circumstances which called forth the protest are not corrected in due time, the implication is that the protest will lead to the severing of fellowship relations."

Severing Of Fellowship Relations?

We realize that in most quarters of Lutheranism today the mere mention of severance, separation or breaking fellowship ties is regarded a crime against the *Una Sancta* and an offense to the world. What is forgotten or left unexplained is that the real fellowship, the true inner unity (not just the organizational tie) has been broken by those who have deviated from the correct standard of Scripture. The offense is being given not by those who are loyal to the Scriptures, the Confessions and even the Synod's constitution but by those who are confusing and confounding people by advocating a pluralistic doctrinal position. Like in a marriage the break, the divorce is caused not by the faithful but by the unfaithful.

It should be clear, therefore, that the Status Confessionis procedure is not a negative, legalistic, divisive, splintering device. It is a most wonderful tool that our Lord places into our hand for times such as ours. Its purpose is not just to pressure officials of the synods to act responsibly; it is not merely to help faithful Biblical Christians to confess with good conscience. It is a procedure that aids and abets the *Una Sancta*, the one holy Christian and Apostolic Church, the Body of our Lord, in that it is truly positive.

Truly Positive

What we are confessing before the whole world and all our brothers when we enter *in statu confessionis* is that the Gospel of our Savior is so precious to us that we are ready to forfeit anything for Him, even our most cherished earthly attachments, such as the church body we have loved and served with joy at home and abroad, in private and public, in word and deed. Could there be any more positive Confessional Declaration?

In this sense, the Status Confessionis can be called neither negative nor legalistic. It is truly evangelical.

Truly Evangelical

What prompts faithful ones to confront their church body with an alternative that says either there is a decisive reformation or we shall have to separate? Some false zealotry? Dogmatic rigidity accompanied with pride in one's position? Unwillingness to bend or yield? Certainly, the Spirit-filled people will be ever careful to watch that their motivations are not these? But when they are motivated by the love of Him who loved them first and gave Himself for them, their protest to error and their declaration of Status Confessionis cannot be termed legalistic. It is truly evangelical and has, as experience proves, the Lord's blessing. For, it is truly strengthening.

Truly Strengthening

The proper use of a conscientious Status Confessionis has both an internal and external invigorating effect.

Internally, within one's own group it heartens the discouraged by assuring them of good conscience. It steadies the wavering who have been asking: Am I alone in this battle for my Lord's truth? It invigorates the preaching, enabling the pulpit to proclaim the Gospel with firmer conviction and still clearer definition. It is the kind of Confessional Declaration that is heard and cannot be ignored by one's organization and leaders.

Externally, the Status Confessionis can have a powerful effect. It can reach across synodical and denominational lines to the faithful, prompting them into a proper Status Confessionis in relation to the erring in their own group. And when they have done so and they find themselves in full doctrinal agreement with the faithful in other groups they can enter into altar and pulpit fellowship with each other. What is separatistic about that? It is seeking true ecumenical unity and such practice mightily strengthens those who have a difficult stand in their own organization. It helps them to remain steadfast until this final form of protest has led either to reform, or failing that, to separation, in which case the ground has been laid for an upsurge of authentic Lutheranism and a new Scripturally faithful alignment in doctrine and practice. Our European Lutheran Free Churches have found it a great aid in establishing their unity; it is truly ecumenical.

Truly Ecumenical

It is understood, of course, that the Status Confessionis procedure can be misused. It is not an attitude that can be maintained indefinitely without turning it into its very opposite: a form of compromise rather than an unqualified testimony to the truth maintained with integrity. It must lead within a reasonable time, dictated by circumstances, either to reform or to a separation. Titus 3:10. Where that is not understood or practiced, a wrong kind of "Selective Fellowship" develops, such as Synodical Officials often recommend to pastors and congregations who are in protest. They suggest "Selective Fellowship" as a means to ease the process of union or merger for congregations which have some misgivings about it. But that is, to say the best, a degenerate form of the Status Confessionis. It cannot be adjudged as anything but a means of sinful compromise and no valid confessional declaration.

Conclusion

It is the Formula of Concord, Article X, which uses the term "in casu (statu) confessionis," and in the Epitome, Art. X Antithesis 3 states: "We

reject and condemn as false and contrary to God's Word . . . that in a time of persecution and *when a public confession* is called for one may make concessions to or come to an understanding with the enemies of the Holy Gospel."

That great "protestifying" Confession of Authentic Lutheranism (at that time called Gnesio-Lutheranism) took years to formulate with finality (1567-1580). Nevertheless, its uncompromising stand was blessed by the Lord to bring a great measure of strength, peace and unity to Lutheranism. Extremists on both sides held aloof for awhile. A large sector responded with quick acceptance. And let's not doubt that our Lord can bless a Confessional Declaration in the same manner today; it must be done, however, with all seriousness, commitment and readiness to enter into *Status Confessionis*.

While under God Lutheran historians give much credit to Jacob Andreae for his patience, persistence, calm, kind work free from all personalities, credit must go to Martin Chemnitz for giving the Formula its theological clarity and correctness, and to Nicolaus Selneker for his courage and pastoral insight. We are also told that some laymen like Elector August of Saxony and his wife not only spent "tons of gold" to bring the theologians and scholars together, but they also daily kneeled before God and appealed to him for grace and blessing on these efforts!

O Lord to us may grace be given, to follow in their train. Amen.

FOOTNOTE

¹Francis A. Schaeffer, *The God Who Is There* (Downers Grove, Ill.: Inter-Varsity Press, 1968), p. 168.