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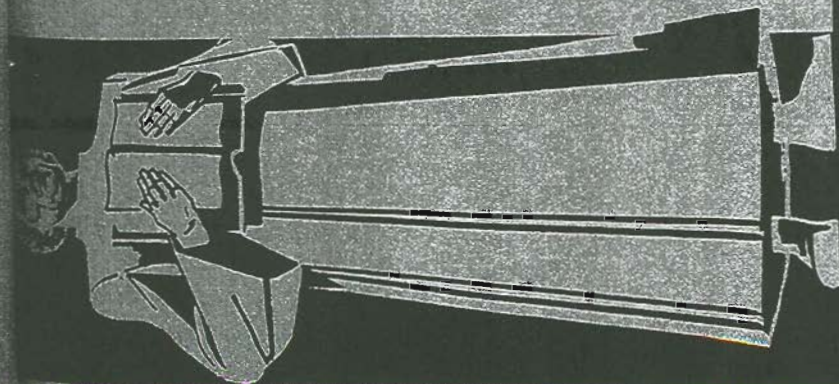
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The Law Gospel Debate in the Missouri Synod

DAVID P. SCAER

IN THE LAST TWELVE MONTHS or so a controversy of considerable proportions over the Law-Gospel theme has arisen in The Lutheran Church—Missouri Synod. Gross confusion has been caused because of the profusion of articles circulated throughout the Synod. The controversy between two basically opposed sides, simmering in the Missouri Synod since the end of the 1940's and the early 1950's, came to public attention when the pot began to boil over in 1971. Dr. Robert Schultz is right in his observation that,

Since the Altenburg debate, no controversy has been of such significance as the current discussion in the Lutheran Church—Missouri Synod about its understanding of the Scripture.¹

It is safe to assume that the opponents in the matter would have continued to engage in small skirmishes, as they had been doing for the last twenty years, if Dr. J. A. O. Preus had not released *The Report of the Synodical President*. With *The Report*, the gauntlet was thrown down and both sides began to gather themselves in battle formation for the final conflict. In the fray of battle it has been more difficult to identify the issues than the combatants. Both sides in an attempt to rally forces to their respective sides have raised the same standards (at differing levels, however) in an attempt to gain additional troops from the uncommitted or the perennial political fence sitters who are waiting to see which way the wind will blow before they jump.

There is always sadness when the church engages in controversy, but there is a refreshing note in that the Missouri Synod is finally being honest with itself. Dr. Leigh Jordahl has pointed out that, before the election of Dr. Preus, Missouri Synod leaders were issuing statements affirming that Missouri had not changed when in fact it had. Both sides are claiming to be the true "Zion on the Mississippi."

Perhaps a word to those who have pastoral concerns about church controversy, especially about the present controversy, would be in order. First of all, the church of Jesus Christ will never live without this kind of controversy, at least not on this side of eternity. Jesus gave warnings about the coming of false teachers and spoke of the necessity of offenses. This is a kind of negative prophecy. The New Testament arose in part because the apostles had to speak to doctrinal troubles in the church. We are never to be exempt from these kind of trials. Secondly, in church controversies both

1. "Reflections on the Current Controversy in The Lutheran Church—Missouri Synod: An Attempt to Express Pastoral Concern," *Cresset* (October 1972), p. 3.

sides profess explicit loyalty to God, Jesus, the Bible, etc. Which church combatants ever appeared on the field of battle as explicit apostates? Thirdly, and this is a psychological side affect, there is something healthy about talking man-to-man on the issues. There is something sick about pretending there is nothing wrong when many secretly feel that there are some real difficulties. After it is all over and the dust settles, we might have a more robust church and mentally healthier clergy. In the opinion of this writer, there was something absurd about always avoiding the contemporary issues and instead fighting theological battles in the pages of the 17th century dogmatists. At least those unjustly maligned theologians faced their contemporary situation with a contemporary theology! Let it be said that if one side allegedly is only representation, the other side has gladly galloped back to the 17th century to do battle. A perfect case in point is Paul G. Bretscher's, "The Log in Your Own Eye" *Concordia Theological Monthly*, XLIII (November 1972) pp. 645-686. Dr. Bretscher, who writes to the present Law-Gospel controversy, refers to the 17th century Lutheran Orthodox theology via Dr. Robert Preus's *The Theology of Post-Reformation Lutheranism* in 18 out of 32 footnotes! This has not helped the situation because the center of controversy becomes Quenstedt's theology and not the church's present problems. Yes, the church stands on the past. But maybe the Missouri Synod will again be able to stand on her own two feet in facing the present.

The Lutheran Confessions do not usually make it a point to name opponents in a controversy; however since this article does not aspire to such pretentious status, it might be not only permissible but helpful to see where the lines are beginning to emerge, especially when the combatants have identified themselves.

Dr. J. A. O. Preus, his fact finding committee, the five dissenting professors from St. Louis, certain members of the Springfield faculty, and Dr. Horace Hummel, all share a certain common ground. The majority of the St. Louis faculty, including its president, Dr. John Tietjen, are the rallying point for the opposing position. To unravel the situation in its totality now simply is not possible, because the job of convincing and recruiting is still furiously going on. The position of Dr. Preus is *The Fact Finding Report*. The other side speaks through the *Concordia Theological Monthly*, *Lutheran Forum* and the *Cresset*. (Do not let the reader get the idea that this writer intends to turn every stone over. This is simply impossible. In the heat of battle, who can write a history of the whole war.) The position opposing Dr. Preus could be called the "Valparaiso Theology"³ because many of its original and major proponents in the Missouri Synod have been associated with that university. Thus Dr. Edward Schroeder, writer of "Law-Gospel Reductionism in the

3. The phrase the "Valparaiso Theology" is coined merely for the sake of convenience. Identifying theology with a place where it has prominently appeared can be traced back to the earliest post-apostolic times. Antioch, Alexandria, Geneva, St. Louis, Mercersburg, and even Springfield suggest a theological approach. This does not mean that everyone at the locality holds an even near similar theology or that such a theology cannot be found elsewhere. The Erlangen Theology of the 19th century is a case in point.

History of the LCMS",⁴ was formerly chairman of the department of theology at Valparaiso University. Dr. Paul G. Bretscher, writer of "The Log in Your Own Eye," held that position before Dr. Schroeder did and is now pastor of a congregation there. Dr. Robert C. Schultz wrote his doctoral dissertation on the Law-Gospel theme in 19th century German Lutheran theology⁵ and is now a member of the theology department. He has contributed two articles recently to the *Cresset*⁶ on the matter. These men tend to depend upon each other as authorities.

What exactly is the nature of the controversy of the Law-Gospel in the Missouri Synod today? The position of Dr. Preus is that the Sacred Scriptures are the source of all doctrines to be taught in the church. These teachings if used according to the principles laid down in the Bible itself will convict the sinner of his sin (the Law) and will lead him to a knowledge of Jesus Christ as his personal Savior from sin (the Gospel). The "Valparaiso Theology" holds that Gospel, as the preached good news about Jesus Christ and the forgiveness of sins, is the basis of theological work. It also holds that the Scriptures when used by themselves can lead to conflicting opinions and thus the Gospel as the presupposition of faith must be used in approaching the Scriptures.⁷

In describing such a sensitive controversy and to do justice to both positions it might be best to cite Dr. Bretscher's article. The first quotation is Dr. Preus's and the second Dr. Bretscher's, which summarizes his own stance.⁸

Once again, which of the following captures the mind of our Confessions? "He who knows the Scripture has a devine-

4. Concordia Theological Monthly, XLIII (April 1972), pp. 232-247.

5. *Gesetz und Evangelium* (Berlin: Lutherisches Verlagshaus, 1958).

6. *Op. cit.* In the same issue is the second article by Dr. Schultz, "Missouri Synod History and Doctrine: Variant Readings," pp. 29-33.

7. A lucid example of this approach is given in *Concord*, No. 1, edited by H. Huxhold, E. Brueggemann and P. Harms. The overarching principle is the Gospel for Biblical interpretation. The first issue contains the article "Sola Scripture is the Gospel Alone." (The title is neither good Latin nor good English.) The basic argument is this. The historical critical methodology does have some dangers since it can lead to denial of historicity. The literal method is a risk since it has resulted in Millennialism, Pentecostalism, Seventh Day Adventism, etc. The solution to the dilemma is the "Gospel" which we were to learn from the Lutheran Confessions is the key to studying Bible. Whether or not the writers are aware that they have elevated the Confessions over and above the Scriptures is hard to say. Dr. F. E. Mayer seems to have been impressed by a similar argument brought up by the German theologians at Bad Boll. *The Story of Bad Boll* (St. Louis: Concordia, 1949), p. 26. "It is possible to believe in the inspiration of the Holy Scriptures and yet promulgate gross doctrinal error (example of Roman Church of the Millennialists)." In the "Valparaiso Theology" the question of the origin of the "Gospel" remains basically unanswered. If the Bible is the origin of one's knowledge of the Gospel, then this is Dr. Preus's position which is anathematized. For the Germans at Bad Boll it seems to have been the product of their religious culture which happened to be "Lutheran." In other words Lutherans determine what Lutherans believe about the Bible. This seems to be the same kind of circle that Bultmann gets himself into when he refrains from making judgments on others who are not in his circle. The astute reader will recognize that this procedure puts the church over the Scriptures, even if what the church says happens to be right for the moment. But didn't Luther find the Church of Rome wanting on that very point? For Scriptures determine what the Scriptures says and no independently arrived at abstract principle.

8. *Op. cit.*, p. 667.

given wisdom which guides him to faith in Christ and thus to salvation"? Or its inversion, "He who knows Christ by faith and thus has salvation has a divinely-given wisdom which guides him to know the Scriptures"? (See Luke 24: 36-45!)

The problem is basically one of epistemology, or how I know about Jesus Christ. Dr. Preus's position is that the Scriptures tell me about Jesus Christ, i.e., the Gospel. Dr. Bretscher's position, which is representative of the "Valparaiso theology" is that my faith in Jesus directs me to the Bible. Let's state the opposing positions in this way.

Dr. Preus's position:

- (1) Scriptures, written, spoken, preached or paraphrased, tell me about sin (Law) and lead me to faith in Christ (Gospel). Dr. Preus certainly would not deny but obviously believes that faith leads one back to Scripture in accord with the command of Christ as Dr. Bretscher also holds by pointing to Luke 24: 36-45.

Dr. Bretscher's position:

- (2) He who has faith in Christ or a divinely given wisdom will know the Scripture. Faith in the Gospel precedes any commitment to the Scriptures or any form of them, e.g., a paraphrase.⁹ It is a circle that can be joined at any point.

The position of Dr. Preus is that the Scriptures are the cognitive principle in theology, i.e., they tell us about Christ. Therefore everything taught in the church must be derived from the Scriptures and ultimately serve Jesus Christ. The position of Drs. Bretscher, Schroeder, and Schultz is that the Gospel is the basis of theology and whatever is not contrary to the Gospel is permissible in the church. The first position has been labeled legalistic and Calvinistic and the second, Gospel reductionism¹⁰

In practice, as experience shows, nothing is found contrary to the Gospel. An example of how this procedure works is the stance of Dr. Schroeder in approving the ordination of women pastors.¹¹ While he agrees that Paul forbids women the role of pastor and acknowledges that Paul calls on Jesus as an authority in the matter, he claims that the practice is permissible because it is not contrary to the Gospel.

The basis of theology is shifted from what Scripture says to what the Gospel allows. Everything becomes adiaphora with the

9. *Op. cit.*

10. Horace Hummel, "Law and Gospel in the Old Testament." Mimeographed Pastoral Conference Essay, p. 4. Presumably for pastors in the Indiana District.

"The LCA is a perfect example of what happens when one abandons all possible thought of discipline, refuses to state what is being rejected as well, and appeals to the 'adequacy of the historic confessions' or simply to 'Gospel': these become code words for anything goes; in practice anything contrary to the Gospel simply will never be found, etc."

11. "The Orders of Creation—Some Reflections on the History and Place of the Term in Systematic Theology" *Concordia Theological Monthly*, XLIII (March 1972), pp. 165-178.

only restriction possible offense to others.¹² This highlights the argument. Who or what teaches the church? Jesus Christ through the prophets and apostles, and hence the Scriptures? Or Jesus Christ through faith?

Some six years ago I spoke specifically to this matter in *Christianity Today*¹³ before and apart from any discussion of it in the Missouri Synod. I will take the chance of being rightfully criticized for self-quotation in order to stave off the attacks of being called "reactionary."¹⁴

This offer of a choice between Christ and the Bible is not only misleading—it is downright deceptive. It is certainly not suggested by the Scriptures themselves. . . . No real choice can ever be made between Christ and the Bible, simply because the Bible centers in Christ and he submits himself totally to it. Christ is the chief content of the Bible and also the only key to its interpretation.

As I understand Dr. Bretscher's approach, he approaches the Bible with a faith in Christ, but never defines the exact origin of this faith, except maybe as a direct gift of the Holy Spirit. But is there really any difference between this opinion and those of Luther's opponents the Zwickau prophets, who received revelations directly from God? That Dr. Bretscher can even suggest this kind of approach is amazing, since he has opposed the charismatic movement which claims for itself a type of Christ-revelation apart from the Holy Scriptures. But isn't this exactly what Dr. Bretscher claims for himself when he states that to know the Scriptures one must know Christ first? But whence does he know Christ?

In putting the pieces of a puzzle together, analysis of the historical circumstances is not without some benefit. Dr. Edward Schroeder in his article "Law-Gospel Reductionism in the History of The Lutheran Church—Missouri Synod" has provided a description of historical roots. His reconstruction is based in part on F. E. Mayer's *The Story of Bad Ball*. After World War II, Missouri Synod leaders arranged a series of theological conferences with leaders of the German Lutheran churches. This is not the place to recount the whole story, though it appears that the Law-Gospel controversy of the 1970's had its origin then, in the late 1940's, as Dr. Schroeder indicates.

12. Adiaphora defined by the Formula of Concord, X, deal with the problem of Christian liberty in matters not commanded by God. The situation determines whether it is proper to exercise such liberty. The Scriptures determine commands of God. In the newer theology, the "Gospel" takes the place of the Scriptures. Where the "Gospel" does not speak, liberty is allowed. The effect is twofold. The Gospel becomes the norm of the Christian life and thus becomes Law. Or the Gospel has no normative function and moral and doctrinal freedom results. This entire problem resulted from Werner Elert's clash with Karl Barth, as will be shown below.

13. Vol. XII, 3, (November 10, 1967), pp. 113f.

14. "Reactionary" would be mild in comparison with other verbiage used in the controversy. Dr. Bretscher can leave no other impression than that he has called Dr. Preus a "hireling" ("News Letter—Supplement," Immanuel Lutheran Church, Valparaiso) and has implied that Dr. Preus is a hypocrite. In his article on "The Log in Your Own Eye," the log is the theology of Dr. Preus, traditional orthodoxy. Jesus applied these words originally to the hypocrites. Dr. Bretscher speaks them to Dr. Preus. Other words used by others have been 'Caiaphas,' 'Herod,' unLutheran and subLutheran. The last is the kindest and predicates of Dr. Preus a view held after Luther's death.

Strange as it might seem, it was the decision to use the Augsburg Confession as the basis for discussion between the Missourians and the Europeans that eventually precipitated our difficulties today, some twenty-five years later. The German theologians attempted to show that they could be good Lutherans without an apriori commitment to the doctrine of verbal inspiration. (This theme is repeated in Dr. Bretscher's recent essay.) Dr. F. E. Mayer seems to have been impressed by the arguments of the German theologians and began to integrate certain accents into his theology, as Dr. Schroeder also points out. This does not mean that Dr. Mayer surrendered or denied any of the Synod's teachings; however there was a subtle shift which even he might not have been totally aware. These sentences from Dr. Mayer are characteristic of his new-found approach. "The doctrine of the inspiration does not stand in the relationship of *apriori*, but of *aposteriori* to our theology. It is not the broad basis upon which the pyramid of dogmatics is built up."¹⁵

Though the statement was written more than twenty years ago, it must be studied. It has never been the position of the Missouri Synod that a person had to have any formalized doctrine of the Bible, verbal inspiration or otherwise, before believing in Jesus Christ. Of course this is a favorite type of accusation brought against the traditionally understood orthodox position. Nevertheless the person hearing words about Jesus is convinced, at least implicitly, that God is speaking a message to him. In fact, in the prior proclamation of the Law, God does address man apart from Jesus Christ. Such a man is brought to an awareness that there is a God and that this God does have demands laid down in the Law. Barth, like Bretscher, held that Christ must be known first. Hence Law—Gospel becomes Gospel-Law.

Therefore Mayer might be correct in stating that verbal inspiration is not the apriori for theology, but he is wrong if he is suggesting that God and His word are not. The theological task, not to be confused with the missionary task of the church, is begun by everyone, orthodox or otherwise, with apriori opinion of what the Bible is or is not.

What Mayer had imbibed without knowing it was the last remnants of the Erlangen Theology of the 19th century which Dr. Pieper in his *Christian Dogmatics* treated vigorously. The Erlangen Theology had adopted Lutheran doctrine but with Schleiermacher's underpinnings—"theology of feeling." Pieper and the Erlangen theologians could agree on many facets of the "what" of the theology,

15. (St. Louis: Concordia Publishing House, 1949), p. 14. The theology of Dr. F. E. Mayer should become the topic of further historical research. Dr. Edward Schroeder is correct in assigning to him the place of prime importance in the theological change in the Missouri Synod. Schroeder's article "Law-Gospel Reductionism" might be the first step in the investigation. E. Clifford Nelson makes a similar assessment concerning the Missouri Synod's representatives at Bad Boll. "These men (H. Bornkamm, Schlinck, Elert, Thielicke and Koberle) forced the Americans (Mayer, Fuerbringer, Baepfer, Behnken) to look again at their teaching of verbal inspiration, and although no conversions were evident, the Missouri Lutherans were made aware of the intellectualistic, legalistic, and docetic dangers of the doctrine." *Lutheranism in North America 1914-1970* (Minneapolis: Augsburg, 1972), p. 172.

but they did not agree on how they got there. Paul Tillich's criticisms of the Erlangen Theology are even more pointed than Pieper's.¹⁶

Werner Elert, who out of the all the Bad Boll conferees on the German side would make the biggest impression on the Missourians, was part of the Erlangen tradition. He had been a pastor and professor in the Breslau Synod, a church body that has grown closer and closer to the Missouri Synod. He also appeared as a chief attacker of Karl Barth on the matter of the Law and the Gospel. Elert's essay *Law and Gospel*¹⁷ was a direct reply to Barth's *Gospel and Law*. All this endeared Elert to the Missourians. But the elevation of "Law-Gospel" as the controlling theological theme was the very weakness in Elert's position. The Missourians did not determine that Elert had provided no base for his theology apart from a func-

16. Paul Tillich, *Systematic Theology*, Vol. I, p. 42. "In a similar way his (Schleiermacher's) followers, notably the Lutheran 'School of Erlangen', which included the theologians Hoffmann and Frank, tried to establish an entire system of theology by deriving the contents from the experience of the regenerated Christian. This was an illusion, as Frank's system clearly proves." With only slight adjustment, this assessment might also apply to the "Valparaiso Theology." Dr. Pieper calls attention to the "regenerate I" on the first page of his dogmatics. *Christian Dogmatics*, Vol. I. p.3.

17. Translated by Edward H. Schroeder (Philadelphia: Fortress Press, 1967). The influence of Werner Elert on current Missouri Synod theology cannot be overestimated. Perhaps a slight historical reconstruction is possible here. Dr. F. E. Mayer and others met with the German theologians in the late 1940's. There contact was made with Elert. As Dr. Schultz graduated from St. Louis in 1952, it can be assumed that he entered Concordia Seminary there in 1947. Thus he was at the seminary during the very years that Dr. Mayer was in contact with Elert. Mayer might have been a decisive influence in Dr. Schultz's going to Erlangen to study under Elert. Elert died in 1955 before Schultz completed his doctor's degree in the year 1956 under Paul Althaus, who was not as conservatively Lutheran as was Elert, in the opinion of this writer. It seems that Robert Schultz's doctoral dissertation was suggested by Elert to support what he had written on pages 1 and 2 of his *Law and Gospel*. In other words Elert had an idea for which he wanted historical research from the 19th century. This Schultz did. Dr. Schultz also brought Althaus's theology to America by translating his *The Theology of Martin Luther* and *The Ethics of Martin Luther*. The task of translating Elert's *Law and Gospel* fell to Dr. Edward H. Schroeder, who had been at Valparaiso University since the late 1950's. In a completely unrelated way, Dr. Norman Nagel, then at Cambridge, translated another work by Elert, published as *Eucharist and Church Fellowship* (CPH, 1966) an excellent work which is not received by a wide audience. It is basic reading for fellowship discussions. Here Elert has been regrettably overlooked. In addition Concordia Publishing House in 1962 published *Structure of Lutheranism*. The forward was contributed by Jaroslav Pelikan and a biographical essay by Dr. Schultz. Dr. Schroeder also translated a book on death by Prof. Thielicke, another participant at Bad Boll. Thus beginning with Dr. Mayer, Elert along with others at Bad Boll has had a strong influence in the Missouri Synod, however a careful analysis of his theology for our pastors is still to be written.

Wittingly or unwittingly, Elert questioned the Third Use of the Law as being out of harmony with Luther's theology, though it is stated in the Formula of Concord VI. As a reaction to Barth, who saw that the Gospel prepares someone to keep the Law, Elert held that the Law comes first after which a person enjoys Gospel freedom. In the 1950's it became customary for many to lecture against the Third Use of the Law. In my opinion Elert did not have a developed theology on this point because of the encounter with Barth. However, it was Elert's concept of the Christian living under freedom which has lead eventually to the concept that the Gospel determines procedures in the Christian life. Wilfred Joest did go on to write a dissertation to show that Luther did have what we call a third use of the law. (*Gesetz und Freiheit*) [Gottingen: Vandenhoeck, 1951].

In all of these matters the name of Calvin is brought in as a legalistic type of whipping boy. He is blamed for mechanical or verbal inspiration, third use of the law, and the orders of creation. Whether he is guilty as charged we will leave to the historical jurors. Still it is a type of slander to suggest continually that one's opponents are 'Calvinists.' Strange those who make such charges which do justice neither to Calvin or those charged are not willing to condemn his doctrine of the Lord's Supper, especially in the matter of the recent Leuenberg Concord. Here we can really tell who the true Lutherans are.

tional use of the Scriptures and Luther.¹⁸ Elert like Barth had a Scripture divorced from history. Elert was in fact a "Lutheran Barthian." His "Law-Gospel" principle hung suspended in theological thin air, almost in the same fashion as the Erlangen theology a century before.¹⁹

Mayer was undoubtedly impressed that German Lutheran theology could be Lutheran, and confessional at that, while at the same time it could warn about the Calvinistic "dictation theory." Mayer also seems to have assented to the German concept that the Scriptures must be approached first from a Christocentric viewpoint and secondarily from inerrancy. This is also the opinion of Dr. Schroeder in "Law-Gospel Reductionism," pp. 243-246. As previously mentioned, neither of alternatives, *as stated*, are really aprioris in a cold approach to the Scriptures. Mayer had all the parts of Missouri's theology; he arranged them differently and thus changed it perhaps.

Just what is a "Lutheran Barthian"?^{19a} A "Lutheran Barthian" is a theologian who accepts Lutheran theology simply because it is Lutheran without insisting that such a theology be connected with an authentically validated word of God, i.e., the Scriptures.²⁰ The one outstanding characteristic of Barthianism is that it performs theology without confronting the historical questions. It immerses itself in the "Word" and pretends that hard questions of history are not there. Not even the most profound forms of 19th century liberalism did that.

18. One example of the historical approach of Elert was that the German theologians played Luther against the Lutheran Confessions. Dr. Mayer writes: "Dr. Elert maintained furthermore that the recent Luther studies, especially those of Karl Holl, have shown that Lutheran Confessions show a deviation from Luther. German scholars therefore are interested more in the study of Luther than of the Confessions." *Op. cit.*, p. 16. Here is an example of how the German theologians determined what was "Lutheran." If deviation between Luther and the Confessions did exist, the only way to resolve it would be to make a judgment on the basis of the Scriptures. This was not the way the problem was handled. The end result of pitting Luther and the Confessions against each other was that Luther was to represent a pristine Lutheranism, Melancthon a deviation, and the Formula of Concord a calcified deviation. This method has been used by von Harnack in the study of the New Testament. For others the F.C. is Luther's theology in Melancthon's language.

19. Not each influence in Dr. Bretschers's position can be recognized, but some can. Thus he does speak very much like the Dr. Preus himself when he says, "In or out of the event comes the Word to which faith clings, but the event in itself is visible. Christian proclamation and doctrine did not create the event, neither can doctrine defend, preserve, or authenticate the history of the event. The event is historical because it really happened, and it is historical the way it really happened. Out of that visible and experienced history comes (sic!) the proclamation and the doctrine." Within the context of the present theology, this is a very conservative statement and a least in the matter of history puts him on the side of Dr. Preus. The lines of controversy in the Missouri Synod are not as clean cut as some would like.

19a. Nelson uses the term "neo-Lutheranism." *Op. cit.* Cf. note 15.

20. Dr. Elert, a co-essayist at the first conference at Bad Boll, showed that the Augsburg Confession in America was a religious document but in Germany it was a political one also. This was mentioned as by Elert to indicate different theological approaches. (*Op. cit.* pp. 15f.) Elert was not alone in attributing a type of sub-religiosity to the Germans, who happened to be culturally Lutheran. The proclamation of the "death of God" several years ago was based on this cultural concept of religion. God was dead, because He was not culturally discernible anymore. The Germans were amazed at the confessional and financial strength of the Missouri Synod, which was considered the bearer of traditional "dead orthodoxy." (*Op. cit.* p. 8) In reading through Mayer's account of Bad Boll, one is forced constantly to ask why two church groupings knew so little about each other and why the way they were. Almost childlike amazement characterizes the printed report. Wasn't anybody in the Missouri Synod reading any books in the previous decades?

"Lutheran Barthianism" does not differ essentially from Barth's suspended "Word" theology characterized by Charles Ryrie as "the faith of the New Testament without the facts." It only insists that the "Word" be understood in a Lutheran way instead of a Calvinistic way. It is no wonder that the Missourians must have been impressed with the way their German counterparts had attacked Barth for his perversion of "Gospel-Law."

Dr. Schroeder is rightfully hesitant in rendering a clear verdict in the matter of Mayer. He certainly was impressed by Elert and others. Regardless, the primacy of the Christocentric approach to the Scriptures without the apriori of a formal principle, i.e., "Is there a God who speaks to me?" was deceptively appealing to many. Barth's Christomonism is frequently mistaken for the Lutheran Christocentrism. Dr. Bretscher in his recent article stands consciously in the line with Elert's "Lutheran Barthian" approach, more so than Mayer did; but of course this is open to debate.

There was something appealing to many Missouri Synod pastors in the slogans of the "Lutheran Barthianism". "Law and Gospel," "Christocentric," "Solum Evangelium," all had the true ring of Luther, Walther, and Pieper. After all Luther had spoken about Christ being the key to the Scriptures. "Law and Gospel" was the name of both a section of the grandest of the Lutheran Confessions, the Formula of Concord, and also of a book that Walther wrote. But few seem to give serious consideration to how a person came to know about Christ or to have faith, so that he could then read the Scriptures with understanding. Luther's answer was that knowledge about Christ, or Gospel, if you will, came from the Bible. There was something desperate in "Lutheran Barthianism" as it settled in the Missouri Synod. "Proof-texting" was out and the "Kierkegaardian leap" was in. Something was afoot in the Missouri Synod. "Lutheran Barthianism" brought with it an ahistorical approach because it never really could answer the question of how we know the Gospel. Just believe, no questions, please. Questions were labeled as rationalistic. As a reaction to this "Lutheran Barthianism" the Synod during the subsequent years began to pass as a matter of rote one doctrinal resolution after another.²¹ A foreign body had entered the blood stream of the Synod and the Synod simply was not prepared to handle it. The "Lutheran Barthianism" was simply immune to inerrancy resolutions or the like. The Synod had no antibodies to fight this new disease.

Perhaps Lutheran Orthodoxy has unwittingly prepared the way for Lutheran Barthianism. Both types of theology put the stress on the "Word." With what seemed to be the same flag for two opposing sides, no wonder the soldiers became confused. The Brief Statement, with its inclusion of history, geography, etc. under the inerrancy of Scripture seemed to suggest to many that the Missouri

21. Memorials on doctrinal and fellowship matters covered 166 pages at the last convention of the Missouri Synod. Theology in the Missouri Synod has become truly congregationalized since both sides are long to the congregations to render the final verdict.

Synod simply was not willing to deal with embarrassing historical questions. It was a kind of "The Bible has settled it. Don't ask any questions" approach. Just believe! Of course this is what Barth and Lutheran Barthianism was also saying: "Just believe!"

Putting the historical pieces together in the 1950's and 1960's is impossible here. Bad Boll meant not only a limited theological exchange of ideas but also a culture exchange, regrettably a one-sided one. A stream of students began studying under the German participants of the conferences. The most notable was Dr. Robert C. Schultz, a St. Louis graduate and presumably a student of Dr. Mayer, now an LCA clergyman and professor in the department of theology at Valparaiso University. He went to the University of Erlangen to do his doctoral work under Elert. After Schultz had completed four chapters of his dissertation, Elert died and Schultz continued his work under Althaus. The title of Schultz's published dissertation was *Gesetz und Evangelium, Law and Gospel*! It was an attempt to provide the historical background for the twentieth century discussion by discussing this theme in 19th century theology.

Schultz seems to be the first to attempt in a scholarly way to understand Missouri Synod history in the light of this theme. Walther, who had written a book with the same title, seemed the most worthy victim for this dogmatican approach to history in the light of the Law-Gospel motif. As Schultz points out, Walther did not use the Law-Gospel motif as the penetrating principle of his theology. Walther still held to a static and not a dynamic use of the principle and at that it was limited to practical theology. Schultz sees applying the Law-Gospel theme to exegetical and systematic theology as the most important task of American theology.²² Schultz's mandate was printed in 1958, about ten years after Bad Boll and fifteen years before the present controversy in the Missouri Synod. One cannot but gain the impression that Schultz approved of Elert's "Lutheran Barthianism" and saw it as a corrective for Lutheranism in our country.

As mentioned above Schultz has maintained momentum in his propagation of the theory and has been joined by Drs. Schroeder and Bretscher. Dr. Schroeder traced the theme through the Missouri Synod and in a later article showed how on the basis of the Gospel no opposition could be made against the practice of the ordination of women pastors. In his article "The Log in the Eye", Dr. Bretscher summons the Missouri Synod to rid itself, through radical surgery, if necessary, of a theology that asks for a commitment to the Bible before asking for a commitment to Christ. This theology is the log!

22. *Gesetz und Evangelium*, p. 168. "Damit ist eine der wichtigsten Aufgaben der lutherischen Theologie in Amerika gegeben: Gesetz und Evangelium ebenso zum Grundprinzip ihrer exegetischen und ihrer systematischen Theologie zu machen, wie es durch Walther zum Grundprinzip der praktischen Theologie erhoben worden ist."

In a recent mimeographed copyrighted but still unpublished essay, Dr. Schultz might be setting down his procedures. First he rightly deplores the lack of exegetical preaching among Lutheran clergy. Then he mentions the conflicting exegetical results. In this dilemma he suggests that what might be called the surface meaning of the text be preached, regardless of the recent historical research. This two level theology is reminiscent of Karl Barth which separate the historical-theological task from the preaching task.

This unfortunate "either-or" theology was the same as that with which Mayer was confronted at Bad Boll in the forties by the German theologians, but in a much more courteous and generous way! According to Bretscher—and this is basically Schroeder's approach—"true" or "false" teaching is not to be judged on the norm of the Scripture but rather by the word of the cross, or the Gospel. The "Gospel" approach is the correct one to take in regard to Synod's present problems. Bretscher certainly does not approve of what he calls liberal theology, but this is of considerably less magnitude, labeled merely as "specks" in the eye. It is certainly Dr. Bretscher's intention to indicate that Dr. Preus's group has such large "logs" of orthodoxy in their eyes that they are totally unqualified to handle the liberal specks. (The reader, acquainted with Dr. Bretscher's approach, will recognize this use as allegory—a use condemned by Luther! Hopefully this is not exemplary of his ordinary use of Scriptures. If it is, all truth will have evaporated into an allegorical mist.)

Another mark of the "Lutheran Barthian" approach is that, in the "Law-Gospel" scheme, even the Law is dissolved by the Gospel. Schultz claims that the Law is contrary to the Gospel.²³ Yes, this is so but only in the eyes of the sinner. What God requires of us in the Law, He gives us in the Gospel. How can God both demand and give? The contradiction does not exist for God, who in Jesus Christ fulfills the Law. Christ lived according to the Law because this was impossible for us. Christ died to fulfill the Law's penalties placed on us. It is not as Schultz says that the Law is set aside by the Gospel. The Gospel has in fact confirmed God's righteousness and holiness in the Law.

Both Schultz and Schroeder turn Gospel into Law. The Gospel becomes the moral norm of the Christian life. Thus murder is a sin not because it infringes upon the Fifth Commandment but rather because it contradicts the Gospel or as Schultz puts it, "God's rule in my heart through the forgiveness of sins." Does Schultz mean to imply that there are different moral standards for regenerate and unregenerate man? For the first, the Gospel and the other, the Law? Dr. Schultz has no difficulty quoting FC V, "Law and Gospel", but apparently has refused to continue reading further to FC VI, on "Third Use of the Law," which states that the law is the norm (not the motivating power) for the Christian life.²⁴ The procedure of Schultz and Schroeder is to turn the Gospel into Law, thus denying the very Gospel which they profusely honor.

In practice the "Gospel" as regulating principle in the Christian life is little more than a spiritualized pragmatism. What the Gospel demands of me is really determined by me. As Schultz points out

23. "Missouri Synod History, and Doctrine," p. 32.

24. *Ibid.* Schultz states that anyone who "wishes to sit in judgment on the faithfulness of others to their confessional subscription ought to read the *Book of Concord* from a more inclusive historical perspective—something say, like 325 (The Nicene Creed) to 1580." But the "Valparaiso theology" refuses to use FC VI on the Third Use of the Law.

the overriding question is whether or not God is speaking to me.²⁵ Is it God's word to me? Thus Dr. Schroeder realizes that Paul *does* prohibit women in the pastoral office, but these words are not spoken *to me*. Schultz can sweep the question of the talking serpent under the rug with the same type of procedure. The Gospel principle turns out to be a *carte blanche* for moral and doctrinal freedom.²⁶

This new devotion to the Law-Gospel principle is causing a great deal of confusion. The following will have to be expanded in another issue, but something must be said to set the record straight. Dr. Schultz is correct in recognizing that the Law-Gospel in Walther's theology was a principle for practical theology and not an exegetical or systematic principle. It is a principle of the application of God's word to people and not a principle of understanding what God's word says. It is a principle that *comes out of* God's word and then serves to enlighten everything which God has said and done as recorded in the Bible.

The Lutheran Confessions call the Law and the Gospel the two chief doctrines into which all Scriptures should be divided. Walther stated something similar in Thesis I and II.

The doctrinal contents of the entire Holy Scriptures, both of the Old and New Testament, are made up of two doctrine differing fundamentally from each other, viz., the Law and the Gospel.

Only he is an orthodox teacher who not only presents all the articles of faith in accordance with Scripture, but also rightly distinguishes from each other the Law and the Gospel.

It is evident from the wording of the C. F. W. Walther that there are other teachings and that the Gospel is not the only teaching or for that matter the controlling teaching. As Fagerberg points out,²⁷ in spite of his critics, the Lutheran Confessions discuss more than the Gospel and some issues are settled without relation to the Gospel.

Now in what sense are Law and Gospel the chief doctrines and how do they relate to other teachings? The Law and Gospel are not doctrines in the same sense as the doctrines, or articles of faith, in the Apostles, Nicene, and Athanasian Creeds. (with the exception of the "for us" and "for our salvation" in the Nicene Creed). The Law and Gospel deal with *how* God's creative and redemptive acts, are related to God's people in preaching. A bare act of God is not

25. *Ibid.* It is difficult to see how this scheme avoids introducing excessive subjectivism into theology. The word of God to me is determined by what functions as the word of God to me. It is true that not all the words in Scriptures apply to each person. Examples of this principle would be both revealing and ludicrous. Still it is the Scriptures themselves which indicate for whom the words are intended. The individual does not make the decision. The words to the Virgin Mary that she would be the Mother of the Lord do not apply to anyone but her. But no one can exclude himself from John 3:16 because Jesus is speaking about the "world."

26. *Op. cit.*

27. Holsten Fagerberg, *A New Look at the Lutheran Confessions* (St. Louis: Concordia, 1972), pp. 62ff. Dr. Schultz speaks of the "Report" and Fagerberg in the same unfortunate tones, when he states, "... the author of the Report is continuing the the poverty of his master Fagerberg." *Op. cit.* 31. Fagerberg might have hit the jugular vein in the "Lutheran Barthian" approach. Dr. Schroeder is also negative to Fagerberg. Cf. "Law-Gospel Reductionism," p. 237.

Law or Gospel of itself. God's preaching or explaining his acts is Law and Gospel. The Gospel is the report of the act. Of course Christians recognized the apostolic preaching as the divinely sanctioned explanation of divine actions against which no other explanation in the church is to be tolerated. (*Sola scriptura!*)

The Law, reflecting God's own essence, is the regulatory principle for all of creation and is present in the creation simply because of God's creating activity. Man's abrogation of the Law puts him under God's condemnation *ipso facto*. Natural law alerts man that he has stepped outside the boundaries and the law given verbally by special revelation reflects this law negatively to man's sinful nature.

God acted in Israel and Jesus to fulfill His own righteous requirements in the Law. The *news* that God has acted both legally and *redemptively* is the Gospel. The redemptive occurrences *in* and *of* themselves are not Gospel. They become Gospel—if we dare speak like this—when God informs the world through the apostolic word that God has acted *pro me*.

Creative activities of God are always the basis for the Law. No man can flee from God's regulating and condemning activities in the Law in nature or repeated in the word.²⁸ The redemptive activities of God are always the basis for the Gospel. The parting of the Sea at the Exodus was a 'redemptive' activity. It became 'Gospel' when Moses told the people that it was *for them*. Everything in our Lord's life, not only His crucifixion, was God's redemptive activity. Thus the second articles of both the Apostles and Nicene Creeds describe God's redemptive activity in Jesus Christ, but these events enter the realm of the Gospel when God states that he did this *for me*. Redemptive activities of God may be the substance of both Law and Gospel preaching. FC V states that the cross is the greatest manifestation of God's wrath, i.e., the Law. There is nothing *per se* illegitimate in preaching the redemptive activities in this way. Paul says that those who receive the Sacrament mockingly offend against the body and blood of the Lord. Peter reminds his hearers that they have crucified Jesus. The preaching of God's redemptive activity becomes a preaching of the Law of condemnation when the hearer refuses to believe. To summarize, the preaching of God's moral demands as known by nature or special revelation is always the foundation of the preaching of the Law. The redemptive activities serve as the substance of Gospel preaching, but can be used as the substance of a preaching of the Law.

The Roman Catholic Church at the time of the Reformation did not disagree with the Lutherans on the fact that God acted redemptively in Israel or in Jesus Christ. Within the last few years Lutherans and Catholics reaffirmed their faith in the Nicene Creed. The Lutherans disagreed with the Catholics—and this is heart of the whole matter—on *how* these redemptive activities were preached. If the redemptive activities of God were preached to terrorize con-

28. This is what Romans 1 is all about! God is perfectly just in his verdict of universal condemnation.

sciences, the hearers would not know that God had acted redemptively for them. The redemptive activities of God were preached in such a way that they were used as clubs to force the people to proper behavior. This resulted in Phariseeism, the belief that people could be saved by doing the Law, or in despair, that awareness that they could never fulfill God's demands. Here the Gospel was put before the Law as even the Calvinists do. And I suspect this is also a basic ingredient in "Lutheran Barthianism." Do the Gospel or else!

The Law and Gospel are not *doctrines along side* other doctrines, e.g., incarnation, atonement, resurrection, but they are ways or categories into which God's creative and redemptive acts are placed in proclamation. To repeat, God's creative acts serve as the basis of the Law preaching alone. God's redemptive acts have their primary (but not sole) purpose in serving the Gospel message. When the Gospel message is rejected (which is not God's intention), it becomes the sharpest preaching of the Law. Where the redemptive activities are preached with the intention of controlling people's behavior or condemning them, the Gospel is perverted into Law.

It is basic to Christian theology to understand that God has acted both in redemptive deeds and in the Gospel, but differently. This distinction must be kept. The Gospel is not a redemptive historical act as our Lord's life and death are. Christ lived to fulfill the Law's requirements for human life and died to fulfill the punishment demanded by God through the Law. These are totally self-sufficient activities of God. God would have been totally *just* if He had accepted Christ's work and that was the end of it. "God was in Christ reconciling the world unto Himself" could stand by itself. According to His mercy, He appointed first His apostles and then all Christians to declare this. This preaching is the Gospel. "The word of reconciliation", which was committed first to Paul and then to us, is the Gospel.

The Gospel is not the only doctrine as might be implied by the phrase *solum evangelium*. Rather the Gospel is first the endorsement of the Law, both natural and moral, and all of Christ's redemptive activities. The Gospel never becomes the norm to decide what may or may not be believed; the Gospel is God's message of approval on all His previous activities. The Gospel is not a principle of reduction but a principle of inclusion. There is no occurrence in the life of our Lord which He did not do for me. He was born of the virgin for me. He walked on the water for me. He instituted the sacrament for me. (What a beautiful job Luther did in explaining the benefit of the Sacrament in the Small Catechism in his exposition of "given and shed for you for the remission of sin!") He rose from the dead for me! Behind every redemptive deed that God did in Christ is a "FOR ME."

Christians can never *do Gospel*, even when "we forgive those who trespass against us." The Gospel is the news *that* God has done something *for* me. The *that* always comes first, the *for* always comes second. It is no longer the Gospel when I hear only that "God is

for me" or that "God forgives me my sins." The *propter Christum*, on account of Christ, is basic to the Gospel proclamation, Augustana IV. Included in the *propter Christum* is everything which the four Gospels states that He did. It is summarized in the Apostles and Nicene Creed. Lutherans and Catholics did not disagree in the *that* as evidence that at Augsburg the Catholics accepted Augustana I and III. As Jaroslav Pelikan aptly states the Lutherans from the beginning were *Obedient Rebels*.²⁹

The Missouri Synod today is engaged in a controversy over the *that*. Dr. Schroeder claims that Walther came down on the side of the *for* and that Pieper straddled both *for* and *that*, but leaned to the latter.²⁹ Dr. Bretscher calls the *that*, "the log in the eye", which has to be removed before the Missouri Synod can do theology again. If the *that*, i.e., all events and occurrences in Christ's life, and for matter Israel's life beginning with the call of Abraham, are removed, then we will not have any theology at all. The *for* in theology rests on the fact that God did something. If "Lutheran Barthianism" gains the field, the *for us* will also be lost. The history of Barthianism validates the type of theological domino theory. "And the rains came . . . and great was the fall of that house."³⁰

APPENDIX

A good example of Gospel used as a doctrinal norm or standard (*principium cognoscendi*) is given by Dr. Robert W. Jenson in his article "Lutheran Conditions for Communion in Holy Things" which appeared in the same issue of the CTM with Dr. Bretscher's "The Log in Your Own Eye." On the basis of his understanding of the word "Gospel" in Augustana VII, Dr. Jenson of Gettysburg argues that there is sufficient basis for fellowship between Lutherans and Episcopalians. Jenson major argument is that where there is agreement on the "Gospel" there can be nevertheless different theologies. All this becomes of some interest, since Augustana VII was widely used in the Missouri Synod to establish fellowship with The American Lutheran Church in 1969. The argument for church fellowship based on Augustana VII is that where there is a ministry of word and sacrament, church fellowship is possible. Other doctrinal concerns are secondary and do not affect the basic fellowship of the Gospel. With such a wide definition, some thought that the Missouri Synod could declare fellowship not only with the ALC but with any organization that engaged in Gospel proclamation and sacramental distribution. Dr.

29. *Obedient Rebels: Catholic Substance and Protestant Principle in Luther's Reformation* (New York: Harper, 1964). The subtitle to Dr. Schultz's essay "Reflection on the Current Controversy in The Lutheran Church—Missouri Synod" is curiously revealing "An Attempt to Express Pastoral Concern." The term "pastoral concern" appeared in news release from a June 28, 1972 meeting of Lutheran theologians. As Dr. Schultz quotes, the release also said that the controversy is to be commended to the Gospel. The use of "Gospel" and "Pastoral Concern" indicates the very area of conflict. One group, of which Dr. Schultz is representative, wants to settle the difficulties by speaking the Gospel to one another. This Gospel area in Dr. Schultz's theology seems to be suspended above the Scriptures and basically immune from historical investigation. This type of thinking leads us to use the phrase "Lutheran Barthianism." Dr. Preus and his group desire to settle the issue on the basis of what the Scriptures clearly say. The case of the women pastors does not have to be repeated as a good case in point. For Dr. Schultz, controversies, including doctrinal ones, lose their stamina when they are confronted with Gospel, forgiveness and pastoral concern. He is quite consistent.

30. "Law-Gospel Reductionism," *op. cit.* It seems also to be the purpose of Richard E. Koenig in the first article of a three-part installment to show that Pieper is responsible for what Koenig calls "Missouri Synods' rigidity and unfeeling application of its orthodox principles." "Church and Tradition in Collision," *Lutheran Forum*, 6, 4 (November 1972) pp. 17-20.

Jenson proves that such fears were not unfounded at all. The use of Augustana VII in ecumenical discussion is only of recent vintage. Dr. Nelson suggests the 1950's (*op. cit.*, p. 166).

My *Lutheran World Federation Today* (CPH, 1971, pp. 23-26) showed that Augustana VII is improperly used in matters of establishing church fellowship. This article speaks of the *una sancta* which is present wherever the good news of Jesus is preached and the sacraments administered. The entire Book of Concord, including the Augustana, speaks mightily against the theory that fellowship can be established on the basis of the "Gospel." If Jenson's understanding of Augustana VII is correct, then Luther and all the reformers flagrantly broke their own principle or were ignorant of it! The Lutherans never denied that *the* church was present among the Roman Catholics as the Gospel was preached and the sacraments were being administered; still fellowship was denied Rome, Geneva, and later even the Church of England, something which Jenson wants to allow now on the basis of the same document(s). If the writers of the Lutheran Confessions refused fellowship on their understanding of their own writings, it seems inappropriate that a 20th century understanding should supersede the understanding of the original writers.