

# Theodosius Harnack and Confessional Subscription

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## I. Introduction

One of the distinctive features of the nineteenth-century Neo-Lutheran awakening was the importance accorded to the Lutheran Confessions. Neo-Lutheran theologians were characterized by several similarities, but arguably the most significant was the great esteem that these figures attributed to the confessional writings of the Lutheran church. Hence, other sobriquets used to designate this theological movement include the “confessional awakening” and the “confessional revival.”<sup>1</sup>

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<sup>1</sup> Within nineteenth-century Germany, several terms were employed in describing theologians who more intentionally aligned themselves with the Lutheran Confessions over and against the contemporary theology of their day. Terms such as “Neo-Lutheranism” (*Neulutherthum*), “modern Lutheranism” (*das moderne Lutherthum*), “Hyper-Lutheranism” (*Hyperlutherthum*), and “confessionalism” (*Confessionalismus*) were used to describe this theological phenomenon. Frequently, these terms were used negatively, from the vantage point of the author, to describe a reactionary theological development that was hostile to current academic theology. For example, from the perspective of Gotha theologian Karl Schwarz (1812–1855), the articulation of a confessional Lutheran theology was an extreme counterreaction to the emergence of midcentury radical theology. Moreover, according to Schwarz’s estimation, in responding to the most extreme theologies of the day, some of the confessionally minded Lutherans landed in extreme positions, moving beyond Luther and the Confessions, “openly flaunting their sympathies for Catholicism.” See Karl Schwarz, *Zur Geschichte der neuesten Theologie*, 3rd ed. (Leipzig: F. A. Brockhaus, 1864), 223–225, 232.

Within this essay, the terms “Neo-Lutheran” and “confessional Lutheran” are employed synonymously. This usage does not suggest that there were no differences among nineteenth-century Lutherans who intentionally embraced a Lutheran identity anchored to the Lutheran Confessions. Far from it. Theological differences were widespread, touching upon theological methodology, hermeneutics, Christology, ecclesiology, the Office of the Ministry, eschatology, and—as discussed in this essay—the nature of confessional subscription; even politics became divisive. But perhaps with the exceptions of the “Old Lutherans” (*Altlutherthum*) and the “Erlangen School,” many of the titles used to describe nineteenth-century German confessional Lutherans do not easily permit a restricted application to a narrow grouping within the larger confessional development. See James Ambrose Lee II, *Confessional Lutheranism and German Theological Science: Adolf Harleß, August Vilmar, and Johannes Christian Konrad von Hofmann* (Boston: de Gruyter, 2022), 8–10, 103–106, 270–282. See also Herman Fischer, “Konfessionalismus,” in *Theologische Realenzyklopädie* 19 (Berlin: de Gruyter, 1990), 426–430; Friedrich Wilhelm Kantzenbach and Joachim Mehlhausen, “Neuluthertum,” in *Theologische Realenzyklopädie* 24 (New York: de Gruyter, 1994), 327–341; and Friedrich Wilhelm Kantzenbach, *Gestalten und Typen des Neuluthertums: Beiträge zur Erforschung des Neokonfessionalismus im 19. Jahrhundert* (Gütersloh: Gütersloher Verlagshaus Gerd Mohn, 1968).

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In the time before the confessional awakening, the Confessions had not been forgotten. Far from it. For example, while maintaining and even extending religious tolerance within Prussia, Wollner's Religious Edict of 1788 also compelled the maintenance of the confessional writings of the respective Christian churches in Prussia. Clergy had to adhere to the teachings of their respective confessions as stated in their confessional writings. If a minister could not adhere to the official teachings of his confession and to do so would violate his conscience, he was free to resign his office.<sup>2</sup>

Across Germany in the late eighteenth and early nineteenth centuries, numerous essays appeared that devalued the importance of the confessional writings. These texts argued that an overestimation of confessional writings was an affront to the authority of the Scriptures, that the confessional texts, originally composed as a theological witness, were wrongfully elevated as a textbook or universal theological standard. Johann Gottlieb Töllner (1724–1774), professor of theology at the University of Frankfurt an der Oder, argued that the Christian church has no other theological standard than the Scriptures. Moreover, a consequence of elevating the Confessions as a binding text was a restriction of theological study and investigation. “Free investigation” of the Scriptures was seen as being curtailed by binding confessions.<sup>3</sup> When the Christian revival movement known as the Awakening swept across the German lands during the nineteenth century, the confessional texts were not central to this theological phenomenon. A hallmark of the Awakening was its ecumenical character, appealing to Lutherans, Reformed, and even some Roman Catholics.<sup>4</sup>

Only gradually did the Confessions begin to receive attention within certain circles of the Awakening. In his history of the German Awakening in Bavaria, University of Erlangen theologian Gottfried Thomasius (1802–1875) narrates his turn to the Confessions as a development that followed his encounter and embrace of the Scriptures as the living word of God.

Already from the start, next to the Scriptures, this new evangelical life had nourished itself on the monuments from the Reformation, or from the writings

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<sup>2</sup> See Uta Wiggermann, *Woellner und das Religionsedikt: Kirchenpolitik und kirchliche Wirklichkeit im Preußen des späten 18. Jahrhunderts* (Tübingen: Mohr Siebeck, 2010), 125–153; and Walter Karowski, *Das Bekenntnis und seine Wertung: Eine problemgeschichtliche Monographie*, vol. 1, *Vom 18. bis zum 20. Jahrhundert* (Berlin: Ebering, 1939), 58–81.

<sup>3</sup> Johann Gottlieb Töllner, *Unterricht von symbolischen Büchern überhaupt* (Züllichau: Waisenhaus und Frommannischen Handlung, 1769). See also Karowski, *Das Bekenntnis und seine Wertung*, 1:14–37.

<sup>4</sup> See Andrew Kloes, *The German Awakening: Protestant Renewal after the Enlightenment, 1815–1848* (New York: Oxford Univ. Press, 2019), 111–146; and Johannes Wallmann, *Kirchengeschichte Deutschlands seit der Reformation*, 7th ed. (Tübingen: Mohr Siebeck, 2012), 188–191.

that were permeated by the spirit of the Reformation. Regarding practical interests—apart from matters of the church and the Confessions—we had immersed ourselves in the spirit of the same [Reformation]. With our faith we stood in the center of the same—in *articulo justificationis* [in the article of justification]. Thus, before we knew it, we were Lutheran. In fact, we were Lutherans, except without much reflection on the confessional particularity of our church, and without the confessional differences that separate it from others. We did not even precisely know the differences. We read the symbolical books of the church as testimonies of sound doctrine for the clarification and fortification of our knowledge of salvation. We had little concern for their confessional meaning. But as soon as we began—according to the way that God led us, according to the testimonies growing out of our faith—to ask about the historical roots of our present in the past of the church, the awareness arose among us that we stood in the midst of Lutheranism. It was that our own Christian salvific faith was simply Lutheran; indeed, just in reality the Lutheran church is and wants to be nothing other than the witness of the one Christian, salvific truth. Its confession is nothing other than the purely scriptural confession of the gospel, which has the free grace of God in Christ as its center. From this center—in which we ourselves found salvation—we lived, and, by the hand of the Scripture, we entered deeper into those confessions, and with joy we recognized in them—or, if one wants, in the central features of the same—the expression of our own conviction of faith. From henceforth it was for us a matter of faith and conscience to hold the Confessions as valuable and to confess with them. For this reason, we blessed the church, and we rejoiced in belonging to her. Thus, from within, we became Lutherans.<sup>5</sup>

Thomasius' quote helps shed some light on one aspect of the revival of the Confessions among the Neo-Lutherans. The Confessions were no longer simply evaluated as historical documents that witnessed to the particular confession of the Lutheran church that accepted these texts. Nor were the Confessions merely legal documents that helped to delimit differences between tolerated and prohibited religious confessions, further delimiting the boundaries of the former. According to Thomasius, the Confessions were recovered as a living witness and confession of faith of the church. "Living" does not intimate a hermeneutical approach that viewed the confessional writings as mutable (e.g., living constitutionalism). The Confessions were vital because they witnessed to the living gospel of Christ. The confessional revivalists realized that the Confessions were not simply doctrinal texts; they were living

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<sup>5</sup> Gottfried Thomasius, *Das Wiedererwachen des evangelischen Lebens in der lutherischen Kirche Bayerns: Ein Stück süddeutscher Kirchengeschichte (1800–1840)* (Erlangen: Andrea Deichert, 1867), 244–245. Unless otherwise indicated, all translations are my own.

confessions of faith imbibed with the life-giving message of the Scriptures: the confession of the “free grace of God in Christ at its center.”

The language that Thomasius used in this description is also indicative of another dimension of the reception of the Confessions that marked the confessional awakening. For Lutherans like Thomasius, Johannes von Hofmann (1810–1877), Adolf Harleß (1806–1879), and August Vilmar (1800–1868), the Christian faith was not only confessed and lived, it was *experienced*. These theologians understood the Christian faith to be experiential. They believed that the reality of the living word of God took root within the individual: the weight of the law and the freedom of the gospel were personally felt and experienced.<sup>6</sup> More than a feeling, the experience of Christianity was transformative. “From within,” Thomasius writes, “we became Lutherans.” The Lutheran Symbols were not simply doctrinal statements; they were “nothing other than the witness of the one Christian, salvific truth” of Jesus Christ, witnessed in the Scriptures. The witness of the Confessions corresponded with the interior transformative experience of the Christian truth that these theologians had and were undergoing.<sup>7</sup> While for many the Confessions were considered doctrinal texts, they especially witnessed to the “salvific truth” of Christianity, Christianity’s essence.

But what exactly was this essence to which the Confessions witness? Was this essence found in all sections of the Confessions or only in some parts? What is the relationship between the essence and the theology of the Confessions?

Theodosius Harnack’s “Nachwort” (Afterword), appended to Thomasius’ treatise *Das Bekenntniß der lutherischen Kirche von der Versöhnung und die Versöhnungslehre D. Chr. K. v. Hofmann’s* (The confession of the Lutheran church on the atonement and Dr. [Johannes] Chr[istian] K[onrad] von Hofmann’s doctrine of the atonement), allows one to see how some of these issues were navigated among the theologians of the confessional awakening. In these writings, Harnack and Thomasius entered into a theological controversy centered around their Erlangen colleague Johannes von Hofmann’s doctrine of the atonement. The purpose of these writings was not simply to critique Hofmann’s theory of the atonement but to evaluate it in light of the Confessions. The consideration of Harnack’s text permits one to consider some of the questions surrounding the Confessions that emerged as a result of

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<sup>6</sup> Consider how Vilmar discussed the experience of justification: “The certainty of eternal salvation is no doctrine but rather an experience, and thus even the formulation of this certainty—justification alone through faith—in the first place must be identified as an experience, and only a doctrine in a dogmatic relationship.” See August Christian Friedrich Vilmar, “Vom Rückfall zur römischen Kirche,” in *Pastoral-theologische Blätter*, vol. 12 (Stuttgart: Samuel Gottlieb Lieschiung, 1866), 26.

<sup>7</sup> For an analysis of confessional Lutheran understanding of theology as experiential, see Lee, *Confessional Lutheranism and German Theological Science*, 118–282.

Hofmann's theology of the atonement. Before considering Harnack's response to Hofmann, a brief sketch of the atonement controversy will be given.<sup>8</sup>

## II. The Atonement Controversy

In 1852 and 1853 Hofmann published parts 1 and 2 of the first part of his *Der Schriftbeweis* (The scriptural proof); the second part appeared in 1855. Within *Der Schriftbeweis*, Hofmann recontextualized Jesus' death and passion within a larger christological and trinitarian framework. Rather than narrowly focusing on Christ's passion, Hofmann situated Christ's death as an episode of the person and office of Christ, whose work was the historical realization of the intradivine fellowship of life and love of the Trinity. Within this christological and trinitarian structure, Jesus, the incarnate Christ, realizes within his person the one, eternal, divine fellowship of love, making it accessible for all humanity. The upshot of this framing was that it allowed Hofmann to articulate a theory of the atonement in which the common features of the atonement (e.g., vicarious satisfaction, the suffering of divine wrath, etc.) were rendered incommensurate with the larger theological context. Interpreting Jesus' passion as a vicarious satisfaction of divine punishment lacked theological coherence within Hofmann's broader trinitarian framework. In denouncing the substitutionary and penal character of Jesus' death, Hofmann maintained that Jesus' suffering and death demonstrated his divine sonship, through which he "presents in his person a realized relationship between God and humanity" no longer characterized by sin and hostility.<sup>9</sup>

Shortly after the appearance of the second part of *Der Schriftbeweis*, Hofmann's work became the subject of criticism that centered on his doctrine of the atonement. Rostock theologian Friedrich Philippi (1809–1882) critiqued Hofmann's theory of

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<sup>8</sup> For a more detailed account see Gunther Wenz, *Geschichte der Versöhnungslehre in der Evangelischen Theologie der Neuzeit*, 2 vols. (Munich: Chr. Kaiser: 1986), 2:32–62.

<sup>9</sup> Johannes von Hofmann, *Der Schriftbeweis: Ein theologischer Versuch*, 1st ed., 2 vols. (Nördlingen: C. H. Beck, 1852–1855), 2:6, 17–19, 70–83, 139–140, 196–197, 201–205, 210–218, 266. Hofmann published a revised edition between 1857 and 1860. All subsequent references will be to the first edition of *Der Schriftbeweis*. See also Johannes von Hofmann, *Die Schutzschriften für eine neue Weise alte Wahrheit zu lehren*, part 3 (Nördlingen: C. H. Beck, 1859). Between 1856 and 1859, Hofmann published four different *Schutzschriften*, parts 1–4.

In his *Christian Dogmatics*, Francis Pieper repeatedly critiqued Hofmann's doctrine of the atonement. In fact, across the entirety of his *Christian Dogmatics*, Pieper regularly lambasted Hofmann, identifying him as "an exponent of Ego theology" (*Ichtheologie*), which in Pieper's estimation described Hofmann's methodology of deriving the entirety of Christian theology from the individual Christian "ego." For some examples of Pieper's treatment of Hofmann, see Francis Pieper, *Christian Dogmatics*, 3 vols. (St. Louis: Concordia Publishing House, 1950–1955), 1:60–67, 114–115, 144–149; 2:344–372. For a discussion of Hofmann's so-called *Ichtheologie*, see Matthew Becker, "Hofmann as *Ich-Theologe*? The Object of Theology in Johann von Hofmann's *Werke*," *Concordia Journal* 29, no. 3 (July 2003): 265–293.

the atonement, arguing that it undermined the Lutheran doctrines of the atonement and justification. Hofmann's theory represented a departure from the Lutheran confession of faith. Hofmann's theology of the atonement was "antithetical" to the confession of the Lutheran church.<sup>10</sup>

### *Schmid's Defense of Hofmann*

Hofmann's response, seeking to demonstrate the illegitimacy of Philippi's accusations and defend the orthodoxy of his theology, did little to quell the swelling controversy.<sup>11</sup> In 1856, Hofmann's Erlangen colleague Heinrich Schmid (1811–1885) entered the controversy, writing in defense of Hofmann.<sup>12</sup> In Schmid's assessment, Hofmann's theology had not exceeded the boundaries of Lutheran orthodoxy properly understood. Hofmann's construal of the atonement fell within the strictures of the Confessions' theology of the atonement. Schmid was quick to observe, however, that Hofmann's theology contained substantive departures from the Lutheran doctrinal tradition. According to Schmid, the Confessions limited themselves to what can be demonstrated in Scripture with absolute certainty. The result of this is that while the Confessions taught the atonement, they were quite circumspect in providing any theological analysis beyond this simple affirmation. The Confessions were silent regarding anything that would approach a theory of the atonement.

In Schmid's view, the Confessions were distinct from the Lutheran dogmatic tradition, wherein the doctrine of the atonement had a long history.<sup>13</sup> Schmid readily admitted that Hofmann diverged substantively from the dogmatic tradition of the Lutheran church. But the question about whether Hofmann had deviated from Lutheran orthodoxy was answered not through assessing Hofmann's fidelity to the Lutheran doctrinal tradition but to the Confessions. Schmid acknowledged that within the Confessions there were statements that intimated that the authors of the Confessions had held to a similar understanding of the atonement as that expressed by the

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<sup>10</sup> Friedrich Adolph Philippi, *Commentar über den Brief Pauli an die Römer*, 2nd rev. ed. (Frankfurt am Main and Erlangen: Heyder & Zimmer, 1856), x–xi; Friedrich Adolph Philippi, *Herr Dr. von Hofmann gegenüber der lutherischen Versöhnungs- und Rechtfertigungslehre* (Frankfurt am Main and Erlangen: Heyder & Zimmer, 1856), 27, 55.

<sup>11</sup> Johannes von Hofmann, *Die Schutzschriften für eine neue Weise alte Wahrheit zu lehren*, part 1 (Nördlingen: C. H. Beck, 1856).

<sup>12</sup> Heinrich Friedrich Ferdinand Schmid, *Dr. v. Hofmann's Lehre von der Versöhnung in ihrem Verhältniß zum kirchlichen Bekenntniß und zur kirchlichen Dogmatik* (Nördlingen: C. H. Beck, 1856).

<sup>13</sup> Schmid noted that within the church's dogmatic tradition, there are three propositions that are connected: through sin humanity has become the object of divine wrath; the wrath of God cannot be removed unless the penalty, demanded by a righteous God, is satisfied; the righteousness of God is satisfied only when this penalty is paid. This is accomplished only through Christ, who has suffered in the stead of humanity, doing what humanity could not accomplish. See Schmid, *Hofmann's Lehre von der Versöhnung*, 37.

dogmaticians; nevertheless, the Confessions refrained from doctrinal exposition, limiting themselves to what was absolutely certain within the Scriptures. The Confessions and church dogmatics, for him, are distinct. The church theologian has freedom with respect to the latter. Schmid believed that Philippi had confounded dogmatics with the Confessions, restricting theological freedom by making theological propositions binding where there was no confessional anchor.<sup>14</sup>

Beyond highlighting the difference between the Symbols and Lutheran dogmatics, Schmid proposed a distinction within the Confessions: “the church’s confession is only the ‘what’ [*daß*], that which is certain from Scripture. Only that through the death of Christ atonement is obtained.” For Schmid, this alone “is the object of the Confessions, an article of faith.” Beyond this “what” any further theological proposition “is considered as *theologumena*.” Schmid admitted that the Confessions contained some “theological opinions” (*theologumena*), but these opinions existed in areas where the confession of faith was not as precise and was not apparent, such as the Apostles’ Creed. By conceding that the Confessions contained both objects to be confessed as articles of faith and theological opinions, Schmid proposed a distinction when reading the Confessions: “[I]t is generally recognized that even in the creeds, one must distinguish between what is in the actual sense confession, the substance of faith, and between what will explain the confession and what belongs to dogmatics.”<sup>15</sup> This is a distinction between “dogma” and “theory.” In Schmid’s interpretation, Hofmann had not repudiated any article of faith maintained by the Lutheran Symbols. He had only disagreed with opinions and theories and, since “theory is no dogma,” it was illegitimate to accuse Hofmann of departing from the Lutheran Confessions, for “a person does not cease to be a church theologian when he denies a theory.”<sup>16</sup> Schmid proposed that the controversy needed to be reframed as a debate over biblical interpretations rather than confessional fidelity.

### III. Harnack’s “Nachwort”

Harnack’s “Nachwort” and Thomasius’ 112-page essay *Das Bekenntniß der lutherischen Kirche* were written in response to Hofmann’s theory of the atonement and Schmid’s defense of Hofmann. All four theologians were colleagues in the theology faculty at Erlangen. For their part, Thomasius and Harnack attempted to maintain a fraternal tone in their responses. Yet, both colleagues took issue with Hoffman’s conception of the atonement, especially his rejection of central features of the Lutheran articulation of the atonement. Thomasius, quite sympathetic to the

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<sup>14</sup> Schmid, *Hofmann’s Lehre von der Versöhnung*, 4–5, 47–52.

<sup>15</sup> Schmid, *Hofmann’s Lehre von der Versöhnung*, 15.

<sup>16</sup> Schmid, *Hofmann’s Lehre von der Versöhnung*, 38–39.

concept of doctrinal development, nevertheless held that further theological exposition had to conform with the Confessions. With respect to the atonement, Thomasius was convinced that certain propositions that Hofmann had rejected—contrary to Schmid’s reading—were contained within the Book of Concord. Specifically, Thomasius emphasized the following: Jesus’ vicarious suffering of God’s wrath; that Jesus’ death made satisfaction to God for the sins and guilt of humanity; that through this satisfaction, God is reconciled with the world; finally, that through grace, received in faith, men receive the forgiveness of sins and are justified.<sup>17</sup> By rejecting these essential features of the Confessions’ presentation of the atonement, Thomasius held that Hofmann’s theory was wholly foreign to the Confessions, even where there was apparent agreement.<sup>18</sup>

Whereas Thomasius had considered the Confessions and made observations regarding the seventeenth-century Lutheran dogmaticians, in his “Nachwort” Harnack was primarily concerned about engaging the “decisive and authoritative principles” regarding the relationship between church theology and the confession of the church. Harnack’s focus was not limited to Hofmann but included Schmid, who had argued that Hofmann in no way had departed from the Confessions.

Harnack recognized that he and his Erlangen colleagues were equally committed to the belief that a healthy church required both a “further formation of the system of church doctrine” and a “biblical and confessional renewal.” This was the task of a church theologian. But in order to produce a church theology, a theologian of the church must “observe and respect” the “entire vision” that accompanies a particular theological truth of the Confessions and the specific “expression” with which the Confessions articulate this truth.<sup>19</sup> Moreover, a theologian of the church needs to submit his theology to the standard of the Lutheran Confessions.<sup>20</sup> For Thomasius, a church theologian is defined by two contrasting features. On the one hand, he has a “progressive” character, exercised in theological freedom, seeking to further the doctrine of the church. On the other hand, the church theologian has a “conservative” character, wherein he seeks to preserve the tradition of the church, because he “without reservation is bound by the truth” of the biblical confession of the church. Both features are “rooted in the Confessions,” working together for the edification of the church. But what does it mean to be rooted in the Confessions? A

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<sup>17</sup> Gottfried Thomasius, *Das Bekenntnis der lutherischen Kirche von der Versöhnung und die Versöhnungslehre D. Chr. K. v. Hofmann’s: Mit einem Nachwort von Th. Harnack* (Erlangen: T. Bläsing, 1857), 17. See also Martin Hein, *Lutherisches Bekenntnis und Erlanger Theologie im 19. Jahrhundert* (Gütersloh: Gütersloher Verlagshaus G. Mohn, 1984), 260–261.

<sup>18</sup> Thomasius, *Das Bekenntnis der lutherischen Kirche*, 107.

<sup>19</sup> Theodosius Harnack, “Nachwort,” in Thomasius, *Das Bekenntnis der lutherischen Kirche*, 120.

<sup>20</sup> Harnack, “Nachwort,” 118.



true and firm rooting means “not merely confessing ‘what’ the church confesses but also confessing ‘thusly,’ ‘how’ the church confesses.”<sup>21</sup> To confess what and how the church confesses means “[to confess] from the spirit and the faith of the church and, therefore, to confess in the same certainty and completeness, as well as in the mutual illumination and justified connection and in the arrangement, in which the entire confessional writing of the church contains and unites in itself the individual articles of faith with their constitutive elements.”<sup>22</sup>

Harnack believed that Hofmann’s path, and Schmid’s justification, were leading away from church theology. Harnack rejected Schmid’s distinction between the “what” and the “how” within the Confessions. To be more accurate, Harnack objected to Schmid’s claim that it was sufficient for a theologian to adhere to the “what” of a particular theological subject but not the particular “how” with which the Confessions articulate that specific “what.” Interestingly, Harnack did not reject the distinction itself. In fact, he conceded that within the Confessions Schmid was correct to distinguish between substance and form, between subject and expression. His point of disagreement was the manner in which one made this differentiation. The theologian is not to separate substance and form as if substance can be treated as “formless”<sup>23</sup> or as if the particular doctrinal form of a theological substance is “purely accidental or theoretical,” as if “content” could be presented apart from its form. The logical conclusion of Schmid’s position, in Harnack’s estimation, would undermine every doctrinal articulation that the Confessions make, reducing the dogmatic “what” of the Confessions to little more than the basics of faith as articulated in the Apostles’ Creed. Such theological minimalization would render superfluous any claim of agreement and acceptance of the Confessions.<sup>24</sup> In saying this, Harnack was not suggesting that the confession of faith in the confessional writings departed from the “one and same, old and simple ‘what’ of the Christian acts and truths of salvation,” such as articulated in the Apostles’ Creed. Rather, the Lutheran Symbols were composed to defend the foundational Christian truth. The specific articulations of doctrine were the means by which the Symbols defended this Christian faith. Or to say it another way, the specific doctrinal “hows” were composed for the sake of the foundational “whats” of the Christian faith.<sup>25</sup> Harnack recognized that the particular

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<sup>21</sup> Harnack, “Nachwort,” 119.

<sup>22</sup> Harnack, “Nachwort,” 119.

<sup>23</sup> Harnack, “Nachwort,” 119–120. Nevertheless, he states that substance is free of form. Harnack states that “but not separating [them] from each other thusly, . . . the substance is no longer handled as free of form [*formfreie*] but as formless [*formlose*].” While this appears confusing, by *formfreie* I believe Harnack means that the substance is not irrevocably joined to a particular form. *Formlose*, on the other hand, means that the substance exists intrinsically without form, only as an abstraction.

<sup>24</sup> Harnack, “Nachwort,” 121.

<sup>25</sup> Harnack, “Nachwort,” 121.

articulation of doctrine within the Confessions represented a historically developed theological explication of the foundational Christian truth. This led Harnack to a tension point within his own thought: the doctrinal form itself—the “how”—belongs to the content of the Confessions; however, it could be possible for a church theologian to exercise freedom with respect to the “how” while remaining faithful to the “what.”<sup>26</sup>

### *Substance and Form*

One of the most intriguing aspects of Harnack’s rejoinder to Hofmann and Schmid was his posture towards Schmid’s distinctions between the “what” and the “how,” substance and form, content and expression. Harnack appeared critical of Schmid’s distinctions while also acknowledging their validity. Was the distinction between the parties simply a matter of theoretical application, or was there a greater disagreement in their respective understanding of the Lutheran Confessions? Answering this question will also help illuminate Harnack’s curious statements on the binding character of the Confessions.

The distinction between essence and form—and all corresponding distinctions—was neither unique to this debate nor to the nineteenth century. Within the intellectual milieu of the nineteenth century, however, these categories were revitalized through the pervasive theme of organic growth that characterized Romanticism and German idealism. Within this landscape, when considering an object of study, the identification of an object’s essence (*Wesen*) was necessary, for it permitted one to reduce a potentially complex object to its essential reality, its foundational principle, the most irreducible expression of its identity. Knowledge of the foundational principle allowed one to examine an object as organic and historically developing. It provided the standard by which to consider growth and development, evaluating growth as the expression of organic development or as, perhaps, a foreign interpolation, contrary to the object’s essence. The subject of an academic discipline, the foundational principle, derived from the object’s essence, became the primary criterion in establishing the academic study of that object. All content must be shaped and derived—unfolded—from the foundational principle. Forms, in contrast, were secondary.<sup>27</sup> Forms were viewed as the historically conditioned expressions that

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<sup>26</sup> Harnack, “Nachwort,” 121.

<sup>27</sup> One of the most influential philosophical texts of the nineteenth century that articulated an idealist epistemology in relation to the university and the formation of academic disciplines was Friedrich Wilhelm Joseph von Schelling, *Vorlesungen über die Methode des Academischen Studiums* (Tübingen: J. G. Cotta, 1803). In this, his lecture on the discipline of theology, Schelling argued that it was essential for Christian theology to jettison older doctrinal forms that clouded the true principal idea of Christianity, in exchange for newer forms that illuminated the essence of Christianity. See Friedrich Wilhelm Joseph Schelling, “Vorlesungen über die Methode des akademischen

manifest the essence of an object. Some scholars compared forms to “husks” or “shells” that contained the true “kernel” and essence of the object.<sup>28</sup> A recurring theme among philosophers and theologians was the need to develop more appropriate forms that better corresponded to the philosophical, theological, and intellectual landscape of the nineteenth century.

Harnack, Schmid, and Hofmann agreed on the validity of the distinction between form and substance. They disagreed in their definition of substance. Hofmann had defined the essence of Christianity as the present divine-human fellowship of love realized in the person of Jesus Christ.<sup>29</sup> Hofmann held that substitutionary atonement, divine wrath, satisfaction, and expiation were not immediately derived from the essence of Christianity. They did not organically cohere with the definitive character of the fellowship of love realized in Jesus. Not only were they not essential, but they were incompatible with Christianity’s essence. In other words, they were a theological form incommensurate with Christianity’s substance.<sup>30</sup> In Schmid’s terminology, these doctrines were an explanatory “how” that sought to explain the essential “what” of the confession of Christ’s salvific death. Therefore, Hofmann thought he could reject these theological positions without compromising his confessional integrity. In his view, he had not violated the substance of the Confessions.

Harnack, however, held such an explanation to be untenable. Harnack refused the rigid distinction between substance and form, arguing that substance is not limited to simple undeveloped expressions of faith. Neither would Harnack allow the

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Studiums,” in *Schelling Werke*, ed. Manfred Schröter, vol. 5 (Stuttgart and Augsburg: J. G. Cotta’scher Verlag, 1859), 209–352; translated as F. W. J. Schelling, *On University Studies*, ed. Norbert Guterman, trans. E. S. Morgan, (Athens, OH: Ohio Univ. Press, 1966).

<sup>28</sup> In his 1799 *Reden*, Schleiermacher famously distinguished between the inner “essence” (*Wesen*) of religion (i.e., intuition and feeling) and the “shells” of metaphysics and morality. See Friedrich Schleiermacher, *Über die Religion: Reden an die Gebildeten unter ihren Verächtern*, in *Schriften aus der Berliner Zeit 1796–1799*, ed. Günter Meckenstock, Kritische Gesamtausgabe I.2 (Berlin: de Gruyter, 1984), 185–326; translated as Friedrich Schleiermacher, *On Religion: Speeches to Its Cultured Despisers*, trans. and ed. Richard Crouter (Cambridge: Cambridge Univ. Press, 1996).

<sup>29</sup> While Harnack and Hofmann employed different terms—in “Nachwort” Harnack used the term “substance” (*Substanz*), while Hofmann’s preferred term was “essence” (*Wesen*)—their respective conceptions of these terms are strikingly similar. Although it may be too much to say that Thomasius’ “substance” and Hofmann’s “essence” are identical, their similarities permit comparison.

For Hofmann’s definition of the essence of Christianity, see Johannes von Hofmann, *Die Encyclopädie der Theologie*, ed. H. J. Bestmann (Nördlingen: C. H. Beck, 1879), 10–11. See also Hofmann, *Schriftbeweis*, 1:6; Lee, *Confessional Lutheranism and German Theological Science*, 194–268; and Matthew Becker, *The Self-Giving God and Salvation History: The Trinitarian Theology of Johannes von Hofmann* (New York: T&T Clark International, 2004), 135–158.

<sup>30</sup> For a detailed description of his explanation, see Hofmann, *Schutzschriften*, parts 1 and 3.

simplistic reduction of substance to dogma and form to theory. Harnack promoted a more complex, integrated, and organic relationship. Far from restricting substance to unelaborated statements of faith, Harnack asserted that “the substance lives in the totality of the confession as the soul in the body. . . . It lives and moves in the whole corpus of the Symbols, even in their theoretical explanations.”<sup>31</sup> In order to understand how the historical and doctrinal expositions of faith that characterize the church and her history can change and yet somehow remain connected to the past, Harnack maintained that substance simultaneously exists as undeveloped and developed. In this he tried to avoid succumbing to an explanation of doctrinal change that identified the early Christian past with a pristine and simple substance, rendering later articulations as mere historical formations, potentially as historical accretions. Harnack did not attempt to deny that the articulation and formation of Christian doctrine takes place in a historical process. Much rather, Harnack affirmed that historical development was positive, comparing it to human growth and maturation. But in acknowledging the historical theological articulation of Christian belief, Harnack sought to preserve both the simple and the elaborated. By describing the church’s theology as organic, Harnack taught that undeveloped and developed theological substance mutually exist within the church as essential features of the church’s life, as the church continually returns and reflects upon “the faith in its simplest content,” while also seeking to develop the substance of her confession. Simple content and developed expression are not antithetical to the church and her confession of faith, in his view. As an organic being, the church with its confession has growth as an essential characteristic. It “has matured through the path of history, experience, and interaction with the divine Word—[which] is the actual and most profound life process of the growing, contending faith.”<sup>32</sup>

While Harnack conceded the distinction between essence and form within the Confessions—at one point even stating that the “*form per se* cannot be binding”<sup>33</sup>—he refused the conclusion that Schmid and Hofmann drew. The theological substance of the Confessions could not be abstracted from the forms, theories, and “hows” without compromising the confessional witness of the texts; they maintained an “essential significance for determining and founding” the Confessions’ content.<sup>34</sup> Although distinct from the essence, because the theological forms and theories within the Confessions arise from the church, “derived from Scripture and faith,” they are “not foreign” to the Confessions. Ultimately, they become “co-

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<sup>31</sup> Harnack, “Nachwort,” 127.

<sup>32</sup> Harnack, “Nachwort,” 127–128.

<sup>33</sup> Harnack, “Nachwort,” 130.

<sup>34</sup> Harnack, “Nachwort,” 131.

carriers” of the Confessions’ witness and teaching.<sup>35</sup> Harnack was quick to note that explanative theories and forms, though emerging from the church’s life of faith, cannot be confounded with the “facts and truths” that shape and define them.<sup>36</sup> Form and theory themselves are not the salvific truths of the Christian faith. Forms and theories are historically conditioned explanations produced by the church. The recognition of this distinction is essential, but this distinction neither permits the separation of substance from form nor denigrates the forms and theories within the symbolic texts. Forms and theories demonstrate “how” the church believes “because they explain in greater detail the more definite sense in which the strict confessional propositions are meant and in which confessing them means confessing them alone.”<sup>37</sup>

Hofmann and Schmid maintained that it was possible to distinguish and separate the doctrine of the atonement from the vicarious substitution and satisfaction. The former was the “what” and the latter was the “how,” the church’s theoretical explanation of the biblical teaching of the salvific activity of Jesus’ death. Moreover, since Hofmann held that these theories were not compatible with the essence of Christianity, he maintained that it was appropriate to reject them for the sake of a more appropriate theory. Harnack disagreed.

Will church theology claim to and be able to say, for example, that the proposition is a binding confessional proposition that “we are justified by grace alone for the sake of Christ through faith,” but that the narrower definition of “for the sake of Christ”—namely, the imputation of Christ’s righteousness—is a nonbinding *theologoumenon*? And yet the latter definition is a statement about the “how” that clarifies its “that.” And it is the same with the doctrine of the atonement in our confession. The narrower definition of the fact that our reconciliation has been effected through the death of Christ—that is to say, through the vicarious satisfaction of divine righteousness—cannot be shoved aside as a mere *theologoumenon*, but it belongs to the content of the confession, and all the more so as the same has also largely been expressed in actual propositions of the confession.<sup>38</sup>

Contrary to Hofmann and Schmid, Harnack asserted that the vicarious satisfaction is not only congruous with the substance of Christianity and its confession, but it is also part of its content—that is to say, the vicarious satisfaction is central to Christianity’s essence. The doctrine of the vicarious satisfaction is definitive to *how* the Christian church confesses the doctrine of the atonement. More than a doctrine,

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<sup>35</sup> Harnack, “Nachwort,” 133.

<sup>36</sup> Harnack, “Nachwort,” 134.

<sup>37</sup> Harnack, “Nachwort,” 135.

<sup>38</sup> Harnack, “Nachwort,” 135.

Harnack underscored the experiential character of theology, maintaining that the vicarious satisfaction corresponds to both the ecclesial and the personal Christian experience.<sup>39</sup> For this reason, Harnack defended the vicarious satisfaction as part of the church's confessional witness, not based upon theoretical explanations and theories (e.g., Anselm) but "drawn immediately out of Scripture and the Christian experience." The only way to excise satisfaction from the confession of the church would be to expurgate from the Scriptures "the concepts of righteousness and the holiness of God, the law and the conscience, guilt, punishment and judgment, mediator, ransom, [and] imputation."<sup>40</sup>

### *Freedom and the Binding Character of the Confessions*

Central to this debate was the relationship between the freedom of a church theologian and the binding character of the Confessions. Schmid had maintained that a church theologian has freedom in matters of the dogmatic tradition of the church. One was not obligated to follow and uphold theological theories, even if they had a long reception within the church. Obligation was limited to the Confessions, but even the Confessions were not uniformly binding. A theologian was obligated to uphold them, but only where the Confessions spoke concretely with respect to what was certain within the Scriptures. As shown in the Hofmann controversy, Schmid insisted that Hofmann was free regarding theories and forms of the atonement within the Symbols.

Determining Harnack's position on the binding character of the Confessions is more challenging. Clearly, he was critical of Hofmann's position and Schmid's hermeneutical defense of their Erlangen colleague; however, within his "Nachwort" some of Harnack's statements are confounding and convoluted:

A *formal* obligation does not conform and does not satisfy the [Lutheran church], which simultaneously allows too much to be free and binds too much. She claims the *substantial* [obligation], which more truly grounds, more deeply binds, more surely defends, and simultaneously allows greater freedom, since it does not proceed from external to internal but from internal to external.

Strictly speaking, therefore, church theology, considered in itself, is bound to no doctrinal form as such, if only it stands firmly rooted in fact and truth with its faith in the true, actual, and full substance of the church's faith. The Symbols bind the theologian not insofar as he is a theologian but insofar as he is a Christian and a member of the church and, as such, is a theologian.<sup>41</sup>

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<sup>39</sup> Harnack, "Nachwort," 134.

<sup>40</sup> Harnack, "Nachwort," 140.

<sup>41</sup> Harnack, "Nachwort," 125–126.

These statements give the impression that Harnack had restricted confessional obligation only to select statements within the Symbols, or that, like Schmid, he had established an innerconfessional distinction allowing him to identify the binding and nonbinding elements within the texts. To better interpret Harnack's posture towards the binding character of the Confessions, it is necessary to contextualize them within his broader understanding of Christianity's unique substance.

Harnack distinguished between two approaches towards confessional commitment: "substantial obligation" and "formal obligation." With the former, Harnack's position, the Christian substance alone possesses a true binding character. Its authority is intrinsic. For Harnack this substance was found within the Scriptures along with the faith and life of the church, including the communal and individual experience of the Christian. The simple and complete Christian substance permeates the entire Christian church, while simultaneously undergoing development, receiving "greater and sharper definition" in both rejecting error and accumulating a more precise articulation. To be sure, Harnack readily admitted that the historical shapes of the Christian substance could be articulated in unclear and erroneous ways. Even in the best-case scenarios, no form or expression completely exhausts the fullness of the Christian substance.<sup>42</sup>

Harnack's identification of a theologian's commitment to the Lutheran Symbols as a substantial obligation was not a reductive measure that sought to limit the theologian's subscription to an alleged "confession within the Confessions" or an attempt to delineate the inner substance from accidental doctrinal forms and theories. While Harnack distinguished forms and "hows" from substance and "whats," he refused to remove the former from one's confessional obligation:

[T]he substance binds him not only in its immediate unity but also in its developed specificity, for the one is not to be divorced from the other. Confessing with the church, as we said above, means confessing *what*, [that is] what she confesses, and confessing *thus, how* she confesses. Both the "what" and the "how" belong to the content of confession. For this very reason, however, the "how" is to be thought of not in terms of the formal expression but in terms of the *inner* specificity that is peculiar to a given truth of faith in its living and articulated unity with the whole of the confession.<sup>43</sup>

Without reservation, Harnack opined that the "hows" of the Symbols, not merely their "whats," were binding upon the church theologian. To be sure, the forms and formulae of the Confessions were developments that did not exhaust the reality of

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<sup>42</sup> Harnack, "Nachwort," 130.

<sup>43</sup> Harnack, "Nachwort," 129–130.

the Christian substance, but such “developed specificities” were faithful explications and organic expositions of the church’s substance.<sup>44</sup>

If by “substantial obligation” Harnack was not attempting to segregate an interior confession within the Confessions but upheld both form and substance, what was the purpose of this theory? Harnack’s language hints at his larger theological framework, which was likely undergirded by philosophical scaffolding borrowed from German idealism. Harnack established a confessional theory indebted to his larger organic vision of church and theology. For Harnack, the church is “the living organism, brought forth from Christ, of his active Spirit,” dually constituted by objective and subjective aspects that correspond to the fact that the church is simultaneously the divine work of Christ and existing within congregations of the faithful.<sup>45</sup> Establishing the church as an organic structure allowed Harnack to characterize other aspects of the church’s existence as central features of her organic existence. Characterized as a living organism, the church is constituted by the essential “organs” of “Scripture, tradition, and the personalities of the faithful,” through which the Spirit of Christ is present, actively working in and through Christ’s church on earth.<sup>46</sup>

In an age when the separation between the university and the church was becoming more acute, when some of the most radical theologians claimed that an interior disposition of faith disqualified one as a theologian,<sup>47</sup> Harnack fought against modern theology’s increasing independence from the church. Theology was not separate from the church. Theology grows out of the church, for the purpose of the church: “[T]heology . . . owes its origin and existence only to Christianity as church. [Theology] is not the work of individuals as such but rather the changing product of the church in her position in the world. The church is not merely the object of its work and the goal of its striving, but she is also the maternal bosom, the basis of her origin and existence. She is [theology’s] subject, who is active in the same [theology] and manifests one aspect of her life in it—namely, her intellectual aspect.”<sup>48</sup> The church is the center of theology. Theology must be from and for the church. Theology comes into existence from the church, through the work of the theologian, who himself is “a living member of the church who conceives of himself as a free organ

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<sup>44</sup> Harnack, “Nachwort,” 129.

<sup>45</sup> Theodosius Harnack, *Einleitung und Grundlegung der Praktischen Theologie: Theorie und Geschichte des Cultus* (Erlangen: Andreas Deichert, 1877), 72–79.

<sup>46</sup> Theodosius Harnack, *Der christliche Gemeindegottesdienst im apostolischen und alt-katholischen Zeitalter* (Erlangen: Theodor Bläsing, 1854), xiii–xxi, 12–14.

<sup>47</sup> For example, see David Friedrich Strauss, *Das Leben Jesu, kritisch bearbeitet*, vol. 1 (Tübingen: C. F. Oslander, 1835), vi; translated as David Friedrich Strauss, *The Life of Jesus Critically Examined*, ed. Peter C. Hodgson, trans. George Eliot (Philadelphia: Fortress, 1972), lii.

<sup>48</sup> Harnack, *Einleitung und Grundlegung der Praktischen Theologie*, 3–4.



of the same."<sup>49</sup> There is an organic relationship that joins church, theology, and the theologian. The same substance unites them.

Harnack understood the Confessions as a part of this organic relationship. In his view, the Confessions were an organic development that issued from the life of the church, for they were nothing other than an articulation and explication of the substance that unites church and theology in a living relationship. The Confessions were not imposed upon the church from an alien authority. Neither were the Confessions the products of theological or philosophical speculation, nor arbitrary doctrinal formulae that demanded obedience. The Confessions arose from the church's own substance. There is an inner, substantial, organic relationship—neither external nor formal—that unites the Confessions to the church and to the Christian theologian. This inherent relationship would not obtain if the Confessions were seen only as an external theological standard, as an amalgam of doctrinal formulae. Consider once again Harnack's curious statement introduced above:

Strictly speaking, therefore, church theology, considered in itself, is bound to no doctrinal form as such, if only it stands firmly rooted in fact and truth with its faith in the true, actual, and full substance of the church's faith. The Symbols bind the theologian not insofar as he is a theologian but insofar as he is a Christian and a member of the church and, as such, is a theologian. The more he, with his faith and life, exists within the faith and life of the church and knows himself to be one with her, the more freely he can move within the theological form.<sup>50</sup>

Harnack did not deny that the Confessions possess a binding character. He situated this character, however, within his organic, ecclesial relationship, rather than a legal framework. Harnack refused to consider the Symbols as a mere external doctrinal standard imposed upon the church and her theologians in order to restrict them, or as a legal text that only compelled adherence. Harnack derived their binding character internally, as a consequence of the fact that the Confessions maintain an inherent unity with the substance of the church, as an organic development from it. Harnack conceptualized the Confessions not primarily as restrictive formulae but positively as an expression of the inner unity of the "faith and life" that joins the church, the Christian, and Christian teaching. The Christian is called to live within the Confessions because there is a correspondence of identity between their substance and "his own life of faith" formed from the same substance.<sup>51</sup>

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<sup>49</sup> Harnack, *Einleitung und Grundlegung der Praktischen Theologie*, 8.

<sup>50</sup> Harnack, "Nachwort," 126.

<sup>51</sup> Harnack, "Nachwort," 126–129.

The subject of theological freedom, according to Harnack, was only properly considered from the perspective of the organic reality of the church. He defended a theologian's commitment to the church's Confessions at the cost of theological freedom. Harnack did not deny that a theologian possessed some degree of theological freedom, but within a context where theological freedom was a definitive characteristic of modern theology, he exercised caution, cognizant that a theologian was liable to "be taken captive by his freedom." Harnack was dismissive of claims that promoted theological freedom for the sake of the promotion of theological science, which would undermine one's ecclesial obligation. The theologian was primarily a "servant of the church," not the university, tasked with serving the church primarily in the training of pastors. Theological freedom cannot come at the expense of the theologian's obligation to the church.<sup>52</sup> For Harnack, theological freedom was situated within the organic theological relationship constituted by church, tradition, and Christians, unified by the substance of the church. Freedom exists for the theologian only insofar as he is a member of the church, formed and shaped by the same essence that he seeks to articulate. The greater his foundation within the church, the greater his familiarity with her substance, the greater his freedom—so much so that Harnack could say that for the theologian "his obligation is simultaneously his freedom."<sup>53</sup> The theologian is bound to the church's substance but has some degree of freedom with respect to her forms. This is where Harnack appears the most unclear. Although he granted that the church's forms were not binding in themselves, permitting the church theologian freedom, Harnack immediately circumscribed any freedom he saw as legitimate. The theologian must order his expressions to the language of the church that he served.<sup>54</sup> Moreover, as seen above, the theologian is bound to the theological forms of the Confessions, since they belong to the developed substance of the church. Harnack even exercised caution in addressing the relationship between freedom and the church's dogmatic tradition. While acknowledging that a theologian has freedom over and against the church's doctrinal systems and her teachers, this freedom must be exercised with great circumspection. While earlier theologians may appear inadequate in light of the scientific standards of the present day, nevertheless "those universally recognized masters of dogmatics . . . knew very well what the faith of the Lutheran church is and what it is not."<sup>55</sup> Whatever space theological freedom might occupy, Harnack maintained that it could be entered into only with caution for the sake of the church: in continuity with the church's substance, respecting her tradition, and in one's desire to serve.

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<sup>52</sup> Harnack, "Nachwort," 126.

<sup>53</sup> Harnack, "Nachwort," 128–129.

<sup>54</sup> Harnack, "Nachwort," 126–127.

<sup>55</sup> Harnack, "Nachwort," 137.

## V. Conclusion

What made the Neo-Lutheran theologians distinctive was the importance they placed on the Lutheran Confessions. This was noticed by contemporaries of different theological persuasions<sup>56</sup> and, of course, by the Neo-Lutheran theologians themselves.<sup>57</sup> This brief literary exchange within the larger atonement controversy further elucidates theological complexities that attended the renewed theological interest of the Lutheran confessional documents. Hofmann, Schmid, and Harnack were members of the theological faculty at Erlangen, the center of confessional Lutheranism within Bavaria, arguably the most important theological faculty within the confessional revival. Yet, even among these like-minded colleagues who maintained the importance of confessional subscription, no consensus existed as to what such subscription entailed.

The debate between Hofmann, Schmid, and Harnack helps illustrate that even among figures of the nineteenth-century confessional revival, questions and controversy persisted regarding the interpretation of and subscription to the Lutheran Symbols. The reality of such confessional distinctions and debates is not new. For example, the tension between Wilhelm Löhe (1803–1881) and the theologians of the Missouri Synod, and between the synods of Missouri and Iowa, is well known. Although he was critical of those who distinguished between the Lutheran Confessions themselves and the *confession* of the Lutheran Symbols, nevertheless Löhe argued for his own textual distinction between “what is confessedly spoken and . . . what is not spoken [confessedly]” (“was bekennend gesagt ist, und was nicht also gesagt ist”).<sup>58</sup> Löhe argued that he maintained an unqualified subscription to the

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<sup>56</sup> See Schwarz, *Zur Geschichte der neuesten Theologie*, 222–225, 232.

<sup>57</sup> Consider Harleß’s 1838 letter to Andreas Gottlob Rudelbach (1792–1862), assuring him that despite the name of the journal, *Zeitschrift für Protestantismus und Kirche* was wholly dedicated to “serving the Lutheran church,” “excluding everything that is incompatible with the principles and the confession of the same church. . . . Neither in the form nor in the content of our testimony will we forgo anything of the confession of our church.” See Karl Richard Kaiser, “Briefwechsel mit D. Andreas Gottlob Rudelbach weil Sup. und Konsistorialrat zu Glauchau i. Sa. 1829–1846,” in *Beiträge zur sächsischen Kirchengeschichte* 29 (1916): 85–212, at 140–146.

<sup>58</sup> In his debate with Fürth pastor Lorenz Kraußold (1803–1881) over the nature of confessional subscription, Löhe objected to those who attempted to segregate an inner confession within the Confessions (e.g., “Confessions and confession,” or “the confession is contained in the Confessions”). Yet, Löhe expressed reservations over a few sections of the Confessions, specifically certain statements of Luther in the Smalcald Articles. Despite his few objections, Löhe stated that he maintained a *quia* subscription to the Lutheran Confessions “rightly understood.” Friedrich Kantzenbach refers to Löhe’s confessional subscription as “open ‘quia.’” See Wilhem Löhe, *Unsere kirchliche Lage im protestantischen Bayern und die Bestrebungen einiger bayerisch-lutherischen Pfarrer in den Jahren 1848 und 1849*, in *Gesammelte Werke*, ed. Klaus Ganzert, 7 vols. (Neuendettelsau: Freimund-Verlag, 1951–1986), 5/1:428–433 (hereafter cited as *GW*); and Kantzenbach, *Gestalten und Typen des Neuluthertums*, 74. For the debate between the Missouri and Iowa Synods, see Martin J. Lohrmann, “‘A Monument to American Intolerance’: The Iowa Synod’s ‘Open Questions’ in

Confessions—vis-à-vis a subjectivist interpretation (i.e., a subjective limitation of what is binding within the Confessions)—while avoiding what he considered an extreme interpretation of the Confessions’ authority, which would enthrone them as the “Protestant paper pope”—a swipe directed at the Missouri Synod.<sup>59</sup>

An obvious similarity between Hofmann, Schmid, Harnack, and Löhe is that all four confessional theologians resided in Germany. One might conclude that attempts at creating distinctions within the Confessions, differentiating between the *confession* proper and the unessential, contextual material of the Confessions, was a feature of the confessional revival within the German lands. This assessment is at least partially accurate. In fact, C. F. W. Walther (1811–1887) suggested that his contemporary German Lutherans’ inconsistent reception of the Lutheran Confessions was a consequence of their commitment to the belief in doctrinal development. For Walther, an overheightened historical contextualization undermined the fixed biblical foundation of dogma by interjecting “subjective opinions” into the ecclesial formation of dogma, leading to the conclusion that “dogmas are only the ecclesiastically sanctioned opinion of [certain] times.” Historicization supported the distinction between biblical and ecclesial dogmatics, which further permitted one to conclude that the church’s dogma was ultimately the result of the church’s historical activity.<sup>60</sup> For Walther, the historicization of the Confessions enabled one to distinguish between the supposed doctrinal and historical components of the Symbols, permitting the exclusion of the latter.<sup>61</sup>

The accuracy of Walther’s observation notwithstanding, it would be inaccurate to restrict the creation of intratextual distinctions within the Confessions to the German wing of the confessional revival. As Hofmann, Schmid, and Harnack were disputing principles of confessional subscription, across the Atlantic Saxon

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their American Context,” in *Wilhelm Löhe Erbe und Vision: Loehe Theological Conference II Neundettelsau 22. bis 26. Juli 2008*, ed. Dietrich Blaufuß (Gütersloh: Gütersloher Verlagshaus, 2009), 294–306. For more on Löhe’s confessional distinctions, see James Ambrose Lee II, “The History and Development of Doctrine: Loehe’s Posture Towards Nineteenth-Century Theological Trends,” in *Currents in Theology and Mission* 51, no. 1 (2024): 23–39.

<sup>59</sup> Wilhelm Löhe to an unspecified correspondent, 1861, in *GW* 5/2:858–859.

<sup>60</sup> In the fifth installment of his series “Was ist es um den Fortschritt der modernen lutherischen Theologie in der Lehre?” (What about the development of doctrine in modern Lutheran theology?), titled “Entstehen die christlichen Dogmen erst nach und nach?” (Do Christian dogmas emerge only gradually?), Walther criticized the German Lutheran acceptance of the historical development of Christian dogma, where, after prolonged controversy, ecclesial doctrine achieves its finalized form as “completed dogma” in the symbolical writings of the church. For the rest of the series, see C. F. W. Walther, “Was ist es um den Fortschritt der modernen lutherischen Theologie in der Lehre?” *Lehre und Wehre* 21, nos. 6, 9, 11, 12 (June, Sept., Nov., Dec.): 161–164, 225–227, 257–262, 322–329, 353–361; 22, nos. 2, 4, 6 (Feb., Apr., June): 40–47, 97–105, 161–169; 24, nos. 2, 4, 7, 8, 9, 12 (Feb., Apr., July, Aug., Sept., Dec.): 33–44, 97–104, 193–202, 225–230, 257–264, 353–360.

<sup>61</sup> C. F. W. Walther, “Position der Synode von Iowa zu den Symbolen der Evangelisch-Lutherischen Kirche,” *Lehre und Wehre* 4, no. 2 (Feb. 1858): 61–63.

confessional émigrés engaged in their own discussions over the maintenance of legitimate distinctions within the Lutheran Symbols. At the conclusion of the 1840s and throughout the 1850s, Walther himself articulated a principle of interpretation and subscription that differentiated between essential and unessential components within the Lutheran Confessions. Walther advocated for an uncompromising subscription to the Lutheran Symbols, calling for an “unconditional subscription” from all ministers (*Diener*) of the synod. But while Walther could unreservedly reject any notion or form of a conditional subscription to the Symbols—“insofar” (*insofern*) as they agree with Scripture<sup>62</sup>—within the confessional documents, he could still distinguish between those elements that must be maintained and those that were not mandatory, that fell outside the bounds of one’s unconditional subscription. Walther’s principle was to restrict subscription to the “doctrinal content” (*Lehrgehalt*) of the Confessions. Everything that “does not concern doctrine,” according to Walther, is excluded from one’s unqualified subscription. Matters outside of doctrine include such issues as “the form, the method, and the proof [of doctrine],” issues governing liturgical rites (such as Luther’s “Little Book on Baptism” [*Taufbuchlein*]), and even the Confessions’ interpretation “of certain Biblical passages.”<sup>63</sup>

As Richard Serina has recently shown, Walther’s principle was no obscure position that faded into the annals of synodical history upon Walther’s death. Walther’s interpretative principle would become normative within The Lutheran Church—Missouri Synod. In his *Christian Dogmatics*, Francis Pieper followed and extended Walther’s distinction, on the one hand, dismissing various forms of conditional subscription to the Confessions; on the other hand, like Walther, Pieper identified one’s unconditional subscription to the Confessions with their doctrinal content.<sup>64</sup> According to Serina, this confessional distinction, articulated by both

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<sup>62</sup> Walther identified seven different “types” of conditional subscription to the Lutheran Confessions. See [C. F. W. Walther], *Antwort auf die Frage: Warum sind die symbolischen Bücher unserer Kirche von denen, welche Diener derselben werden wollen, unbedingt zu unterschreiben? Ein von der deutsche ev. luth. Synode von Missouri, Ohio, u. a. St. westlichen Districts bei Gelegenheit der Versammlung derselben im April 1858 zu St. Louis, Mo., angenommenes Referat* (St. Louis: Synodaldruckerei von A. Wiebusch und Sohn, 1858); translated as C. F. W. Walther, “Answer to the Question, ‘Why Should our Pastors, Teachers, and Professors Subscribe Unconditionally to the Symbolical Writings of our Church?’ Essay Delivered at the Western District Convention in 1858,” in *At Home in the House of My Fathers: Presidential Sermons, Essays, Letters, and Addresses from the Missouri Synod’s Great Era of Unity and Growth*, [ed.] Matthew C. Harrison (Fort Wayne: Lutheran Legacy, 2009), 119–137.

<sup>63</sup> Walther, “Why Should our Pastors, Teachers, and Professors Subscribe,” 120–123. See also Richard J. Serina Jr., “Confessional Subscription in ‘A Statement of Scriptural and Confessional Principles,’” *Concordia Journal* 49, no. 4 (2023): 48–50.

<sup>64</sup> Pieper, *Christian Dogmatics*, 1:355–358. See also Serina, “Confessional Subscription,” 50–51.

Walther and Pieper, obtained throughout the history of the Missouri Synod, becoming “a hallmark of Missouri’s doctrinal stance,” even articulated by figures such as Arthur Carl Piepkorn and Robert Preus.<sup>65</sup>

These concluding comments further underscore the challenges that faced nineteenth-century confessional Lutherans in their embrace of the Lutheran Symbols. One cannot simply dismiss Hofmann, Schmidt, and Harnack by saying that all parties erred by erecting intratextual distinctions within the Confessions that circumscribed the parameters of one’s subscription. Even Walther and Pieper recognized the legitimacy of intratextual distinctions that limited confessional subscription. Distinctions in and of themselves were not the issue but rather how and where one demarcated the line of distinction. The nature of the distinction is of ultimate importance. One can neither flatten the various intratextual confessional distinctions nor collapse the respective positions advanced by Hofmann, Schmidt, Harnack, Löhe, and Walther. Even though each theologian advocated for an intratextual distinction, their postures were far from identical. They did not distinguish between the same essential content. Hofmann and Schmid believed that they could identify and separate substance from form. They held that it was possible to uphold the doctrinal substance of the Lutheran Symbols while dismissing the specific doctrinal form in which the theological substance was articulated, without compromising their commitment to the Confessions. While Harnack could appreciate the historical character of doctrinal forms, he rightly recognized that Schmid’s and Hofmann’s positions undermined the theological integrity of their confessional subscription. The freedom to untether and disregard doctrinal form from its substance would result in a minimalistic theological confession, with little connection to the doctrinal exposition of the Lutheran Confessions.

Walther and the early Missouri Synod rightly refused to countenance the recognition of any intraconfessional distinctions in doctrine. Yes, Walther admitted that the Confessions contained items that were not binding. While a *quia* subscription was absolute, it pertained only to matters of doctrine. And doctrine is clearly revealed in Scripture. For Walther, the boundaries of unconditional subscription are identical to the doctrinal content of the Symbols. Subscription terminates with doctrine. The strength of Walther’s position is illustrated in the debate between the Iowa Synod and the Missouri Synod over the issue of open questions. In their 1876 colloquy with representatives of the Iowa Synod, Walther and the six other delegates of the Missouri Synod rejected the Iowa delegates’ distinction between “essential and

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<sup>65</sup> Arthur Carl Piepkorn, “Suggested Principles for a Hermeneutics of the Lutheran Symbols,” *Concordia Theological Monthly* 29, no. 1 (January 1958): 1–24; Robert Preus, “Confessional Subscription,” in *Evangelical Directions for the Lutheran Church*, ed. Erich Kiehl and Waldo J. Werning (Chicago: Lutheran Congress, 1970), 43–52. See also Serina, “Confessional Subscription,” 51–55.

unessential” doctrines within the Confessions. As explained by Conrad Sigmund Fritschel (1833–1900), professor at Wartburg Theological Seminary, the Iowa Synod argued that not every doctrine articulated within the Lutheran Symbols was necessarily part of the confession of faith.<sup>66</sup> Although Fritschel and the other Iowa delegates maintained that the quantity of nonbinding doctrine was minuscule, Walther and the Missouri Synod delegates rejected Iowa’s distinction between binding and nonbinding doctrine, even if limited to only a handful of doctrines. Walther insisted that “[i]f it is a doctrine that exists within the Symbols, we can permit no difference for Lutherans who subscribe to [the Symbols.]”<sup>67</sup> Walther understood that the acceptance of the distinction between essential and unessential doctrines, between what is and what is not binding, would create an interminable battle over where to demarcate the boundary between essential and binding against unessential and non-binding.<sup>68</sup> Walther recognized that the failure to secure a binding commitment to the doctrinal content of the Confessions would jeopardize the harmony of congregations by undermining parishioners’ ability to know what their pastors believe, teach, and confess.

By anchoring confessional subscription to the doctrinal content of the Confessions, Walther, like Harnack, would have assessed the distinctions advocated by Hofmann and Schmid as transgressing the doctrinal *sine qua non* of the Confessions. Even Harnack’s differentiation between substance and form would likely come across as specious. It is clear that Harnack had no desire to permit the doctrinal content of the Confessions to be jettisoned by identifying them as unessential or historically contingent. In contrast to Walther, however, his defense was more complex, but also more convoluted, contingent upon a large and complicated theoretical framework. The waning of idealistic organicism, upon which his position was dependent, undermines the rhetorical strength of Harnack’s defense of the “essential” character of doctrinal forms and, ultimately, one’s subscription to the Lutheran Confessions. In avoiding speculative constructions, the simplicity of Walther’s doctrinal distinction has persisted, while Harnack’s is hardly remembered.

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<sup>66</sup> J. P. Beyer, ed., *Sternographisch aufgezeichnetes Colloquium der Vertreter der Synode von Iowa und der von Missouri, Ohio u. a. St., gehalten vom 13.–19. Nov. in Milwaukee, Wis.* (Chicago: Chicago Union, 1863), 29.

<sup>67</sup> Beyer, *Colloquium der Vertreter der Synode von Iowa und der von Missouri*, 33.

<sup>68</sup> Beyer, *Colloquium der Vertreter der Synode von Iowa und der von Missouri*, 31.