

**The Alarms and Mediations of Dr. Wilhelm Oesch
Regarding Issues of Concern within the Synodical
Conference, 1936–1962**

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During his childhood years in the mountains of Colorado, Wilhelm Martin Oesch probably didn't spend too much time worrying about the future of American Lutheranism. At the turn of the twentieth century, it wasn't the even the intention of this American-born son of German immigrants to follow his father's footsteps into the Lutheran ministerium. His family had assumed from the start that he would take over his uncle's farm. The Lord, however, had different plans for young Oesch.¹

In 1922, Wilhelm graduated from Concordia Lutheran Seminary in St. Louis and was ordained as a pastor in the Missouri Synod. His first assignment took him over the Atlantic to a Lutheran congregation in Stuttgart, Germany. Even at this time he was surely still unaware of the influential role he would still play among Lutherans in the land of his birth. He had more reason to be wary of the state of the Lutheran church in Germany as it continued to be drawn more and more into the clutches of unbelieving theologians and the power of the government. The Lord, however, while he chose to keep Oesch in the service of the Lutheran church in Europe for his entire ministry, would also use him to sound the alarm against waxing unionistic tendencies within the Missouri Synod and finally to act as a mediator between the member synods of the Synodical Conference in the years immediately preceding its dissolution.

This paper concerns itself with the alarms Oesch issued and the mediations in which he was involved in his effort to preserve true Christian unity within the Missouri Synod and Synodical Conference. The first part will deal with the initial alarms he issued from Europe about the threats and dangers he observed in the camp of American Lutheranism—especially within his own Missouri Synod. This phase of Oesch's activity ranged from about 1936 to 1960. The second part will address the mediatory role he played as a member of an overseas delegation of Lutheran theologians that was organized at the request of the Synodical Council. This second phase of Oesch's activity ranged from 1960 to 1962.

¹ For more comprehensive biographical information, see the "Kurzbiographie," in *Wilhelm M. Oesch: Solus Christus, Sola Scriptura: Grundzüge Lutherischer Theologie*, ed. Dieter Oesch (Groß-Oesingen: Verlag der Lutherischen Buchhandlungen, 1996), p. 10. For a fascinating description of Oesch's work as vacancy pastor in northern Germany during the second World War, see Gunnar Beier and Markus Holmer's *Blickwinkel: Ein gemein(d)schaftliches Lesebuch der Dreieinigkeitsgemeinde Hamburg, Selbständige Evangelisch-Lutherische Kirche, 1896-1996* (Groß-Oesingen: Druckhaus Harms, 1996), pp. 79-91. For a general biography in English, see the *Wisconsin Lutheran Quarterly*, Vol. 79, No. 2 (Spring 1982), p. 150-151.

Part I — Alarms from Overseas

The settings and forms of the alarms

Even though Oesch served congregations in Europe since 1922, he remained a member of the Missouri Synod until the late 1940s. His close affiliation with Missouri on the one hand and his distant geographical position on the other afforded him a unique bird's-eye view of American Lutheranism in general and the Missouri Synod in particular.

A voracious reader, Oesch kept tuned in to the goings-on on the American Lutheran scene. His own writings reveal that he was a faithful reader of the *Concordia Theological Monthly* and other Synodical Conference quarterlies; district, synodical, and Synodical Conference proceedings; as well as many periodicals and books published outside the Synodical Conference camp. In spite of merely one visit to American soil between 1922 and 1958, he was incredibly knowledgeable on the conditions within the Lutheran church there.

Oesch's single visit to America in the second quarter of the century was occasioned by an invitation to attend the 1935 convention of the Missouri Synod in Cleveland, Ohio. (By this time he was no longer a pastor in Stuttgart; he had accepted a call in 1934 to serve a bilingual German-English congregation in London, England.) At this convention was announced an invitation of the American Lutheran Church (ALC) to Missouri to enter into discussions which had "the end in view of establishing pulpit and altar fellowship."² The convention accepted the invitation. Afterwards Oesch returned to his congregation in London; Missouri began its discussions with the ALC.

The apparent intent of his church body to establish fellowship with the American Lutheran Church disturbed Oesch. He did not see the doctrinal unity between the two church bodies that was required for a proper union. Already in 1936, less than one year after the ALC extended its invitation, Oesch began to write to Dr. John Behnken, the newly elected President of Missouri, expressing his concerns about these attempts at union. According to Oesch, his letters to Behnken exceeded one hundred pages.³

² From the ALC's "Waverly Resolutions," quoted from *Theologische Quartalschrift*, 1935, p. 63 in Armin Schuetze, *The Synodical Conference: Ecumenical Endeavor* (Milwaukee: Northwestern Publishing House, 2000), p. 273.

³ Letter from Oesch to President George Gullixson of the Evangelical Lutheran Synod (ELS), dated January 16, 1978, p. 3.

Despite Oesch's expressions of concern, the Missouri Synod continued its discussions with the ALC. Missouri's union committee in fact brought a resolution to the 1938 Missouri convention requesting that the discussions continue with the *Brief Statement* of Missouri and the *Declaration* of the ALC serving as a two-fold doctrinal basis for future church fellowship.⁴ Though the synod in convention decided to first seek the approval of the other member-synods of the Synodical Conference and to require the ALC to first set its house in order before fellowship could be established, the discussions continued. In the eyes of Oesch, the situation was becoming more urgent. Having decided to raise his alarms in a more public context, he began to publish a periodical for his brothers in America.

The first number of Oesch's short-lived journal, *The Crucible*, is dated January/February 1939. Two more issues would follow in March/April and May/July of the same year. As the editor and chief author, Oesch stated the reasons for its publication on the inside cover of each issue:

The Crucible will appear intermittently
as long as there is need;
as long as God prospers with articles meeting the need;
as long as God prospers with funds to print the articles.

The need would not exist if owing to the internal situation others were not deterred from the plain speaking which is necessary in view of:

- (a) the grave intersynodical situation;
- (b) the waning of doctrinal control;
- (c) the advances of an externalistic, legalistic, enthusiastic *Zeitgeist* among us;
- (d) the Calvinistic and Romanistic view of the nature of the Church (as though it were essentially visible and a sector of society) and of the functions of the Church (as though it were one of its functions to assist society)—views which threaten present-day Lutheranism not only from without, but also especially from within;
- (e) the propaganda for the Lutheran World Convention and the sympathy even for the great World Conferences under Anglican lead;
- (f) the great positive need of a fearless Lutheranism of truly oecumenical world-wide perspective. It must be the fiercest foe of false Lutheranism and blaze the way also on those mooted questions of the relation of the eternal kingdom to *this* world.

As his own statement of purpose suggests, Oesch's concerns for the Missouri Synod were not limited to its dealings with the ALC. Missouri's participation in these discussions, rather, were

⁴ Missouri Synod *Proceedings*, 1938, p. 231, as quoted by Schuetze, p. 274.

indicative of deeper, underlying problems. Some of these problems we will address in more detail. But first we turn our attention to the rest of Oesch's activity up to 1960, when he began to address the issues personally in America.

It has already been mentioned that only three issues of *The Crucible* reached the printing presses. The reason for its discontinuance, however, was not a lack of funds, lack of articles, or lack of problems to address—the reasons listed for cessation in its statement of purpose. Instead, the reason for the abrupt cessation was that Oesch was no longer present in London to publish it. In the fall of 1939, Oesch decided to take advantage of a trip to Germany to deliver an essay by making a vacation out of it with his wife and five children. Little had he known that Hitler would invade Poland and spark World War II while they were there! For political reasons they were not allowed to return to England during the war. In the meantime Oesch was called to serve a Lutheran Free Church congregation, the *Dreieinigkeitsgemeinde* in Hamburg, as vacancy pastor. He served this and increasingly more congregations in Schleswig-Holstein until the end of the war, as increasingly more Lutheran pastors were conscripted into the Germany *Wehrmacht*. As a result of his presence behind enemy lines, his lines of communication with his Missouri Synod brethren were cut off from 1939 until 1945.

After peace was restored to Europe, Oesch and his family were again free to travel. However, since his former pastorate in England had been filled in his absence, they did not return to London. Instead, Oesch continued to live in Germany with his family, where he would continue to reside until his death in 1982. At first he devoted his attention to the unification of the many independent Lutheran synods in Germany, whose total membership was about 80,000 souls.⁵ This monumental endeavor was carried out on the doctrinal basis of the *Einigungssätze*, a document that clearly spelled out both confessions of faith and rejections of false doctrines. The *Einigungssätze* left no wiggle-room for church bodies that wanted to join this federation without truly being one in doctrine with its constituency.

At the same time as Oesch was working together with the German Lutheran free churches toward unity on the basis of the *Einigungssätze*, Missouri continued to work with the ALC on the basis of an entirely different kind of document. The *Common Confession* was the third attempt of

⁵ Wilhelm Oesch, "Memorandum inter nos: Presenting a series of observations on the present state of American Lutheranism of the Synodical Conference and the Lutheran Church—Missouri Synod" (Groß-Gerau, Hessen, 1960), p. i.

the two synods to come to agreement. The first attempt, the dual basis of the *Brief Statement* and *Declaration*, had been abandoned by Missouri in 1941 at the earnest request of the Synodical Conference. The second attempt, the *Doctrinal Affirmations*, which was an encouraging step toward a clear, Scriptural confession on the part of Missouri, had been rejected by the ALC. The *Common Confession*, in its carefully crafted ambiguity, appeared to be acceptable to both bodies. Neither could find anything in this doctrinally vapid document that disagreed with its teachings. In stark contrast to the *Einigungssätze*, wiggle-room in the Missouri-ALC union document abounded, and the hope of unionists soared.

In 1947 Oesch was called to serve as professor at *Die Lutherische Theologische Hochschule zu Oberursel*, the new seminary of the united Lutheran free churches near Frankfurt am Main. He would teach Dogmatics and Systematic Theology there until 1968. In 1953 he became the editor of the second periodical he would publish, the *Lutherischer Rundblick*. This was a scholarly publication of his church body that was charged to report on and evaluate the activities and trends within Lutheran bodies around the world. This included a regular offering of doctrinal articles pertinent to the current church scene. The abstract nature of many of the articles together with the scholarly nature of the German in which they are written make tedious reading for American students. However, a perusal of the articles' titles as early as 1953 reveal Oesch's continued concerns for growing unionistic and liberal tendencies within Missouri. What follows are just a few examples of those titles, together with their dates of publication:

- “Thesen über Koinonia und Cooperatio,” September 1953
- “Aus dem Ringen um lutherische Einigung: Beschlüsse der Synodalversammlung der Missourisynode zu Houston,” September 1953
- “Um Ökumenizität: Die Lutherische Kirche – Missourisynode und die Ökumenische Bewegung,” November 1953
- “Fundamentale und Nichtfundamentale Artikel der Lehre,” November 1954
- “Der Unionismus,” September 1955
- “Wir suchen Glaubenseinheit—aber welche?” March 1958
- “Selective Fellowship—Einzelgemeinschaft,” March 1958
- “Was ist zulässige Kirchengemeinschaft im Sinne von Kanzel- und Abendmahlsgemeinschaft?” August 1959
- “Umschau: Wahre und falsche Ökumene um 1961,” August 1961

In addition to these public evaluations and criticisms of the situation within Missouri, Oesch continued to express his concerns privately to the leaders of his synod. In a 1978 letter to ELS

President Gullixon he mentions that “in the many contacts [with Missouri] after the Second World War I never stopped admonishing the head men.”⁶

In 1958 Oesch made his second trip to the United States since 1922, this time for a six-month tour of American Lutheranism. He traveled through all parts of the United States except the extreme Southeast and the Pacific Coast. During his travels he met with as many Lutheran pastors and congregations as possible; visited all the colleges and seminaries of the Synodical Conference; attended district conventions of the Missouri and Wisconsin synods, the convention of the Synodical Conference, and meetings of the doctrinal committees of the Synodical Conference; and also met with Lutheran theological professors outside the fellowship of the Synodical Conference. We allow Oesch to explain the purpose of this trip in his own words: “In general this half year served the purpose of furnishing a picture—as complete as possible under the circumstances—of the present situation and condition of Lutheranism in America.”⁷

During the course of his trip, Oesch, again in his own words, “was solemnly requested to commit to paper a summary of his convictions and conclusions on the present crisis of American Lutheranism so that it could be made use of in responsible corporate deliberations.”⁸ The result of this request was an open letter to the pastors and interested laymen of the Synodical Conference entitled “Memorandum inter nos: Presenting a series of observations on the present state of American Lutheranism of the Synodical Conference and the Lutheran Church—Missouri Synod.” Oesch intended to present the memorandum in four parts: 1) The Setting; 2) Missouri Synod and Synodical Conference Assets; 3) Missouri Synod and Synodical Conference Liabilities; 4) The Conclusion. The first three parts were published in 1960 in two installments. The present writer has been unable to find the fourth; he assumes that it was never published.

In the introduction to this open letter Oesch took pains to make clear that he was not writing in his office of professor or in any way as a representative of his European church body, nor did the request to write come from the official ranks of any church body. Oesch wrote, rather, as one concerned pastor to others. It was a personal endeavor.

As to the specific purpose and aims of the memorandum, Oesch wrote the following in his introduction:

⁶ Oesch–Gullixon, p. 3.

⁷ Oesch, “Memorandum,” p. ii.

⁸ Ibid.

Today American Lutherans are facing directly the New World with its pressures to conformity. They are no longer separated by language barriers from the general population. They have to cope with the influx of great numbers of newly-won members of most divergent origin. They are as well face to face with the strong theological impact of Germany and the rest of Europe and the tremendous Ecumenical Movement, represented in its peculiar way also by the Lutheran World Federation. How are they standing up against all this? What, above all, is predicable and predictable of the Synodical Conference and of the largest *Gnesio*-Lutheran unit in the world, the Missouri Synod? Such are the questions and concerns of this Memorandum ... The author is conscious of his own limitations and his unworthiness before God. He presents his findings only because after all that he saw, heard, read, and was told he is in duty and in honor bound to do so. He adds the humble prayer that the Holy Spirit for Christ's sake may turn this attempt to some good account. God knows the sole aim of this humble effort to be to contribute toward living up to today's truly world-wide *Gnesio*-Lutheran responsibility, remembering Christ's grave admonition: "I come quickly. Hold that fast that which thou hast that no man take thy crown" (Rev. 3, 11).⁹

For the sake of review, we list here the publications of Oesch at which we have looked thus far, together with their dates:

Private letters to Missouri's president, Dr. John Behnken	1936–
<i>The Crucible</i>	1939
<i>(World War II — Silent Years)</i>	
<i>Lutherischer Rundblick</i>	1953–
"Memorandum inter nos"	1960

The content and characteristics of the alarms

Now that we have examined Oesch's activities pertinent to the Synodical Conference crisis between 1936 and 1960 and the forms his alarms assumed during that time, we turn to the content and characteristics of these publications. We will attempt to answer the question, What were the specific problems and dangers Oesch observed generally in the Synodical Conference and specifically in the Missouri Synod? As we do so we will strive as much as possible to let Oesch speak for himself, so that the reader may observe not only the content of his alarms, but also the tone with which he writes.

Oesch had no problems with discussions between church bodies in the interest of promoting unity. In fact, we have already noted that he was personally involved in such discussions between Lutheran free church bodies in post-war Germany on the basis of the *Einigungssätze*. In

⁹ Ibid., pp. iii-iv.

his alarms directed against the activities of the Missouri Synod, he was not protesting union, rather *unionism*. Unionism is the desire to outwardly unite with a church body without first establishing unity of doctrine. Early on in Missouri's dealings with the ALC Oesch detected a prevalent unionism in the proposed doctrinal basis of union. We have already noted that initially the union was to take place on the basis of both Missouri's *Brief Statement* and the ALC's *Declaration*. By agreeing to accept the *Brief Statement* in light of its *Declaration*, the ALC wasn't accepting the *Brief Statement* at all! The two-fold basis created a loophole through which the ALC could jump to both preserve false doctrine in its midst and simultaneously maintain airs of agreement with Missouri. Oesch wrote of the double basis of agreement in 1939:

Only if the solemn theses of agreement signed by our body and another formerly divergent Lutheran body are in themselves adequate, covering the whole past disagreement and admitting of no loopholes, only if such theses are meant to regulate doctrine in both bodies, only if all contrary teaching is disavowed and will be suppressed, only if all bodies worshipping together maintain doctrinal discipline, only if unionism, the greatest foe of Christendom, is thus really and effectively excluded, is such a contemplated union God-pleasing and not a consummate trick of Satan to destroy the true visible church from the face of the earth.¹⁰

In addition to the loophole created by the two-fold basis, Oesch also found problems in the ALC's membership in the American Lutheran Conference. This federation also counted such blatantly heterodox churches such as the Augustana Synod among its members. Concerning this fellowship he added the following:

So either the Augustana Synod must experience a tremendous spiritual renewing resulting in the disappearance of its liberal and enthusiastic elements, although such reformations do not come at behest—or the A.L.C. must break with Augustana Synod. As long as neither happens the Synodical Conference and the A.L.C. cannot worship together in spirit and in truth. That is the force of fact.¹¹

About unionistic tendencies which he observed underlying Missouri's unionistic actions he wrote plainly in the same article:

Are we going to continue being honest towards God's Words and true Lutheran doctrine and remain dead serious also in leading others with us to God's truth or are we now at

¹⁰ Wilhelm Oesch, "Quo vadis, Ecclesia?" in *The Crucible*, Vol. I. No. I (January/February 1939), p. 9.

¹¹ *Ibid.*, p. 8.

long last to join the world-wide camp of unionists, fence-straddlers and jugglers with truth?¹²

Oesch's words for Missouri should not be characterized exclusively as words of rebuke and warning. He also had positive, hopeful comments:

A doctrinally faithful church with live congregations on the scale of Missouri and the Synodical Conference is an almost unprecedented phenomenon in the modern world. There is no reason to surrender to defeat, but rather every reason to ascend to further victory.¹³

On my extended trips in so many parts of North America, I have often marvelled at many of the parish pastors. I was above all impressed by their unpretentious open mind toward their people and the surrounding communities, by their devotedness and *Aufgeschlossenheit*. Much of the work of the past exegetical departments...of the past dogmatical departments...and especially of the past departments of practical theology, was—and in its present equivalents still is—simply excellent and unique in its way. I can in no wise agree that the training of clergy at European universities is superior.¹⁴

Unfortunately, Oesch could not speak as kindly and optimistically about the leadership of Missouri as he did about its parish pastors. In his estimation, unionism in Missouri was chiefly coming from the top down. Not only were its leaders the chief proponents of unionism, but, according to Oesch, they were deliberately misleading the grass-roots levels of the synod through their reports in synodical publications. He mentions a few examples in his “Memorandum,” this time addressing Missouri’s later deliberations over joining the Lutheran World Federation:

Although hard to believe, it is a fact that to join the Lutheran World Federation as it is today has become the public goal [of the Missouri Synod], vociferously demanded by editors, by professors, by pastoral conferences, and even by a few officials both of Missouri’s districts and its general body. Unless men do not know what they are doing, they are trying to ruin their synod and all of us by enmeshing confessional Lutheranism in gross unionism ... How can Missouri in the long run be in doctrinal unity with men in its own midst who wittingly or unwittingly try to sell out its doctrinal unity, who are patently sinning and aggressively enticing the whole body to sin? Evidently the rather neutral pamphlet sent out by the Presidium to the pastoral conferences early in 1958, asking for conference discussions and resolutions without even repeating the reasons of conscience given in St. Paul for not joining the L.W.F., was likely to create the fatal impression that both sides of the case could confidently be argued ... A typical American public, like Missouri’s pastors in general, is unacquainted with the actual congregational and theological conditions in the major L.W.F. bodies ... The official papers barely said a word to guide conviction, excepting, for good, Dr. Behnken’s pleas in the *Lutheran Witness* and, for ill, the superficial treatment of the BATAK PROTESTANT CHURCH

¹² Ibid., p. 7.

¹³ Oesch, “Memorandum,” p. 24.

¹⁴ Ibid., p. 26.

by an inexperienced Seminary student, J.P. Ellwanger, in *Concordia Theological Monthly*, January 1959. When Dr. Sasse's San Francisco lecture was published in *Concordia Theological Monthly*, 1960, the introductory note by Dr. Piepkorn neutralised Dr. Sasse's timely warning and twisted its points. Meanwhile *The American Lutheran*, operating on the basis of the American Lutheran Publicity Bureau, which for many years has been receiving synodical money through authorized collections, has been campaigning incessantly for entering the L.W.F. Its public advocacy of this and of other types of unionism has never abated from 1935 to this very day.¹⁵

What did Oesch perceive to be the underlying causes of the unionistic attitudes in Missouri? He makes mention of occurrences such as the transition to English in a predominantly Reformed country followed by an explosive growth in membership. However, he does not blame such things as the true causes—they only exacerbated the real culprits. The actual offenders were *doctrinal indifference* and its inevitable offspring, *lack of doctrinal discipline*. In addressing the first enemy in his "Memorandum," Oesch included a striking quote by his friend, Dr. Herrmann Sasse, at that time serving as professor in Australia:

Since we probably do not regard our fathers as having acted carelessly and not conscientiously when they remained separated because they did find doctrinal differences, and since these differences have not yet been settled, could it be that we have lost sight of the differences and their serious character? Could it be that during the past thirty or more years our churches have developed in the direction of dogmatic indifference? Such developments have taken place and can take place in any church, the sons no longer understanding the problems of their fathers. Nominally, of course, and most certainly *bona fide*, the present generation maintains the doctrinal standards of the confessions as they have been inherited from the fathers. But a confession cannot remain a real confession, if it is only inherited. It must be confessed. We can confess it only if we are deeply convinced that it is the true interpretation of Scripture... No one wants to be insincere in subscribing to the Book of Concord or the Augsburg Confession (which means the same because we regard the later confessions, as did the Formula of Concord, as the correct interpretation of the CA). But we all should ask ourselves whether we have studied them properly. How many students of theology have even read the Book of Concord from cover to cover? How many of our candidates for ordination have even read the New Testament in Greek from cover to cover, to say nothing of the Old Testament? Our fathers did that. How many psalms do we know by heart in Hebrew, how many passages of the New Testament in Greek? How many articles of the Augsburg Confession do we know by heart, in Latin, of course? If we consider these questions we might understand the changes that have taken place in the Lutheran Churches, and we have to ask ourselves, every one of us: Is this not perhaps the deepest reason why "we find no doctrinal differences" any longer where our fathers found them?¹⁶

¹⁵ Ibid., p. 46.

¹⁶ Ibid., p. 5, footnote 5. This quote had originally appeared in an article entitled "Selective Fellowship" in *The Australasian Theological Review* (September 1957, p. 45ff). Sasse wrote this in reaction to the following ALC resolution: "Since we have reached the place in discussion where *we find no doctrinal differences* between ourselves

Where there is doctrinal indifference, the failure to practice doctrinal discipline follows close behind. Here follow quotations from *The Crucible* and “Memorandum inter nos”:

Strange attitudes and even openly heretical sentences have in the last five years entered our body, mostly by way of unofficial publications which did not know what they were doing, while our watchmen slept ... We cannot demand a *Lehrzucht* of the A.L.C. and of the U.L.C. which we refuse to implement among ourselves nor insist that they be spiritually honest if we no longer are.¹⁷

If “heretics outside” are brethren, does not logic demands that heretics be accepted as brethren inside also? The fraternal heretics and heresies outside are bound for a while to outdo those permitted inside and thus to offer developing dissidents ample protection until they catch up with the apostasy prevalent in more radical bodies.¹⁸

From the excerpts at which we have look^{ed} until now, one can correctly observe that Oesch quite thoroughly diagnosed the ills of Missouri in his alarms from 1936-1960. As—geographically speaking—an outsider, he in some respects had a better point of view of the situation than those who were directly involved in Missouri’s affairs, who perhaps did not always have a good view of the entire forest for the trees. But a diagnosis is beneficial only if it is accompanied by a cure. The medicine Oesch prescribed is that of repentance and obeying the word of the Lord. Such a change of mind would necessitate separation from persistent false teachers.

Either we as confessional Lutherans move forward, or we recede backward until we are undone. If we, the called servants, continue to dodge issues, American Lutheranism before even waking up will accede to equal rights for true and false doctrine, the very *Gleichberechtigung der Richtungen* which destroyed the *Wahrheitsernst* and *Bekennnistreue* of all territorial European Lutheran universities and churches ... There is hope only in repentance. If God so wills, truly ecumenical Gnesio-Lutheranism must set a new tune, as did Carl Ferdinand Wilhelm Walther in days not less dangerous, but naturally less complex in America.¹⁹

... the command speaking to us from outside of ourselves as well as the faith within us demands the breaking of relations with any and every community bearing the church name which persistently teaches error, Titus 3:10: “ἀίρετικὸν ἄνθρωπον – reject after a first and second admonition.” Evidently there are conclusions to be drawn from all this for the training of pastors, compare 2 Timothy 2:2; Titus 1:9 and parallels. Likewise, evidently conclusions are indicated concerning relations with church bodies who adhere

and the other major Lutheran bodies in America, and since we are agreed that all bear properly the name Lutheran, and since problems arise only in the area of practice, such a declaration is not only possible but practical.” Emphasis H. Sasse

¹⁷ Wilhelm Oesch, “Prefatory,” in *The Crucible*, Vol. I. No. III (May/July 1939), p. 3.

¹⁸ Oesch, “Memorandum,” p. 8–9.

¹⁹ *Ibid.*, p. 13–14.

to false doctrine. For the making of the proper distinction between what is orthodox and what is heterodox cannot be avoided when dealing with particular congregations or church bodies, who, as we have seen, are all mixed bodies. Now it is true that the one church must be believed to exist where Word and sacraments are still substantially present (Ap VII/VIII, 20); for even when error has established itself alongside the truth, the church does not simply cease to exist (1 Ki 19:18; Ro 11:4). But such a gathering about Word and sacrament immediately ceases to bear the marks of the one true church, because its internal doctrinal condition is characterized by an intolerable contradiction, in which the marks of the church and the marks of the devil's rule exist on equal terms. How can an upright Christian swear by two such radically opposed sets of marks? Is that not a denial of his Lord?²⁰

Oesch warns, however, of becoming legalistic in separating from heterodox church bodies:

If such organisations are not yet very far enmeshed and are otherwise close to us, let us say, still in an appreciable sense Lutheran churches, we are to negotiate with them and to warn them that if they persist on the path of unionism, they are greatly offending God and are destined sooner or later to pay the price by losing their heritage altogether. As long as the sway of the Latin adverbs *pure*, "purely", and *recte*, "rightly" (Augsburg. Confession VII) has not been reestablished, we cannot do joint church work with them.²¹

"Whither now?" This is the simple, solemn question Oesch posed to conservative Lutheran America. Oesch recognized that the Missouri Synod, together with the entire Synodical Conference, was at a crossroads. Would the paths of the synods bound together so long in the Synodical Conference soon diverge, as the path of the Norwegians already had in 1955? Would Missouri repent and return to the road of Lutheran orthodoxy? At the time of his "Memorandum" these questions were coming to a head. In Oesch's words, "to a large extent [they would] be decided by the Synodical Conference and in particular by the Missouri Synod. Whither, then, Synodical Conference? Whither, Missouri Synod?"²² Oesch himself would also soon be playing a larger role in the discussion of these questions, this time in America.

Part II — Mediations in America

In order to discuss Oesch's involvement in Synodical Conference discussions from 1960 to 1962, we must first take a few steps backward to the 1956 convention of the Missouri Synod in St. Paul, Minnesota. Some Wisconsin Synod men later described this convention as a "ray of

²⁰ Wilhelm Oesch, "Church and Unity of Doctrine," translated by J. Valentinus Andreae, p. 31. Available online at www.wls.wels.net/library. This essay was originally delivered by Oesch in its original German as *Kirche und Einheit der Lehre* at the *Jahrestagung der Pfarrerbruderschaft in Hessen und Nassau* on October 22, 1957.

²¹ Oesch, "Memorandum," p. 35.

²² *Ibid.*, p. 19.

hope” cast through the darkening clouds that hung over the Synodical Conference sky. The convention made a number of encouraging resolutions. An offer of membership in the unionistic Lutheran World Federation was declined. It was resolved that the *Common Confession* would no longer serve as a basis for union. Missouri would no longer engage in negotiations with other Lutheran bodies without first informing its sister synods. Regret and repentance was expressed over the way Missouri had treated its fellow Synodical Conference members in the past. Finally, Resolution 15 on Intersynodical Relations, unanimously adopted, expressed a desire to produce with the rest of the Synodical Conference “one clear, comprehensive statement concerning doctrine and practice.”²³

We cite one of the WHEREAS paragraphs from Resolution 15 in full:

WHEREAS, A plea has been presented by some of our affiliated synods in Europe and the affiliated Evangelical Lutheran Church of Australia to seek to avert any breaking off of relations, at least to take no action toward that end before the suggested conclave of theologians has been held...

The Missouri Synod recognized that admonishing voices were not only calling out from American soil, but from all corners of the world. One of those voices was Wilhelm Oesch. In order to carefully listen to what these voices had to say, the Missouri Synod seemed willing to go along with “the suggested conclave of theologians.” The ELS, which had recently suspended its fellowship with Missouri in 1955, also agreed at its convention in August to take part in such a gathering of international theologians. The Wisconsin Synod followed suit later that same month.

The conferences that resulted from these decisions have been called by a number of different names. The title given in the WHEREAS paragraph above is “conclave of theologians.” One will also read about “theologians’ conferences,” “conclave theological,” and other similar designations. These all refer to conferences consisting of theologians representative of the four member synods of the Synodical Conference together with theologians from church bodies around the world who were in fellowship with the churches of the Synodical Conference, though

²³ Missouri Synod *Proceedings*, 1956, p. 517. See also Schuetze, *Synodical Conference*, pp. 327-330, for a more detailed summary of the convention.

not members of it. The groups of international theologians who attended these meetings were also dubbed a variety of names, the most common being “Overseas Brethren.” “Overseas Delegates,” the “Overseas Committee,” and simply “Overseas” all refer to the same groups of men.

A number of years would pass before the first conclave convened. Forty-six delegates from eight countries finally gathered three years later at California Concordia College in Oakland, June 10–12, 1959, immediately before the Missouri Synod met there in convention. Essays and discussions revolved around the theme, “Our Fellowship under Scripture in the Confessions.” Oesch was not present at this first conference. His Oberursel colleague, Hans Kirsten, was the sole representative from the Evangelical Lutheran Free Church in Germany. In spite of a fair number of international theologians present, one wonders whether Oesch considered this meeting to possess the international flavor he had desired. He mentioned in a 1978 letter to ELS President Gullixon, “That Conclave at Oakland at the behest of Dr. Hans Kirsten, Oberursel, got the Synodical Conference to invite the OVERSEAS [Brethren].”²⁴ It seems that in his mind the overseas brethren did not attend the conclave in Oakland.

In any case, the brief, initial meeting of the international theologians went well. Toward the end of the conference a number of men suggested that the next meeting address the doctrine of the church. Dr. Herrmann Sasse, present as a guest, remarked, “The ecumenical movement is one in which the question is asked: ‘What is the Church?’ This is a theoretical and practical question ... The great test of the Church is that Christians come together. But when a wrong concept of the Church prevails, as it does in the ecumenical movement, then we must say ‘No!’ The

²⁴ Oesch–Gullixon, p. 4.

Reformation has discovered the essential feature of the doctrine of the Church, the *sola fide*.”²⁵ Before adjourning, the conference resolved to request the presidents of their respective bodies to serve as a continuation committee and to make, if possible, the doctrine of the church the topic of the next meeting.²⁶

The Conclave of Theologians was not the only forum that the Synodical Conference was using at this time for discussions between its member synods. The chief forum ~~was~~ for discussions was the Joint Union Committee on Doctrinal Matters—Synodical Conference. In May 1960, however, the union committee of the Wisconsin Synod had to regrettably announce that it could no longer participate in the Joint Union Committee’s meetings. In its view an impasse had been reached with the Missouri Synod in the matter of fellowship. Thus after 1960 the Conclave of Theologians remained the only official forum in which both Missouri and Wisconsin theologians were involved.

A considerably larger group met for a considerably longer period of time at the next conclave. Sixty-six theologians from nine countries met July 20–30, 1960 at Wisconsin Lutheran Seminary in Thiensville, Wisconsin, just before the convention of the Synodical Conference in the first week of August. Oesch was present this time as a delegate and essayist, together with his German colleague Dr. Manfred Roensch of Heidelberg.²⁷ The theme of the conference was that which the first conclave had requested: “The Doctrine of the Church.”

²⁵ *Journal of the Conference of Theologians: Oakland, California, June 10–12, 1959* (Unpublished typewritten copy, available in the Wisconsin Lutheran Seminary Library, BX 8004 .C4 1959), p. 8.

²⁶ *Ibid.*, 10.

²⁷ The full listing of delegates is contained in the section entitled “Participants in the Theologians’ Conference,” in *Conference of Theologians: Mequon, Wisconsin, 1960* (Unpublished typewritten copy, available in the Wisconsin Lutheran Seminary Library, BX 8004 .C4 1960).

One of the first items of business was a change in the conference's program. Three morning sessions that had been scheduled for part of the reading and discussion of the sixteen essays were instead set aside to hear and discuss the various presentations on church fellowship prepared by the individual synodical commissions.²⁸ All sixteen essays would still be read, but "the crowded schedule prohibited their extensive discussion on the part of the Conference."²⁹

Oesch presented two essays to the conclave: "The Authority of Scripture in the Church" and "Report of Conditions in the Lutheran Church in Germany." Both are preserved in *Conference of Theologians: Mequon, Wisconsin, 1960*, previously referenced in footnote 27.

The former essay reveals Oesch's grave concerns over the loss of the true doctrine of the church. In much of Christendom, the church is no longer seen as the sum of all believers that is created and guided by God *sola scriptura*. Instead, the church has become an institution steeped in Rationalism. Rationalism turns the tables so that God's Word no longer creates and guides the church, but the church creates and guides Scripture. It turns God's Word into man's words. Oesch maintains that an institution based solely on a book emptied of all meaning would itself soon stand empty. Therefore a "pious enthusiasm," or "existentialist systematics," has been amalgamated with Rationalism. Existentialist systematics allows the reader to draw his own "truth" out of an errant Scripture. Oesch comments on the result of this "theology": "By this wedding rationalism to neo-enthusiasm, by joining historicism to existentialism one can be a supermodern Liberal *and* a conservative Lutheran at the same time ... But what, then, is left? Have the people who need no "sure word of prophecy" ever met the true God, who outside of Christ is a devouring fire?"³⁰

²⁸ "Minutes of the Theologians' Conference," p. 1, in *Conference of Theologians: Mequon, Wisconsin, 1960*.

²⁹ "Theologians Conference," in *The Northwestern Lutheran*, Vol. 47, No. 18 (August 28, 1960), p. 277.

³⁰ Wilhelm Oesch, "The Authority of Scripture in the Church," p. 29–30, in *Conference of Theologians: Mequon, Wisconsin, 1960*.

This false doctrine that destroys the church at its very foundation, Oesch points out, is the basis and rationale for false ecumenism. For “one-churchism’s practical success depends on doctrines becoming elastic, and yet remaining ‘positive.’”³¹ The evil forces behind the ecumenical movement are dangerous indeed. Action must be taken, not only for the sake of those “imprisoned” in other visible churches, but also for our own sake.

Christ’s Holy Spirit and the predicaments of churches in *captivitate Babylonica* of imprisoned believers, challenge us to continue to confess the Christ who by means of his apostolic-prophetic word and by no other means preaches himself and to oppose the overwhelming combination of historical criticism and existentialist dogmatics which is being championed by a misguided, superbly organized one church passion. The enemies are next door and nearer. Our affirmatives and negatives must meet today’s state of controversy in a special way, if we are to continue as a world-wide orthodox Lutheran communion. This speaker feels that we should have spoken advisedly, clearly, bravely, jointly on the historico-critical method and on Neo-Orthodoxy’s false doctrine of revelation, and on “the Bible in the Church” *a number of years ago*. If a Conclave Theological had met when Germany and Australia requested it, we would be far ahead of the present state in this matter.³²

Oesch spoke with harsh criticism. The Synodical Conference had been slow to address this problem. Now the enemies were already in her midst. Necessary now was a clear confession that affirmed the right and condemned the wrong, especially in regard to the doctrines of Scripture and the church. This confession could not come soon enough: “The phrasing must be arrived at...at the next Conclave...unless Gnesio-Lutheranism is to be crushed and break apart ... We can be loyal to Christ and Christendom only if we *overcome our inner crisis now*.”³³

One senses that Oesch took some liberty in his paper, departing slightly from his topic to admonish the Synodical Conference and push for a clear confession on Scripture and the church. He did not do so out of anger, but out of love and concern for the Synodical Conference and confessional Lutheranism around the world. He could not bear to see the demise of this bulwark of pure Christian doctrine. We need not treat his second essay in detail. We simply cite another Christian encouragement to his Lutheran brothers at the end of that paper:

³¹ Ibid., p. 30.

³² Ibid.

³³ Ibid., 30–31.

The Church of the pure confession, as she herself has been freed by the Reformation, must in turn endeavor to help free brethren and sisters, other holy members of the One Church, out of the Babylonian Captivity which is threatening to assume very extended dimensions before Judgment Day.³⁴

Since the official minutes of the conference are quite general in nature, we cannot say much concerning the reaction to Oesch's papers, other than that the discussions were brief due to the crowded schedule.

Excepting his two essays, not much is said about Oesch's further contributions to the conference in the official records. Schuetze comments regarding the presentations of the various synods on fellowship that Oesch "was critical of all presentations of the four synods and did not believe they had reached the point where the issue was really clear."³⁵ That others among the Overseas Brethren seem to have shared that opinion is evident in an overture the foreign delegates submitted to the conference. The minutes suggest that Oesch played a prominent role in the instigation and writing of this overture, as he called a meeting of the overseas delegates to discuss it and served as its spokesman before the conference. The "Overture Of The Foreign Delegates At The Theological Conference At Thiensville, Wisconsin" was read before the conference on Friday, July 26, the evening before it was to adjourn.

Through the overture the foreign delegates suggested that the doctrinal unity committees of the four Synodical Conference member synods join together with a committee of foreign delegates in order to write a joint statement on fellowship that could be brought before the Synodical Conference. In their estimation the fellowship statements that had been presented had not given proper attention to the doctrine of the church. The statements focused too much on the subsidiary issues of fellowship and joint prayer. They had failed to bring about an agreement because they hadn't properly addressed the crux of the matter.

The reading and subsequent discussion of the overture lasted about two and a half hours, until 9:10 pm. The conference decided to postpone action on it until the next morning.³⁶

The Wisconsin Synod delegation had the opportunity to discuss the overture the next morning before discussion was resumed. They declined the overture on the grounds that they were "not authorized by their Synod to open a new forum of debate and because they have for

³⁴ Wilhelm Oesch, "Report of Conditions in the Lutheran Church in Germany," p. 10, in *Conference of Theologians: Mequon, Wisconsin, 1960*.

³⁵ Schuetze, p. 363.

³⁶ "Minutes of the Theologians' Conference," p. 12, in *Conference of Theologians: Mequon, Wisconsin, 1960*.

seven years been in a state of confession on the matter of fellowship.”³⁷ Because the allotted time for the conference was now running short, the delegates decided to recess until Wednesday of the following week, when they could meet again while still in the area for the Synodical Conference convention.

In the meantime the overseas delegates made some revisions to their overture. The revised edition was read to the Theologians’ Conference on Wednesday evening in the hope that it could be submitted to the Synodical Conference convention the following day. (The revised edition is included in Appendix A.) Two proposals were passed in response to the revised overture and went to the floor committee of the Synodical Conference convention the next day. One, moved by Dr. Boumann of the Missouri Synod, was that the conclave recommend that the Synodical Conference accept the overture of the overseas delegates. The other proposal was that the floor committee of the convention consider a counter-proposal of the Wisconsin Synod delegation, that the overseas brethren instead produce a study of the four documents on fellowship and of Missouri’s “A Theology of Fellowship, Part II,” as soon as it was published. In light of these proposals, the convention resolved the next day to “respectfully request the overseas delegates...to formulate an evaluation of the statements on fellowship prepared by the doctrinal committees of the four synods” and to “supplement the said evaluations by whatever additional material they deemed pertinent and necessary.”³⁸ The convention requested that the study be presented at a recessed convention of the Synodical Conference in May of the following year.³⁹ The overture of the overseas delegates was not accepted, but they would get their chance to let their voice be heard before the Synodical Conference.

The recessed convention of the Synodical Conference convened May 17–19, 1961 at Wisconsin Lutheran High School in Milwaukee. The first major item of business before the convention was the reading of the study of the four fellowship presentations that the Overseas Committee had prepared. The document bore the following title and subtitle: “Fellowship in Its Necessary Context of the Doctrine of the Church (Statement of the Overseas Committee).” (The full text of this document is in Appendix B.) While the statement was a collaboration of the

³⁷ Ibid., p. 13.

³⁸ Synodical Conference *Proceedings*, 1960, p. 51, quoted in Schuetze, p. 365.

³⁹ The full text of the convention’s resolution is printed in the *Wisconsin Lutheran Quarterly*, Vol. 58, No. 1 (January 1961), p. 74.

entire Overseas Committee, a comment of Oesch in a later letter indicates that he played a prominent role in its composition.⁴⁰ According to a report of the convention in *The Northwestern Lutheran*, the study “received full consideration” on the part of the convention. “Dr. Henry Hamann, Jr...spoke for the Overseas Committee in the lengthy discussion of the document.”⁴¹

The statement consists of thirteen theses, each followed by abundant references to Scripture and the Confessions. The logical progression of the theses flows from the essence of the one church (all believers) and its marks (Means of Grace) to the confession of visible churches and expressions of fellowship. Constant reference is made to the pure marks of the church throughout the study. They are the only standard by which a visible church may be judged. This is applied to the termination and restoration of fellowship in the sixth thesis:

Where the marks of the church are opposed by false teaching, not only is this double fellowship (in the *Una Sancta*) endangered, but a power is set up which is in contradiction to the fellowship manifested on earth (see 12). Where the pure marks of the church (*notae purae*) hold sway, this disrupting power is repudiated and overcome through refusal to recognize its right to exist, for Christ alone must reign in His church through his Word. Where the sway of the pure marks of the church is rejected, the fellowship is broken. A rupture of fellowship for any other reason is impermissible. The restoring of a broken fellowship must be brought about by use of the pure marks of the church, as they cleanse out the impurity.

Theses 12 and 13 deal specifically with expressions of fellowship. Thesis 12 states that pulpit and altar fellowship are “fundamental” expressions since they are marks of the church, though they are not the only expressions. But, fundamental or not, “in whatever way the fellowship created by Word and Sacrament shows itself, all visible manifestations of fellowship must be truthful and in accordance with the supreme demands of the marks of the church.”

Thesis 13 makes a distinction between prayer fellowship and altar and pulpit fellowship, insofar as prayer is not a means of grace: “Prayer is not one of the marks of the church and should not be coordinated with Word and Sacraments, as though it were essentially of the same nature as they.”

Two brief sections follow the theses. The first asserts that the member synods of the Synodical Conference have failed to reach unity because of a “premature turning off into the

⁴⁰ Oesch–Gullixon letter, p. 5. “Yet when that Conclave at Oakland at the behest of Dr. Hans Kirsten, Oberursel, got the Synodical Conference to invite the OVERSEAS and when thereafter *it became chiefly my task to prepare the 1961 Presentation for print together with Dr. Norman Nagel...*” Emphasis: M. Seifert

⁴¹ “The Recessed Convention of the Lutheran Synodical Conference, May 17–19, 1961,” in *The Northwestern Lutheran*, Vol. ?, No. ? (June 18, 1961), p. 200.

byway of fellowship.” Instead they should approach the problem from “the traditional highway of the Doctrine of the Church.”

The second section is a suggestion on how the synods might approach the matter of prayer fellowship. On the one hand it maintains that “prayer between Christians belonging to churches which have a conflicting relation to the marks of the church must avoid the ever-present suspicion that the marks of the church are being disregarded.” On the other hand it allows prayer between churches with conflicting confessions in some “exceptional” cases, when joint prayer shows no characteristics of unionism. It concedes that in “individual cases one must reckon with the fact that Christians will differ in their judgment.”

After the statement was read to the convention it was referred to a floor committee for recommendations to the convention. That evening the floor committee offered a resolution. It did not differ greatly from the overture the Overseas Delegates had submitted less than one year prior. On account of the impasse reached by the union committees in 1960 and the shortcomings of all four fellowship statements perceived by the Overseas Committee, the resolution stated that the presentations on fellowship should be held in abeyance until the matter could be studied anew from the avenue of the doctrine of the church. A joint committee should be formed to carry this out, with equal representation from all member-synods, together with the Overseas Committee on a consultative basis.⁴²

The Wisconsin Synod representatives who spoke in the ensuing discussion were opposed to the resolution. They disagreed with the Overseas Committee’s evaluation of their fellowship statement. They also disagreed with individual points in the body of the presentation. On the other hand, they said, the Wisconsin statement simply gave the historical position of the Synodical Conference. The failure to reach agreement with Missouri did not result from a failure to study the doctrine of the church. Wisconsin was unwilling to join in a new forum of discussion unless Missouri did something to end the offenses it was causing.

In spite of the objections raised by the Wisconsin men, the resolution was adopted “by a considerable majority.” *The Northwestern Lutheran* reported, “To many observers, however, it seemed quite plain that most of the Yea votes came from the Missouri Synod delegates,” who outnumbered the Wisconsin delegates three to one.⁴³ In spite of the resolution, the joint

⁴² Ibid., p. 199.

⁴³ Ibid., p. 200.

committee was never formed. In August of the same year the Wisconsin Synod suspended its fellowship with the Missouri Synod. No new forums of discussion with Missouri were opened.

Despite the Overseas Committee's failed attempt to initiate another joint international forum, it would meet twice more in America. Oesch would participate in the first of those conferences. When the Wisconsin Synod resolved in convention to suspend its fellowship with the Missouri Synod, part of the resolution read as follows: "That we declare our desire to discuss the principles of church fellowship further with the church bodies that were represented by the members of the Overseas Committee, and that we initiate such steps as might be necessary to carry out such further discussions."⁴⁴ Invitations were sent out to the church bodies that had been represented on the previous Overseas Committee for a conference that was held at Wisconsin Lutheran Seminary, July 9–13, 1962. Two delegates from Germany were present: Wilhelm Oesch and Manfred Roensch from the Breslau Synod. The Wisconsin Synod, Slovak Synod, and Evangelical Lutheran Synod also sent delegates. The Missouri Synod was permitted to send four observers.

The delegates were reminded of the purpose of the conference. It was to be "a closer examination and study of our fellowship principles as well as those of the Overseas Committee to clear up misunderstandings which remained after our previous meetings with the Overseas Brethren."⁴⁵ The Overseas Committee had stated clearly in their study that it found inadequacies in Wisconsin's statement on fellowship. Wisconsin had also voiced concerns about individual points in the Overseas Statement. Therefore the present conference decided to spend its time studying Wisconsin Synod statements on the doctrines of church and fellowship along with the Overseas Statement of 1961. A summary of the discussions was presented on the last day of the conference.⁴⁶

The summary reveals that the conference went well. Though the discussions were not able to iron out all the differences among them, the delegates did come away with a better understanding of their respective positions. In the doctrine of the church there were some discrepancies regarding the application of the title "church" to assemblies of Christians other than local

⁴⁴ *Wisconsin Lutheran Quarterly*, Vol. 59, No. 4 (October 1962), p. 295.

⁴⁵ *Ibid.*, p. 296.

⁴⁶ The entire summary was published in the *Wisconsin Lutheran Quarterly*, Vol. 59, No. 4 (October 1962), p. 297–298.

congregations. There were also some unresolved questions regarding the forms of the public ministry. On church fellowship there was much agreement, though they could not come to a consensus on the scope and meaning of pulpit fellowship or on joint prayer. Despite the remaining differences, the delegates felt that progress had been made through the conference.

As at the 1960 conclave, toward the end of this conference the Overseas Committee submitted an overture, which was followed by a counterproposal from the Wisconsin Synod and the Evangelical Lutheran Synod (ELS). The overture was an invitation to take part in an “International Theological Conference” to be held in London the following year. The Missouri Synod would also be involved in these discussions. The Wisconsin and ELS, however, content with the present forum and hesitant to begin another, proposed instead that the same bodies meet again on American soil.

As a result of the overture and counterproposal, the Overseas Brethren were involved in two conferences the following year. One was hosted by the Missouri Synod in Cambridge, England. The other was hosted by the Wisconsin Synod and ELS in Mankato, Minnesota, August 19–23, 1963. Before these conferences took place, the Synodical Conference was dealt its final blows. The ELS and the WELS withdrew their memberships in June of 1963. Any waning hope for the preservation of the beloved Synodical Conference was quickly fading. The attendance at the Mankato conference was meager. Only four representatives from overseas churches were present; Oesch did not attend. This was the final Conclave of Theologians.

Oesch’s involvement in personal mediations on American soil for the purpose of preserving the Synodical Conference ended with his participation in the 1962 Conclave of Theologians in Mequon. Up to this point we have considered Oesch’s involvement chiefly as a member of the Overseas Delegation. Our consideration of the Overseas Delegation, however, is also a consideration of Oesch, since he played a key role in the committee’s actions and was a principal author of its statements. Oesch’s involvement in Synodical Conference mediations revolved around his participation in the Overseas Committee and the Overseas Committee—to a lesser extent—seemed to revolve around Oesch.

However, more details regarding Oesch’s position on these Synodical Conference matters are available outside of the official records and minutes of his committee work. The present writer has found these details primarily in two documents. The first is a letter in the German language

co-authored by Oesch and Manfred Roensch, the two German delegates to the 1960 conclave, addressed to WELS President Oscar Naumann, dated July 15, 1961 (Appendix C). The second is an English letter addressed from Oesch to ELS President George Gullixon, dated January 16, 1978 (Appendix D).

Both of these documents reveal much about Oesch's theological approach to the doctrines of the church and fellowship, as well as his estimation of the statements and actions of the various synods in the final years of the Synodical Conference. An in-depth study of Oesch's position on the doctrines of church and fellowship lies outside the scope of this paper and, frankly, beyond the abilities of this writer. Oesch was an incredibly learned man and wrote as such in a highly academic, technical style. This characteristic combined with the one-sided nature of letters—this writer has not been able to locate any of their responses—makes studying them analogous to briefly listening in on the middle of an extended dialogue between two people on a subject known much better to them than to the temporary observer. It would be difficult to accurately report on their positions without hearing the entire conversation, in addition to knowing the subject well. That said, this writer hopes that one day such a study will be undertaken, making use of a much broader base of Oesch's writings. Until then, a brief survey of Oesch's personal position based on clear statements in these two letters will have to suffice.

The first part of this paper has already addressed Oesch's stance over against the actions of the Missouri Synod. He was concerned above all about its unionistic tendencies, ambiguous position on Scripture, and lack of doctrinal integrity and discipline in general. His concerns grew deeper as the years passed. The Wisconsin Synod had similar concerns about Missouri. However, as we have already seen in our discussion of the work of the Overseas Committee, Oesch did not entirely share the position of the WELS. In his view, the Wisconsin Synod, even though it was taking a brave stand against error, failed to understand the situation correctly according to Scripture.

To Oesch, the root of the problem in both Missouri and Wisconsin was a misconception of the scriptural doctrine of the church. American Lutheranism in general had strayed from C.F.W. Walther's presentation of this doctrine. Oesch summarized Missouri's foundational error and its results in his letter to Gullixon:

I had in historical dimensions perceived that, from the very turn of the 20th Century on, notable Missourians had increasingly externalized the EKKLESIA concept as soon as it came to locating it (which is possible only by the NOTAE – per se PURAE). They slid over into a concept too close to secular democracy, even boasted of that. This gradually was bound to affect the work to be done according to Matthew 28 and the Office of the Keys, the latter taken in their total significance. Then I noted that in externalizing they also tore the local congregation as the “primary unit” (so also WELS) so far away from the normal next stage, namely when orthodox congregations act together under divine obligation, i.e., then as a new unit, that such a “synod” to them *lacked* the EKKLESIA quality to confess before God and men. Therefore...the now Missouri establishment could not exercise doctrinal discipline all the way along and soon dropped it altogether ... Certain St. Louis theologians were in the process of devising the great loophole from which to rush free of charge into antiscriptural Unionism and to join PANLUTHERANISM, L.W.F., WCC etc. etc. At the same time they were opting to ape Reformed theology some more and endeavoring to force Christ’s Church to bow to all sorts of demands of this world’s society, politics, militarism, etc.⁴⁷

The above citation already hints at a false understanding of the church within the WELS. Oesch traced this perceived misunderstanding in part back to a rubbing off of Missouri’s externalization of the church onto Wisconsin men.⁴⁸ However, he saw the principal origin of the WELS’ misunderstanding in the influence of the Wauwatosa theologians, especially Koehler.

While it is understandable that WELS, in a sense long hid in the shadow of Missouri, should after 1961 experience a desire now to emphasize a separate pedigree of its own...it would endanger our joint future if the noticeable undercurrent present—to retain a place for the WAUWATOSA INSERT, the KOEHLER deviation—were to progress ... That INSERT’s unnatural, posthume triumph over WELS could cancel the hope of UNA COMPOSITA ORTHODOXA adumbrated ... Though Koehler was no doubt affected by MISSOURI helplessness as to the larger *ecclesia composita* (Cincinnati case) and chagrined by current “congregationalist” simplifications, he shortsightedly attached himself to Erlangen thinking with Schleiermacher hid in the rear ... Koehler thus never understood C.F.W. Walther on Church and Office ... Koehler through Erlangen also never understood Walther’s DD [his abbreviation for the historic Lutheran dogmaticians] quotes—the strange man not at all going along where they swerved.⁴⁹

In Oesch’s view the deficiencies in Wisconsin’s presentation of the doctrine of the church were not as severe as those of Missouri. However, Wisconsin’s misconception of the church together with its deficient exegesis of Romans 16:17 was the foundation of its “unit concept”—with which Oesch did not agree. The following is a section from his letter addressed to President Naumann concerning the unit concept:

⁴⁷ Oesch—Gullixon, p. 3–4.

⁴⁸ *Ibid.*, p. 5.

⁴⁹ Oesch—Gullixon, p. 44–45.

Dieser Einheitsbegriff für Kirchengemeinschaft hat seinem Wortlaut nach a) einen unklaren terminus a quo und b) einen unklaren terminus ad quem und stiftet gefährliche Verwirrung. Er geht überhaupt nicht von dem aus, was vor der Kirche da ist, wodurch Christus sich schenkt und die Kirche erzeugt und erhält, woran das Vorhandensein der Einen Glaubenskirche mit Gewissheit erkannt wird, woran man auch die gemischte Sammlung um Wort und Sakrament objektiv einschätzen und als orthodox oder heterodox, mit der vorgegebenen Einheit übereinstimmend oder sie verletzend, beurteilen muss—von den NOTAE PURAE unius sanctae ecclesiae. Statt dessen geht das “fellowship unity concept” aus von der fides qua und von vorausgesetzter Zusammengehörigkeit aller ihrer gemeinschaftlichen Äusserungen, die alle, einerlei wie sie geschichtlich veranlasst werden oder gruppiert werden können, Kirchengemeinschaft darstellen sollen. Die dem Dokument Ihres Komitees vorangestellte Definition ist schriftwidrig, da sie auch für den Begriff falschgläubiger Kirchengemeinschaft gelten soll, also von den NOTAE PURAE ausdrücklich absieht.⁵⁰

In his letter to Gullixon he wrote concerning Wisconsin’s interpretation of Romans 16:17:

By having, in a sense, permitted Missouri’s subterfuge, namely to fix on Fellowship *without* urging the NOTAE (per se PURAE) as the steerage motor, they had in scriptural resistance against this faulty “Americanization” at times been intent on exegesis of too local a character. *Sorry to say, even the WELS men had maneuvered themselves into a certain quandary. We witnessed that at the zenith of the negotiations Rom. 16:17 was declared the UNIT CONCEPT to set the fellowship errors straight.* This was done without patently limiting the application to the concerns of the Kingdom on the Right the Apostel has in mind. You dare not take too much for granted. The loose use of the word “group,” all sorts of groups of Christians almost down to choirs and ladies’ aids, caused trouble, too. It prevented divine certainty as to EKKLESIA as locally ascertained by the NOTAE and empowered, say, to call a pastor. *St. Paul in texts like Rom. 16:17 does not want direct application toward the family, workshop, governmental position, etc.* See the impossibility of applying St. Paul’s “Avoid them” to even a heathen as husband or wife or as business associate or an officer or soldier in Caesar’s army. What then of a real believer on the other side in these stations or orders of life, but one defective, not schooled to be orthodox? Though WELS meant all evangelically and in practice added clauses, *the too narrow stance of argument gave the other side a chance for “return coaches” evident also in the Theology of Fellowship.*⁵¹

⁵⁰ Oesch/Roensch—Naumann, p. 4. Translation: “This unit concept has according to its wording a) an unclear *terminus a quo* and b) an unclear *terminus ad quem*, and brings about dangerous confusion. It does not have as its starting point that which precedes the church—the means through which Christ gives himself and creates and preserves the church, on which the presence of the One Church of Faith is recognized with certainty, on which one can objectively evaluate the mixed gathering around Word and sacrament and by which one must judge the gathering as orthodox or heterodox, either agreeing with its alleged unity or violating it—the NOTAE PURAE unius sanctae ecclesiae. Instead the “fellowship unity concept” proceeds from the *fides qua* and from the assumed congruity of all its collective expressions, which all—regardless whether they are historically occasioned or can be classified historically—are to portray church fellowship. The definition placed at the front of your committee’s document is contrary to Scripture, since it is also to apply to the concept of heterodox church fellowship and therefore expressly disregards the NOTAE PURAE.

⁵¹ Oesch—Gullixon, p. 5

These words make one wonder whether Oesch correctly understood the unit concept of the Wisconsin Synod or its position on fellowship in general. They are especially perplexing because most of his other writings on the subject appear to be congruent with those of the WELS. In his letter to Gullixson he expressed tacit agreement to the unit concept in regard to doctrine, referring to the marks of the church as “one healthy whole, everywhere connected with that total Revelation of CHRIST.” He went on to say that “the effectiveness of the Jesus-word only in vital parts does not negate that all of it belongs together.”⁵²

Oesch also agreed with the WELS that a church body’s faithfulness to the marks of the church is demonstrated by its confession. If a church body departs from its official confession through persistent toleration or approval of error in practice, then its official confession is negated.⁵³ If such a body refuses to heed repeated Christian admonishments, then, Oesch says, “the command speaking to us from outside of ourselves as well as the faith within us demands the breaking of relations with any and every community bearing the church name which persistently teaches error.”⁵⁴ To establish or continue church fellowship with such a body is to succumb to what Oesch had years ago dubbed “the Great Illusion,” the thinking that “the best way to destroy cancer...is to introduce it into a healthy organism.”⁵⁵

So how, in Oesch’s estimation, was the Wisconsin Synod departing from the principles which he himself had laid out? The present writer has difficulty understanding Oesch’s position here and believes this should be the topic of further study based on a broader base of Oesch’s writings. The following are some unanswered questions of the present writer that might serve as avenues of study for future students:

- In what way did Oesch see the unit concept of Wisconsin proceeding from the *fides qua*? The present writer finds this question especially difficult since the problems in Missouri were not limited to occasional manifestations of false doctrine, but also involved a persistent holding on to false teaching on a synodical level, even the publication of it in confessional writings.
- In Oesch’s view, to what extent is an individual’s membership in a church body a confession of that individual’s faith? This writer surmises that the answer to this question is closely

⁵² Ibid., p. 8.

⁵³ Cf. Overseas Statement, Thesis 10.

⁵⁴ Wilhelm Oesch, “Church and Unity of Doctrine,” p. 31.

⁵⁵ Wilhelm Oesch, “The Great Illusion,” in *The Crucible*, Vol. I, No. III (May/July 1939), p. 8.

related to that of the preceding question. The problem in answering it, however, is that Oesch speaks about it in two different ways, apparently contradicting himself. On the one hand he says that God's Word "demands the breaking of relations with *any and every community bearing the church name* which persistently teaches error."⁵⁶ On the other hand he writes of "the danger lurking in too simple formulations of ruling out each and every fellowship embrace toward Christians who *unwittingly bear also some counter-marks* of organized Babylon."⁵⁷

- Why did Oesch consider the WELS and ELS' suspensions of fellowship with Missouri to be premature and legalistic? Thesis 6 of the Overseas Statement states, "Where the sway of the pure marks of the church is rejected the fellowship is broken. A rupture of fellowship for any other reason is impermissible." In another essay he had written about continuing to negotiate with church bodies that are "still in an appreciable sense Lutheran."⁵⁸ Was it on the basis of these principles that he declared the withdrawals to be premature?
- What particular problems did Oesch have with Wauwatosa theologians' presentation of the doctrine of the church? How did they "externalize" the church?
- How did Wisconsin's interpretation of Romans 16:17 differ from Oesch's? How specifically did it ignore the marks of the church and display an "exegesis of too local a character"? What did Oesch mean when he wrote, "St. Paul in texts like Rom. 16:17 does not want direct application toward the family, workshop, governmental position etc.," and how was the WELS applying it in that way?⁵⁹

This much is certain: Wilhelm Oesch labored long and mightily to preserve the Synodical Conference in a true, confessionally sound union. His writings examined for this paper span a time period of forty-two years. He was deeply saddened by the persistence of false doctrine and practice within the Missouri Synod in spite of his efforts. He was also grieved by the WELS and ELS' suspensions of fellowship with Missouri and the eventual dissolution of the Synodical Conference. He was convinced they had acted prematurely and legalistically. With their

⁵⁶ Wilhelm Oesch, "Church and Unity of Doctrine," p. 31. Emphasis: M. Seifert

⁵⁷ Oesch—Gullixon, p. 22. Emphasis: M. Seifert.

⁵⁸ Oesch, "Memorandum," p. 35.

⁵⁹ Ibid., p. 5.

withdrawal from the Synodical Conference he observed the death of what he thought to be the largest body and bulwark of confessional Lutheranism ever to exist.

Even as late as 1978 he continued to work toward its revival. In the concluding statements of his letter to President Gullixon he wrote, “The major aim of WELS must accordingly be finally to see the LUTHERAN CHURCH—MISSOURI SYNOD rescued out of all fangs of unionism and of de-spiritualization, as the senior sister in the prayed for SYNODICAL CONFERENCE OF THE WORLD.”⁶⁰ Oesch never witnessed such a reunification; he died in 1982. Today, twenty-one years later, despite the prayers of many, false doctrine in the Missouri Synod continues to keep the two synods from a union based upon the Word of God and the Lutheran Confessions. We do not know what God holds in store for the future.

In 1993, eleven years after Oesch’s death, an international federation of Lutheran churches was born in Oberwesel, Germany. The Wisconsin Evangelical Lutheran Synod and the Evangelical Lutheran Synod are the largest synods in the Confessional Evangelical Lutheran Conference (CELC), which counted sixteen church bodies and approximately 500,000 souls among its ranks in 1999. A part of Oesch’s former church body, today’s *Evangelisch-Lutherische Freikirche*, was a founding member of the conference. Though much smaller in membership, the CELC has the same scriptural, Lutheran foundation and confession as the Synodical Conference of years past. Oesch had prayed for a “Synodical Conference of the world.” May the Lord also one day answer his prayer that the Missouri Synod be added to its ranks on the basis of true doctrinal unity.

⁶⁰ Oesch—Gullixon, p. 43.

Appendix A

REVISED — OVERTURE OF THE FOREIGN DELEGATED AT THE THEOLOGICAL CONFERENCE AT THIENSVILLE, WISCONSIN

We, the overseas delegates of the independent churches at the Conclave Theologicum, respectfully submit to the Doctrinal Committees of the synods of the Synodical Conference and to all others concerned the following plan for a solution of the present difficulties:

- a. Whereas the four presentations of the Doctrinal Committees of the synods of the Synodical Conference on fellowship are very valuable in exploring the factual and scriptural ground, they yet present considerable difficulties for a synthesization; and
- b. Whereas the matters of fellowship (*koinonia*) and of joint prayer seem less crucial than the Doctrine of the Church (*ekklesia*) and CA VII; and
- c. Whereas the impact of the ecumenical movement demands more attention to the relationship of the *Una Sancta* to the confessional principle than the four documents seem to show; and
- d. Whereas for the necessary understanding of the *Una Sancta* itself, basic questions call for consideration, e.g.
 - (a) Whether the point of departure should be an individual believer or the given *Una Sancta* and whether this “given” involves not only all believers as joined to Christ, (Gal. 3,26–28) but also the whole body of revealed truth as taught by Christ, (I Tim 3:15; Gal. 4:26) and
 - (b) Whether the church of CA VII refers to the *Una Sancta* as distinguished from the visible church or churches or as operative in them; and
- e. Whereas further study is necessary for a solution and whereas further study might be helped by the cooperation of men, who represent churches whose lot is critically involved in the outcome, with the committee members who have hitherto worked together,

Therefore we, the overseas delegates to this conference, beg leave to suggest

1. That the four committees be augmented by an overseas committee and together with them constitute a joint committee, which will be representative of our world-wide communion and which may appoint a smaller, representative joint committee to meet together as and whenever necessary; and
2. That the four presentations be referred to this enlarged committee as material to be studied and supplemented by definite contributions from the overseas committee and by whatever

further material is deemed necessary, and that all these be taken into account as soon as possible; and

3. That the Synodical Conference be petitioned to provide the means to carry out this undertaking; and
4. That this joint committee present the results at an early date to the officials of the Synodical Conference and of its constituent synods for consideration; and
5. That this Conclave Theologicum be recessed until summoned again by the officers of the Synodical Conference; and
6. That we request all our churches to pray for God's blessings upon these endeavours.

Appendix B

FELLOWSHIP IN ITS NECESSARY CONTEXT OF THE DOCTRINE OF THE CHURCH

(Statement of the Overseas Committee)

1. The holy, catholic, and apostolic church is one body in Christ, incorporating all believers, whose faith is created, sustained, fulfilled, and known by God alone. The church and the faith of the heart (*fides qua*) are outside the competence and the direct comprehension of men.

(The following abbreviations will be used in the References to the various paragraphs:

SC	–	Small Catechism
CA	–	Augsburg Confession
AS	–	Smalcald Articles
Tractatus	–	Appendix to the Smalcald Articles
SD	–	Solid Declaration of the Formula of Concord
WA	–	Weimar edition of Luther's works
par	–	parallels

Matt. 16:16–19; Jn. 10:16,27–29; Gal. 3:26–28; Eph. 1:20–23; 2:14,15; 2:19–21; 4:3–6,15,16 (Stoeckhardt, *Lehre und Wehre*, 1901, 97ff.) — Nicene Creed; SC, Second and Third Articles; CA V and VII; Apology VII:5–8.

Jn. 6:44; Acts 13:48; Col. 2:12; 3:3,4; 2 Tim. 2:19.

2. Faith is created and sustained by God through the Means of Grace. Where the Means of Grace (Gospel and Sacraments) are in use, even where much impeded, there the believers are present. We know this by faith, and not by empirical experience. This knowledge rests on the promise of God in the Means of Grace outside of us (*extra nos*) and not on criteria in us (*in nobis*): sanctification, or any assessment of men, their works, polity or discipline.

Is. 55:10; Lk. 8:11–15; Rom. 10:5–17; 1 Pet. 1:23–25; Tit. 3:5–6. CA V: “That we may obtain this faith, the ministry of teaching the Gospel and administering the Sacraments was instituted. For through the Word and Sacraments, as through instruments, the Holy Ghost is given, who works faith, where and when it pleases God, in them that hear the Gospel, to wit, that God, not for our own merits, but for Christ's sake, justifies those who believe that they are received into grace for Christ's sake.” Apology IV: 67,346 (225); SC, Third Article (cf. Large Catechism, Third Article: 43–45); SD II:50; XI:29,50. — No other criterion: Apology VII: 10,11,18,19.

1 Sam. 16:7; Acts 15:8.

3. Where the Means of Grace are in operation, there the church is to be found, whole, local, and tangible. The assembly regularly gathered about the pure preaching and the right administration of the Sacraments is called by God Himself the church at that place, irrespective of the hypocrites who may be attached outwardly to such assembly. This is no mere organizational form or association of individuals, but the one church that will remain

forever (*Una Sancta perpetuo mansura*) in the exercise of its God-given, spiritual functions (Office of the keys). This church is only one. Though locally apprehended, it must not be thought of as isolated, intermittent, or individual with reference to persons, time, or place.

Matt. 18:18–20; Acts 6:7; 12:24; 19:20 Eph. 4:3–16; 5:25,27 CA VII and VIII; LC, Third Article: 51–58,61f.; AS, Part 3,VII;1 Tractatus: 24,67–69; SD X:9. —Luther (WA 18:652,743): “The church is hidden, the saints latent... The whole life of the church and its being is in the Word of God.” *Disputation of 1542* (Drews, 655f.): “The church is recognized by its confession...it is in other words visible by its confession.”

The addresses of the epistles and Acts, chapters 2–5; 9:31. Matt. 28:18–20 par; Gal. 4:26–28; 1Cor. 5:3–5; 1Pet. 2:2–10.

4. The Means of Grace, which are the means of uniting the church to Christ, its head, are a given whole, inseparable from the total revelation of Law and Gospel in the Scriptures (cf. the whole definition in CA VII).

Jn. 10:34,35; 16:12–15; 17:20; 1 Jn. 2:26.27; Rom. 1:1,2; 2 Tim. 3:14–17 par. — AS, Part 2, II:15: “The Word of God shall establish articles of faith...” CA: first paragraph of transition from Art. XXI to XXII; SD, Rule and Norm. Note the singulars: ‘doctrine’, ‘form of sound words’, ‘deposit’, etc. 1Tim. 3:15
Lk. 24:47 and 1 Tim. 1:8,9 par. — SD V and VI.

5. The Means of Grace create the fellowship of believers with God and thereby fellowship with all believers. This fellowship is, accordingly, given by God, not achieved by any human effort. Its existence can be believed and known only on the basis of the marks of the church (*notae ecclesiae*).

Acts 2:42; 1 Cor. 1:7; 10:16,17; 12:13; Eph. 4:3–6; 1 Jn. 1:1–4; 3 Jn. 3–8. — Apology VII:5f.,12,19,20. — Hollaz, *Examen* (1707 and 1750) p. 1300: “The inner and essential form of the church consists in the spiritual unity of those who truly believe, of the saints who are tied together (Jn. 13:35) as members of the church with Christ the head, by means of a true and living faith (Jn. 1:12; Gal. 3:27; 1 Cor. 6:17), which is followed by a fellowship of mutual love.”

Gal. 2:6,9,11–14; 2 Thess. 3:14,15; 1Jn. 1:5–7. — Apology VII:22; SD X:3.

6. Where the marks of the church are opposed by false teaching, not only is this double fellowship (in the *Una Sancta*) endangered, but a power is set up which is in contradiction to the fellowship manifested on earth (see 12). Where the pure marks of the church (*notae purae*) hold sway, this disrupting power is repudiated and overcome through refusal to recognize its right to exist, for Christ alone must reign in His church through his Word. Where the sway of the pure marks of the church is rejected, the fellowship is broken. A rupture of fellowship for any other reason is impermissible. The restoring of a broken fellowship must be brought about by use of the pure marks of the church, as they cleanse out the impurity.

Matt. 7:15; 16:6; Acts 20:27–30; Rom. 16:16–20; Gal. 1:8,9; 5:9; 2 Cor. 6:14–18; 11:4,13–15; Phil. 3:2; 1 Tim. 1:3,18,19; 4:1–3; 5:22; 6:3–5; 2 Tim. 2:15–21; 3:5,8,9; Tit. 1:9,10; 3:10; 1 Jn. 2:18–23; 4:1–6; 2Jn. 8–11. — CA VII; SD XI:94–96. The negatives of all Symbols; CA XXVIII:20–28; Apology VII:20–22,48–50; XV:18; AS Part 2, II:10: Tractatus: 38,41,42,71; Preface to SD: 6–10; X:5,6,31.

Acts 15; 2 Cor. 10:4–6; Eph. 4:11–14; 6:17.

1 Cor. 1:10; chapters 12–14. — CA VII:2,3; Apology IV:231 (110.)

It is understood that the church takes action through the Office of the Keys committed to it by Christ (see 3).

7. Impurity can be discerned only by the standard of the pure marks of the church. The subjective faith of any man or group cannot be judged by us, but only what is actually taught or confessed, as it conforms or does not conform to the pure marks.

Jn. 8:31,32; Rom. 6:17; 1 Tim. 6:13,20; 2 Tim. 1:13. — The passages from the Symbols referred to under 4 and 6.

8. The purity of the marks is defended by the Symbols. The Symbols (*norma normata*) as the true interpretation of the Word of God (*norma normans*) are a continuous standard of public teaching in the church from generation to generation and bind together not only all true confessors of any particular time but those of all ages in oneness of teaching (cf. the durative present tenses in ‘is taught’ and ‘are administered’ and also the adverbs ‘purely’ and ‘rightly’ in AC VII). In the Symbols we have a safeguard against those who hold God’s Word to be present only as God wills from time to time, as they are also a safeguard of the truth against reliance upon a traditional exegesis and ecclesiastical success, and against a method of hermeneutics which uses the Bible as a book of oracles to the neglect of the rule of faith.

Is. 8:20; Matt. 16:16,17 par; 1 Cor. 15:1–5; 1 Tim. 6:12–14; 2 Tim. 1:13,14; 2:2; Hebr. 4:14. — Article I in each CA, Apology and AS; CA VII: “Also they teach that one holy church is to continue for ever. The church is the congregation of saints, in which the Gospel is rightly taught and the Sacraments are rightly administered. And to the true unity of the church it is enough to agree concerning the doctrine of the Gospel and the administration of the Sacraments.” See also Formula of Concord, Norm and Rule, together with Prefaces.

Matt. 10:32,33,40,41; Rom. 10:9,10.

9. A quantitative approach is as misleading as an unhistorical one. The inexhaustible wholeness of the marks of the church calls for constant and complete submission and acceptance. The Symbols do not speak fully on every doctrine, but as presentations of the marks they have abiding validity, as have also their rejections of what they recognize as falsifications of or subtractions from the marks.

Matt. 23:8; Jn. 10:5,27; 2 Cor. 5:18–20. — AS Part 3,VIII; SD X:31; XI:95,96; XII:39,40

10. The faith which is taught in a church is first of all the formal and official confession of a church. This may, however, be called in question or rendered doubtful by actual or practical negation of it. In that case a distinction must be made between sporadic contradiction and persistent approval or toleration of contradiction. In the latter case, the official confession, no matter how excellent, is negated.

For Scripture passages see under 6 and under 8. — SC, Second Commandment and First Petition; End of Preface to the Book of Concord; SD VII:1; X:5,6,10,11,28,29.

11. The marks of the church are all-decisive. Everything must be referred to them. This duty is hindered by presumptuous judgments or statements concerning the faith or lack of it in individuals. It is Enthusiasm to build on subjective faith (*fides qua*) and love, for faith is hidden and love is variable. Both are in man. The Means of Grace are objective, solid, apprehensible. Since these are God's own means, we must attend entirely upon them and draw from them the distinction between the orthodox church and heterodox churches.

See under 4,6,8,10. Observe that of the abounding polemics in the Book of Concord more than one third is directed against pseudo-Lutheranism.

12. Fellowship created by Word and Sacraments shows itself fundamentally in pulpit and altar fellowship. It can show itself in some other ways, some of which, like prayer and worship and love of the brethren, the church cannot do without, others of which, like the holy kiss or the handshake or the reception into one's house, vary from place to place and from time to time. In whatever way the fellowship created by Word and Sacraments shows itself, all visible manifestations of fellowship must be truthful and in accordance with the supreme demands of the marks of the church. The "sacred things" (*sacra*) are the Means of Grace, and only by way of them is anything else a "sacred thing" (*sacrum*).

Acts 2:41–47; 1 Cor. 1:10 cf. 15:1–4; 10:16,17; 11:22–34; 12:13; chapter 14; 2 Cor. chapters 8 and 9. See also material under 2,6, and 7.

13. Prayer is not one of the marks of the church and should not be coordinated with Word and Sacraments, as though it were essentially of the same nature as they. As a response to the divine Word, it is an expression of faith and a fruit of faith, and when spoken before others, a profession of faith. As a profession of faith it must be in harmony with and under the control of the marks of the church.

Dan. 9:18; Acts 9:11; Gal. 4:6; Rom. 10:8–14; 1 Tim. 2:1,2; Acts 27:35. — Apology XIII:16; XXIII:30,31; LC, Lord's Prayer:13–30. See also under 12.

This statement bears within it

- a) The implication that the member-churches of the Synodical Conference have not enunciated and carried through the principles in it in their documents of fellowship with the necessary clarity and consistency,

and

- b) the suggestion that the goal of the SC discussion is to be reached by the traditional highway of the Doctrine of the Church. Since the premature turning off into the byway of fellowship has led to a dead end, it would seem best, first of all, to return to the highway and there move forward together guided only by the marks of the church.

Finally, the members of the Overseas Committee on Fellowship feel that they will not have done what is expected of them if they do not indicate, at least in a general way, in the concrete case of prayer fellowship how the approach here developed may lead to a happy solution of this vexing matter. It seems to them that statements on prayer fellowship like the following could be suggested as flowing directly from the principles enunciated:

- 1) Prayer between Christians belonging to churches which have a conflicting relation to the marks of the church must avoid the ever-present suspicion that the marks of the church are being disregarded.
- 2) "When joint prayer shows the marks or characteristics of unionism, it must be condemned and avoided. Such marks and characteristics are:
 - a) failure to confess the whole truth of the Divine Word (*in statu confessionis*);
 - b) failure to reject and denounce every opposing error;
 - c) assigning to error equal right with truth;
 - d) creating the impression of unity in faith or of church fellowship, where it does not exist."(*Australian Theses of Agreement*, II, 2)

These four characteristics of unionism are clearly negations of the marks of the church.

- 3) Joint prayer of the kind described in 1) cannot in the very nature of the case be normal or regular, but will rather be exceptional (see 2 d above)
- 4) Situations, however, can be imagined and have actually occurred in the history of the church where joint prayer of the kind mentioned in 1) can be practiced, for it can be shown that the marks of the church have not or are not in such cases disregarded, jeopardized, or surrendered. These instances cannot be judged by a flat rule beforehand, for the situation differs with each case, and so a decision on the permissibility of joint prayer in any particular situation will have to be made by a fair and adequate judgment of that case. And in such individual cases one must reckon with the fact that Christians will differ in their judgment. Such differences in judgment will have to be tolerated in the church militant, as long as there is an evident loyalty of the divine Word and Sacraments.

Is. 59:2; Gal. 2. — SC, Commandments 1, 2, and 3 and the First Petition; LC, Second Commandment: 53–56; First Petition: 39–48.

Gal. 5:1; Col. 2:16,20. — CA VII:2,3; XV; XXVIII:30ff. and the correspondents in Apology and AS; SD X.