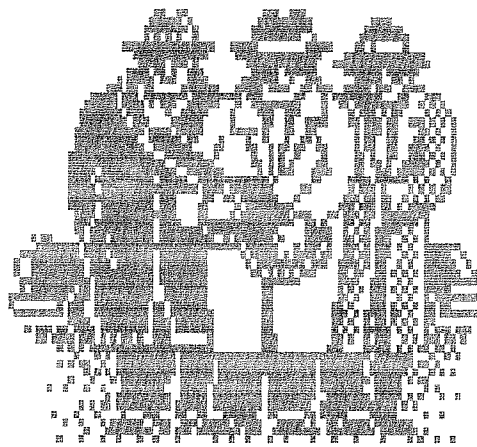


THE WINDS BEHIND
THE HIGH PLAINS DRIFTERS
{OF THE DAKOTA/MONTANA DISTRICT}
1955-1959

(A look at the events and emotions leading up to
the CLC split in the Dakota/Montana District)



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The short segment of Synod history about which I am writing is one that was history in the making at the time I was born. This was the time of the fellowship controversy in our Synod. The particular portion of this controversy that I would like to tackle is one that centered in the district in which I was born, the Dakota/Montana District.

Every district of Synod felt the fellowship controversy of the late 1950's and early 1960's, but, perhaps, none felt it as sharply as the Dakota/Montana District. In the Dakota/Montana District, the fellowship problem with the LCMS started rumblings which, in the course of a few years, grew into a destructive and devisive storm.

The District felt a fierce disunity among its own members. This disunity lead to a break of fellowship among fellow WELS pastors. It led to a split-off from the district which later became part of the CLC. It even led to a civil court case over the buildings of a divided congregation. When we look back 25 or 30 years, it may be these climaxes in the controversy that we remember first. (See the attached paper by J. Liggett.)

By focusing on the climax of the conflict and the break itself, we may get a picture of some of what happened, but we will not understand why it happened. In this paper, I would like to put this conflict and break with the CLC in the Dakota/Montana District into context. The aim of this paper is to lay out (in chronological order) the events which led up to the splitting-off of a number of men from

the Dakota/Montana District in the late 1950's. Perhaps, by looking at what led up to the split in this District, we will be able to understand it just a little bit better.

For source material in laying out this background, I am relying on District and Synod Proceedings, a few CLC publications, minutes from various conferences and meetings, both open and personal letters of correspondence between involved parties, and interviews with four pastors who were serving in the District at the time.

Hopefully, this material will be a satisfactory window through which we may look back in time into a small piece of tangled and emotional history which may never be completely unraveled.

In order to understand the fellowship controversy in the Dakota/Montana District in particular, we must go back even earlier in time to look at the fellowship situation between the Wisconsin and Missouri Synod.

It was already in 1938 that the LCMS began to move toward the position of the ALC that, perhaps, complete agreement was not absolutely necessary in all the so-called "non-fundamental" doctrines. The leaders of the LCMS were carrying on this courtship with the ALC in hopes of a future declaration of fellowship. This put a strain on the fellowship between the WELS and the LCMS.

It was not until the Synod Convention of 1953 that we hear the voice of the Dakota/Montana District in particular on the fellowship controversy. In an essay presented by

Pastor P.G. Albrecht on "The Errors of the Wis. Synod," he points to the 1953 Synod Convention as the first of four major errors by the Wisconsin Synod. He said, "The Wisconsin Synod, in convention assembled, admitted that God's Word demanded a break with the Missouri Synod, and yet decided to remain in a 'State of Confession.'" (Minutes of the Special meeting of the Minority Group of the D/M District, Bowdle, S.D., Feb. 16, 1959, p.1)

It is interesting to note that this particular statement criticizing the Synod was made in an essay over five years after the fact. It does not seem that the voice from the Dakota/Montana District was so clearly or openly critical or vocal until after the next Synod Convention. Although there is very little evidence pointing to any open dissent, there undoubtedly were personal doubts and opinions voiced off the record during the two years between these two Synod Conventions.

It was at the Synod convention of August, 1955, in Saginaw, that there was a resolution to break fellowship with the LCMS. This was the so-called "Saginaw resolution."

Before voting, this resolution was amended to allow the LCMS one year to respond before fellowship was terminated.

The amended resolution read:

RESOLVED: That whereas the Lutheran Church - Missouri Synod has created divisions and offenses by its official resolutions, policies, and practices not in accord with Scripture, we, in obedience to the command of our Lord in Romans 16: 17,18, terminate our fellowship with the Lutheran Church - Missouri Synod, - giving the Lutheran Church - Missouri Synod opportunity to express

itself in its 1956 Convention.

(Dakota/Montana proceedings, 1958, p. 20)

This resolution caused visible dissention, especially from members of the Dakota/Montana District because the resolution itself was interpreted in two different ways. There were pastors in the Dakota/Montana District who looked at this resolution and interpreted that we were now "marking" the LCMS according to Romans 16:17, but we were failing to follow through with the "avoiding." Pastor Paul Nolting stated that "the WELS was publicly charged with disobedience by many of its own members, both clergy and lay members," for postponing termination with the LCMS. (Mark ...Avoid, p.7)

In A Report to the Protest Committee in 1958, Prof. Lawrenz acknowledged that he knew that this interpretation was being taken.

One point that seems to be basic in the protests of a great number of brethren is this that they are convinced that our Synod was disobedient to the Word of God in holding the vote on the Saginaw resolution up for a year. It is their conviction that the Synod placed the Missouri Synod under judgment of Rom. 16:17f. by the unanimous adoption of the preamble and then arbitrarily postponed for a year the avoiding which should certainly follow immediately when an individual or a body has been placed under the judgment to Rom. 16:17f. We can understand that the conscience of anyone who thinks of the Synod's action at Saginaw in this manner would be troubled." (p. 1)

Although this was an interpretation of the 1955 resolution which many saw, it was not the interpretation that the Synod intended. According to the same Report to the Protest Committee, the resolution did not put the LCMS

under the judgment of Romans 17:16f. This report explained that even though the preamble says Romans 17:16 could be applied in view of the LCMS's past action, this preamble of judgment would also be held in abeyance until the LCMS could have another opportunity to speak.

As a Synod, we indeed stated in the preamble that on the basis of all the fruitless, official discussions with Missouri, its past convention resolutions, and the final Lutheran Witness articles of President Behnken, Rom. 16:17f. would have to be applied. Yet the Synod resolved not to vote, not to reach a decision on this resolution, until the Missouri Synod had had another opportunity to speak in delegate convention. ... Our Synod was not willing to put the Missouri Synod, under the judgment of Rom. 16:17f. until it had also heard the official stand of that Synod over against our charges reconfirmed by another delegate convention. ... What our Synod therefore held in abeyance at Saginaw was not merely the "avoiding," the breaking of Fellowship, enjoyed in Rom. 16:17f. but also the conclusive application of the very judgment of this passage, namely the judgment that the Missouri Synod was persistent in causing divisions and offenses.
(Prof. Lawrenz, Report to the Protest Committee, 1958, p.2)

In the Report to the Protest Committee, Prof. Lawrenz says this interpretation of the Saginaw Resolution was also the interpretation that was given to the LCMS by our Praesidium.

One thing about the Saginaw Resolution which was especially confusing was that the preamble did state that according to past actions, Romans 16:17f. did apply. This raised the question, "If it applied, there is only one course of action, and so why the wait?" More than one pastor from the Dakota/Montana District did write to Prof. Lawrenz for an explanation to this seeming discrepancy.

In addition to explaining that the application of

judgment was not applied at Saginaw, Prof. Lawrenz was quick to admit that the Saginaw Resolution could have been worded more clearly. The Resolution itself was made after lengthy debate and the final decision was made in the closing hours of the convention when there was little time for editorial revisions in the interest of clarity.(Lawrenz, Report, p.2)

As if this misunderstanding of the interpretation of the Saginaw Resolution was not enough, there was another question brought into the picture. Those who did understand and accept the official interpretation of the resolution still questioned whether we have any right to hold the judgment of Rom. 16:17 in abeyance for even that one year. They felt there was no room for any human judgment. To this thought, the natural conclusion was that any vote to hold the judgment in abeyance was disobedience to God's Word.

This thinking makes no distinction between the weak brother and the persistent errorist. Although the vast majority of the Synod was prepared to treat the LCMS as a weak brother at this time, there were men who at least in their own minds had marked the LCMS as persistent in their error. Some went so far as to use the graphic term "branded" in place of "marked."

Although this was the feeling of a number of men in the Dakota/Montana District, they were not too vocal until after the Special Synod Convention in 1956.

What the Dakota/Montana District did do was study the LCMS resolutions of their 1956 St. Paul meeting, and they

decided that the LCMS had not changed its actions in response to the Saginaw Resolution. In the Dakota/Montana District Convention, June 17-19, 1956, the following resolutions passed:

Therefore, in disagreement with our Standing Committee on Matters of Church Union, we are not convinced that the relation between us and the Lutheran Church - Missouri Synod has been changed essentially since our Saginaw Meeting of the Joint Synod, and therefore we recommend the adoption of the Saginaw Resolution. (Excerpts from Minutes, p.5)

The Dakota/Montana District not only recommended the break with Missouri but in some cases even expected it. However, this resolution carried little weight at the reconvened Synod Convention of 1956.

At this convention, it was by a 108 to 19 vote that the resolution was adopted to continue to hold in abeyance the judgment of the Saginaw Resolution, and "to continue in our vigorously protesting fellowship over against the LCMS." The reason the Union Committee recommended this resolution was that they were "convinced by the resolutions adopted by the St. Paul Convention of the Lutheran Church - Missouri Synod that the Lord had brought about a change of heart in the sister Synod and that a different spirit directed their actions at St. Paul." (Oscar Naumann, Pastoral Letter, Sept, 26, 1956)

About this whole situation between the Synod Conventions of 1955 and 1956, Prof. E. Reim said, "In 1956, our Synod faced an anomalous situation, finding itself in a sort of no-man's-land of its own creation, caught by the

consequences of the failure at Saginaw to match its words with action." (Open Letter to the Protest Committee, 1956, p.6)

In view of the fact that Prof. Reim resigned at the very next Synod Convention, it almost seems Prof. Reim could have been using words he felt personally.

In addition to the description of this situation as a type of no-man's-land, Prof. Reim stated that since there was some response from Missouri that might possibly be an expression of repentance, faint as these possibilities might be, they made it impossible to advocate a break without leaving a nagging doubt whether a smoldering wick had been snuffed out. (p. 6)

Prof. Reim's description of the atmosphere of this time might be a good point for us to also step back and take a look at the particular atmosphere of the Dakota/Montana District. Although The Dakota/Montana District was dealing with the same fellowship problems that every other district was dealing with, its situation was a little different by virtue of the make-up, experience, location, and finally personalities that made up the district.

The year 1956 has been described as a year of confusion and indecision in the Dakota/Montana District - perhaps more than in other districts. There were a number of factors behind this. First of all, this district was to a great extent a mission district. The average tenure in an individual congregation was about two years, and a large

number of the pastors in the area were young pastors. To top this off, most of the district consisted of rather isolated congregations. Because of this, the President of the district, Pres. Albrecht, was to a large extent the sole contact between many of the men in the district and Milwaukee.

The single personality which seemed to be by far the most influential in the district was that of President Albrecht. He is characterized as a man with a tremendous amount of charisma. He was very mission oriented and spent a great deal of time working with the new and young pastors starting out in their new mission congregations. As was stated before, Pres. Albrecht was the greatest single tie most of these men had as to what was going on in Synod. He obviously commanded a large amount of respect and love from most of the men in his district.

Pres. Albrecht was very sincere, but some felt he was too subjective in his opinion on the Synod fellowship matter. He was clearly a proponent of immediate "avoiding" of the Missouri Synod from the very beginning. Undoubtedly, a man with the influence and charisma that Pres. Albrecht had was an influence on the thinking of others. The majority of the District did seem to be behind Pres. Albrecht at least until after the Synod convention of 1957.

Not all in the district agreed wholeheartedly with Pres. Albrecht, but he was a very hard man to stand up to. There were other strong personalities in the district who

had personality conflicts with Pres. Albrecht and the few other men who later left the Synod with him. It seemed to some, that some of these personality conflicts did play a role later on when there was obvious disunity in the district.

Even though the atmosphere in the district may have been a little tense in late 1956 and early 1957, the district seemed to be, for the most part, unanimous in its voice over against fellowship with the LCMS.

In April of 1957, at the Dakota/Montana Pastoral Conference, it was resolved that since the Synodical Conference meetings seemed only to prove the point that there was no progress in negotiations with LCMS, "a basic condition for continued negotiations has been removed and that a critical situation confronts our Synod." (Dakota/Montana proceedings, 1958, p.22)

Two months later, in June of 1957, the Eastern Conference of the Dakota/Montana District memorialized Synod to declare, at the Synod Convention in New Ulm, the termination of fellowship relations with the LCMS.

The Memorial stated, "We earnestly plead that the Synod assembled at New Ulm, Minn., Aug. 7-14, carry out the judgment of the Saginaw resolutions, based on Romans 16:17,18, without delay," (Dakota/Montana Proceedings, 1958, p.23) Ten members of the Western Delegate also addresses a similar plea to the 34th Convention of our Synod at New Ulm.

A majority of the Dakota/Montana District thought they

would be heard at the 1957 synod Convention, fellowship with the LCMS would be terminated, and the problem would be over.

At the Synod Convention in August, Floor Committee #2, after clearly stating the case against the LCMS, recommended that, at this time, fellowship with the LCMS be suspended. (Dakota/Montana Proceedings, 1958, p.24)

It was by a vote of 61-77 that this recommendation was rejected, and it was again resolved and adopted to "continue our vigorously protesting fellowship over against the LCMS." (Dakota/Montana Proceedings, 1958, p.24) In the Report to the Protest Committee, Prof. Lawrenz summarized the reason in this way:

The actual discussion of the controversial issues had not yet progressed far enough at the time of the New Ulm convention to permit any conclusive judgment as to whether they would be successful. The presentations on Scripture, Revelation, Inspiration, to the extent that they had been discussed, seemed to hold out the promise of agreement. Not enough had happened since Watertown to warrant reversing the resolution passed there to hold the Saginaw Resolution in abeyance. (p. 6)

The vote at that convention was very close, and a number of men felt the Synod had waited just too long. It was at this convention that Prof. E. Reim, the President of the Seminary, resigned because of the Synod's decision.

An interesting, but undocumented, sidelight of Prof. Reim's resignation was that as he was leaving the convention hall, one of the men from the Council of Presidents said to him, "There was another path you could have taken." In response, Prof. Reim said, "I wish you would have told me

that before." As to what the other path was, I do not know. Obviously Prof. Reim did not want to resign, but he must not have been able to find another alternative in accordance with his own conscience.

It was on this convention floor that Pres. Albrecht also got up and delivered a monumental statement as far as the Dakota/Montana District was concerned. He said,

I know the Bible passage, thou shalt rise up before the hoary head and honor the face of the old man. Prof. Meyer knows that I have loved and honored him since the day that I first met him. But I must disagree with him now; for I cannot operate with Scripture as he did last night. To heed his advice would lead straight down the path of unionism.

I agree with him when he says it would be sinful to say, "I am through with the Wisconsin Synod." I shall never be through with the Wisconsin Synod as little as I can ever be through with any member of my own family.

But I cannot follow the course which the Synod now has chosen; for the Synod was wrong when it rejected the Report of Committee No. 2. This decision I shall oppose with all my might because it is a rejection of a clear Word of God.

Under these circumstances, I will, of course, not be able to serve the Synod on its Union Committee, nor in any other way which should mean support of the Synod's decision to reject the Report of Committee No. 2, and its (i.e., the committee's) use of Roman's 16:17,18.

While I do not refuse the hand of fellowship to all members of the Synod, I cannot fellowship with those who have advocated the position which the Synod made its own last night. II Thes. 3:6; 11; 14,15. (It is selfevident that fellowship with those who now or in the future support and advocate the Synod's present position is impossible.)

I am fully aware of the implications of this statement as far as my District is concerned.

(Dakota/Montana Proceedings, 1958, p.24)

Although this was a startling statement, it did not surprise some members of the Dakota/Montana District. In

view of his clear stand against the synod's position of continued fellowship with LCMS, Pres. Albrecht almost had to do something along this line to be consistent in his stand on fellowship.

There were some in the Dakota/Montana District who felt Pres. Albrecht had gone just a little too far. There were those who felt Pres. Albrecht and others who held his position were using Romans 16;17f. in a legalistic manner and not in the context of other Scripture passages which speak of love for a weak brother. This all goes back to the argument about whether human judgment is involved in determining when a weak brother takes that step into persistent error.

By the vote of Synod, it was obvious that the human judgment of the majority of Synod was not yet ready to make that determination. It was this hesitation to judge and act that Pres. Albrecht and a number of others in the Dakota/Montana District could not agree with.

Although Pres. Albrecht stated that he could no longer fellowship with those who stood by the Synod's position, it did not seem that he began to carry this out until early in 1958.

For two and a half months after this synod convention, the Dakota/Montana District was in a great state of confusion. Some men who were sure where they stood before were not so sure now, while others were strengthened in their conviction that the action of Synod was wrong or

right. One must wonder how some of the recent Seminary graduates in the district felt to hear their own District President say that their dogmatics professor at Seminary was wrong in his use of Scripture. It would surely cause confusion and second guessing in anyone's mind to question an interpretation of the very man who trained you.

On October 22, 1957, the District held a Special Session at Aberdeen upon the request of the Eastern Delegate Conference of the Dakota/Montana District. 43 pastors and 60 lay delegates were present at this meeting to consider the action of the New Ulm Convention in regard to Union Matters. As it turned out, this special meeting tore the District into two factions which never resolved their differences.

In this meeting, there were three things which possibly affected its outcome. The first was an essay on Romans 16:17,18 by Pastor W. Schumann. This essay was assigned to him by Pres. Albrecht. The essay expounded the Romans passage, but it also stressed the importance of putting that passage into the context of Scripture. The essay stressed that one look at all the passages of Scripture.

Pres. Albrecht may not have been completely happy with the essay because he expected the Romans passage to be used as a cartridge against the actions of Synod. Rather than condemn Synod, the essay brought the real issue of the problem into focus. That issue was hermeneutics. The essay was not to try to sway people to one side or the other but

to present the Scriptural principles involved. After the essay, Pastor Schumann said very little at this meeting.

One young pastor in the District said that if there was any good side effect of this whole controversy in the Synod and District, it was this, that pastors sat down with their Bible and did the exegesis, and they opened their Pieper's Dogmatics to understand the whole principle of fellowship.

After the essay, the next thing to note was Pres. Albrecht's speech. He started out by saying that nothing has been produced which could be construed as having materially changed the tragic situation which confronted the Synod in 1955. He downplayed any seeming progress that there had been at the recent Synodical Conferences in Chicago. In addition to this, Pres. Albrecht listed six major protests against Synod's action.

1. The director of our theological seminary has resigned.
2. Six pastors have resigned from Synod as a matter of conscience.
3. Twenty have registered protest with Synod.
4. Three conferences and three individual pastors express their disagreement of Synod.
5. A large number of others have expressed disappointment to President Naumann.
6. Two District Vice Presidents have resigned from office. (Dakota/Montana Proceedings, 1958, p. 25)

The negative words on any progress with Missouri and then this list of protests seemed to be a build up speech to rally the District to unity, protest, or possibly even some kind of action. Some of those who were there were not sure what action Pres. Albrecht was pushing for. Some felt it was more than just again memorializing Synod but maybe even

going so far as to have the whole District go into a "statu confessionis" with the Synod.

If this is the impression some of the men had, it might have been just too much for them to go along with. It would be one thing to break with the LCMS but to now switch the attack against the WELS would be a different thing altogether. Again, what Pres. Albrecht was driving for was never clearly stated. This is just speculation from the impressions of a few men who were there.

The third factor we will want to note at this meeting at Aberdeen was the report from the floor committee. They were to report on any progress at the recent Synodical Conferences. Apparently, what Pres. Albrecht said about the progress with the LCMS was not exactly the same as the report the floor committee had.

In order to clear shed some light on the discrepancy, someone at the meeting placed a call to Prof. Lawrenz himself to get the story from him. What Lawrenz said about the progress with the LCMS was a little more positive than had been suggested by Pres. Albrecht. After this phone call, someone from the floor challenged what Pres. Albrecht had said. Needless to say, this challenge was not appreciated. Perhaps this was a case where a clash of personalities also came into play.

The Floor Committee came up with the resolution that since there did seem to be more progress between the Synods at the Chicago meetings, they would support Synod's decision

to hold the Saginaw Resolutions in abeyance but while still vigorously protest fellowship with the LCMS. (Dakota/Montana Proceedings, 1958, p.28) This resolution was adopted by a majority vote.

It was late in the day when this vote passed. After it did, Pres. Albrecht stood up and said he resigned as President of the District. At this, the room was filled with stunned silence. A motion to accept his resignation was rejected by a majority vote, and he was asked to continue as president according to the dictates of his own conscience. He ended up finishing out his term.

This rejection of Pres. Albrecht's resignation shows how he was still loved and respected by most of the District. Some felt that the surge of emotions and exhaustion at the end of a long and controversial session led the District to urge Pres. Albrecht to continue in an impossible situation. He had already resigned from all Church Union Groups, and was in essence boycotting Synod actions and Synod functions.

After this Special Meeting at Aberdeen, there was obvious dissention in the District. There were now two opposing groups: the minority group who opposed Synod action, and the majority group which had voted to support Synod action. A number of men from the minority group were to never reconcile with the District or with Synod. Later, these men left the WELS to help form the CLC.

A few weeks later, Nov. 12-13, 1957 at Clark, South

Dakota, the Eastern Delegate met for their Fall Pastoral Conference. At this Conference, Pastor M. H. Eibs, a vocal participant in the minority group, presented a letter condemning Synod's actions and clearly and vehemently accused the Synod of misrepresenting Scripture and so being guilty of false doctrine. Again and again, the same few voices from this minority group continued to condemn Synod on this one passage alone, without interpreting its application in the light of other very clear passages which dealt with fellowship and erring or weak brothers.

The Western ^{Conference} (Delegate) also met for their Fall Pastoral Conference at this time. Many there felt that we needed to break with the LCMS, but they also realized that we should not break until the majority of the Synod got to that point where they too saw the necessity for the break.

During the months after the Special Session at Aberdeen, there were a number of informal meetings among those who were in the minority group opposing Synod. One of these meetings, on Dec. 11, 1957, was held at Aberdeen and was attended by 14 pastors who registered negative votes at the earlier meeting at Aberdeen in October. It was interesting to notice that in attendance at this meeting were a number of men who ultimately remained with the Synod.

It seems that although their convictions urged action against Missouri, they did not hold the same convictions when it came to the Wisconsin Synod. They are different situations. Those who eventually did leave the Synod

thought that they would have more of these men leave with them.

One out of that group who did remain with the Synod and later became President of the District was Pastor A. P. C. Kell. When he did not follow those who left fellowship with the WELS, there were very hard feelings among people who had once been very close friends and even among those who were relatives. (Of those who left the District to form the CLC, Paul and Chris Albrecht and W. Schuetze were relatives of Pastor Kell.) This demonstrates some of the hardship and heartache that was involved in the Dakota/Montana District at this time, not that the same thing was not happening with families and friends throughout Synod.

After this meeting, there were 12 formal letters of protest sent to Pres. Albrecht. These letters all urged another special meeting as soon as possible to restore unity to the District.

In response to these letters, a special meeting was held very early in 1958, in Bowdle, South Dakota. Although this special meeting reviewed the decision made at the last special district session at Aberdeen, they came up with the same conclusion.

The next District Convention at Mobridge, June 17-19, 1958, was the last District function that Pres. Albrecht attended. A number of those who were protesting the District's support of Synod actions did not attend this convention. Others who did come did not participate in the

communion service. As a matter of conscience, a number of men in the district were already practicing selective fellowship in the district itself.

Pres. Albrecht fully expected that he would again be elected as President of the District. When he was not re-elected, he was furious and took it as a repudiation of his own position. Actually, the feeling was that the position that Pres. Albrecht had put himself in, was one in which it would be impossible for him to effectively serve as President. He had separated himself from the Synod, and he was practicing selective fellowship in his own district. Many felt he just could not uphold the office of President in this situation.

Pastor W. A. Schumann was nominated for the position, but he asked that his name be removed from nomination. It was only after urging from other men in the District at break that Pastor Schumann allowed his name to be put on the list of nominees. He was then elected as the next President of the District.

At this convention, the Floor Committee of Doctrinal Matters acknowledged the different approach among the District members as to the use of Romans 16:17. "Some are convinced on the basis of Romans 16:17 that God demands separation from the Missouri Synod; others, also on the basis of the Word of God, find hope that a break may be averted." (Dakota/Montana Proceedings, 1958, p.16)

The Report to the Protest Committee by Prof. Carl

Lawrenz might very well have helped some to understand Synod's stand on this portion of Scripture. Unfortunately, that report did not reach the hands of the pastors of the Synod until the October after this convention.

The Floor Committee also regretted to report that they saw no real evidence of any progress in the negotiations with the LCMS. They also acknowledged the written protests filed in December of 1957 and urged that all members in the District be patient with these protestors who were acting on their own consciences.

One thing the Floor Committee did do was establish a 'Committee of Six' (called by some, "The Committee of Three and Three") to determine the exact point of controversy so that it might be profitably discussed. The committee consisted of two pastors and one layman of each conviction. They were to discuss their findings at the Fall pastoral conferences and then report back to a reconvened session of the District Convention in January of 1959.

This committee formulated the 'status controversiae' as follows:

Majority Statement

We hold that in the application of Romans 16:17-18 there is involved the matter of sound Christian judgment as to the time when its admonition 'and avoid them' must be applied. Christian love over against an erring brother, a sound understanding of historical developments, and Christian patience in dealing with another church body, with which we have long been affiliated, are factors which must temper such Christian judgment.

To call a delay of a break with the Missouri Synod an error or a sin involves a judgment

regarding those who believe that the promises of such passages as 2 Tim. 3:16-17; 2 Tim. 2:24-26; Isaiah 55:11 still apply at this time.

Our continued efforts to win our brethren of the Missouri Synod is not based solely on the hope that we shall succeed in our efforts, but is based on the knowledge that all our witnessing will not be in vain (though we may not see the immediate fruit) and it is based on the conviction that these efforts are more successful when we deal with the Missouri Synod as our brethren.

(K. Sievert & E. Klassus)

Minority Statement

We hold that any fellowship relationship with the Lutheran Church - Missouri Synod at the present time, while the Missouri Synod upholds and defends the errors with which we have charged her, is in violation of the Apostolic injunctions in Romans 16:17-18.

We hold that Romans 16:17-18 does not allow continuation of fellowship relationship because of any hope anyone may have of bringing the Missouri Synod back to a sound confessional basis.

(P. Albrecht, L. Grams, F. Hanson)

(Letter from the Committee of Six, July 28, 1958)

This letter showed the clear differences that existed. These differences were never resolved. At the reconvened District Convention at Mobridge January 26-27, 1959, the Committee of Six could report only failure. This report which was hoped would help bring the two sides together only led to a further polarizing of the two sides.

Already when this committee was first established, there were many who were quite sure that failure would be the result of the Committees work. If it did no other good, it at least made a very clear distinction between the two factions in the District.

At the reconvened convention in January, 1959, a motion was carried and passed by a 47-31 vote that synod

negotiations were Scripturally correct. (Dakota/Montana Proceedings, 1960, p.26)

A number of the members of the minority group were not in attendance at this reconvened session of the District Convention. From this time on, the minority group of protesters separated themselves from the rest of the district.

On Feb. 16, 1959, The minority group held their own meeting in Bowdle, South Dakota. Eight pastors and eleven lay men were in attendance. In this meeting there were three essays given: "Scriptural Fellowship Principles" (L. Grams), "The Errors of the Missouri Synod" (M. Eibs), and "The Errors of the Wisconsin Synod" (P. Albrecht).

Later in the evening, this minority group adopted the following resolution:

Whereas, our Dakota-Montana District (meeting in Reconvened Convention at Mobridge, S.D., January 26,27, 1959 has officially rejected our protests as not being based on Scripture, and we have, therefore, been compelled to renew these protests; and...

Whereas, thereby the practice of Christian fellowship has been made impossible (2 Thess. 3:14-15) with those in our District who reject our protests as not based on Scripture; and...

Whereas, we feel the need of Christian fellowship; therefore be it

Resolved, that, for the time being, arrangements be made to hold a separate spring pastoral conference and also a conference for pastors and laymen; and be it further

Resolved, that a committee be elected to make the necessary arrangements (time, place, agenda) for these conferences; and be it further

Resolved, that a copy of these resolutions be sent to the officials and constituency of the Dakota/Montana District; and be it finally

Resolved, that subscription to these resolutions be left open to all members of our Dakota/Montana district.

(Minutes of the Special Meeting of the Minority Group, Feb. 16, 1959, pp 2-3)

The minority group carried through with these resolutions. They effectively separated themselves from the District and the Synod while none of them officially resigned from the Synod. They remained in the Synod and in the District yet considered themselves a separate entity.

They formed their own conferences and held their own minority pastoral conferences while boycotting any District conferences. As we can see from the final resolution, they were welcoming any other pastors to join them. Perhaps there was subtle or even open recruiting for the minority group going on.

In reaction to the minority group, on April 22, 1959, the Presidium of the Dakota/Montana District sent out a letter to all Pastors and Congregations in the District. This letter pointed out that this impatient action of the Minority Group had terminated their fellowship with the District and thereby also the Synod.

This letter also called for action on the part of pastors and individual congregations.

We regret that it is our sad responsibility to acknowledge that this separation exists and must be recognized. For the sake of good order, it is apparent that this situation neither be ignored nor condoned. We would point out that the congregations served by the pastors of the

Minority Group are in an ambiguous position: they hold membership in the Synod and yet are being served by pastors who have terminated their membership. It will be theirs to determine on the basis of God's Word whether to adhere to pastor or synod. We urge those pastors and congregations to evaluate their position that our District's house may finally be put in order.

This letter led some congregations to have the Praesidium explain Synod's side of the whole controversy. In some cases, the congregations stayed with the Synod. In others, the congregation went along with the pastor, and in yet others, the congregation was torn apart; some going with their pastor and some with the Synod. It is the tearing apart of these congregations that caused some of the most severe and emotional conflicts in the District. (cf. the attached paper by J. Liggett)

After the 1959 Synod Convention again refrained from terminating fellowship with the LCMS, the largest number of men left the Synod. By this time in the Dakota/Montana District, all the men who were going to leave had chosen their position.

Although their positions were clear, most of the men in the minority group would not officially resign from Synod. Since the action of these men was clear enough evidence that they had terminated their own membership with Synod, it was simply announced in the Northwestern Lutheran that these men had suspended fellowship with the Synod. When Pres. Schumann had the names of P. Albrecht, C. Albrecht, A. Sippert, and L. Grams listed as suspended in the Oct. 25, 1959 issue of the NWL (p. 348), these four men were outraged

and immediately got on the telephone. The only response they received was that by their actions they had suspended themselves from the Synod. Their protest against suspension went no farther than the phone call.

Since the District was in such a state of confusion, turmoil, and lack of communication in late 1958 and early 1959, it is hard to say just who left the Synod when. Perhaps the word DRIETERS from the title of this paper is a good description of the way a number of men did withdraw from the Dakota/Montana District. The whole process leading up to the final split in the Dakota/Montana District extended over several years, and the split itself trickled over a period of several months.

To get an idea of how big the split actually was, we can look to the 1960 President's report to the District which stated, "In impatient action," five pastors, seven congregations and more than 500 communicants had left the District in the past biennium." (Dakota/Montana Proceedings, 1960, p.19) The Statistical Reports show 8040 members for the Dakota/Montana District in 1958 and 7256 members in 1959. (pp.6-9) It seems 500 might have been a little low, when actually there were about 800 members who left the Dakota/Montana District.

Even though these men who left the Synod said, "mark and avoid" must happen immediately, the way they left the Synod was anything but immediate. This whole process took some time.

Pastor Paul Nolting, a CLC pastor, expressed the disappointment after disappointment that he and other pastors felt as they urged the split with the LCMS.

The admonition itself started formally in 1939, with beginnings even before. For over twenty years it has been carried on in private and in public; by official letter and private letter; in the form of resolution, memorial and essay; in the forum of local conferences - pastoral and lay - mixed conference, intersynodical committee, district and synodical conventions, Synodical Conference conventions; with and without consultation of foreign theologians. There have been rays of hope, followed by hopes dashed; the frustration of committees, followed by the appointment of new committees; threats of action followed by further yielding; deadlines set and then when the time came; an abhorrence of the situation followed by a learning to live with the situation; vocal rejections of error converted into quiet acceptance of error; positions once condemned, but now endorsed.

(Paul Nolting, "Wedge of Error," p.4)

This paragraph does seem to catch the feeling that the Minority Group in the Dakota/Montana District also felt during the late 1950's.

Hopefully, looking back at the years and months that led up to the CLC split in this district, will help me to understand not only what happened by why it happened. Looking back into history over 25 years, one might be tempted to recall only the split and the heated conflict. Just as important as remembering what happened is to try to understand why it happened. Hopefully, this paper will put the controversy that arose in the hotbed of the Dakota/Montana District into some context.

The more one studies what happened in the Dakota/Montana District during the fellowship controversy,

the more one realizes it is something so involved that it may never be unraveled completely. If looking back at a small segment of history in an individual district of Synod gives me even just a little understanding of what happened (and I feel it has), this paper has accomplished what I intended.

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- Lawrenz, Prof. Carl, Chairman of the Executive Committee, A Report to the Protest Committee, October 21, 1958, pp. 8.
- Naumann, Pres. Oscar J., "A Pastoral Letter," Sept. 26, 1959
- Nolting, Paul F., The Deepening Wedge of Error, reprinted from the 1960 Yearbook of Grace Ev. Lutheran Church, Sleepy Eye, Minn.
- Nolting, Paul F., Mark...Avoid - Origin of the CLC, October, 1970, pp. 20.
- Reim, Prof. E., An Open Letter to the Protest Committee, Reinlander, Wis., October 29, 1958, pp. 8.
- Sievert, Prof. Karl G., Preaching the Gospel on the Dakota-Montana Prairies or A History of the Dakota-Montana District of the Wisconsin evangelical Lutheran Synod, 1970, pp. 12.

Also used in this paper:

- Dakota/Montana Proceedings from 1958 and 1960.
 - Proceedings from the Synod Conventions of 1955 and 1957.
 - Statistical Reports of the WELS for 1958 and 1959.
 - Dozens of personal and open letters written to and from a number of Pastors involved in the District in the late 1950's.
 - Minutes from most of the pastoral conferences and special meetings during the late 1950's.
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Almost everything else which is undocumented in this paper is information and impressions gained from interviews with the following people who were in the Dakota/Montana district during the late 1950's:

- Rev. W. A. Schumann
- Prof. D. Sellnow
- Prof. C. Spaude
- Rev. R. Zimmermann
- Mrs. A. P. C. Kell

A D D E N D U M

The following is an essay written by James D. Liggett in 1972. This paper was referred to twice in my paper and is an addendum to my paper for the following reasons:

1. This paper by James Liggett focuses on the bitter conflict and the court case that resulted from the CLC split in the Dakota/Montana District. After reading this paper, I felt that a worthy topic for my paper would be to put the conflict pictured by J. Liggett into context.
2. Since my paper does focus only on the events leading up to the split, this paper by J. Liggett picks up where I left off and carries the history out a little farther.
3. Knowing about the bitter conflict written of by J. Liggett will help the reader of my paper to appreciate why it is so important to to understand not only what happened in the Dakota/Montana District but also why it happened.
4. Finally, having both papers together will clearly show that there are two ways to look at this controversy: the subjective way and the objective way. Although neither paper is completely one or the other, I hoped to be a little more objective.

THE FELLOWSHIP CONTROVERSY BETWEEN THE WELS AND THE CLC-THE WAR IN THE
DAKOTA-MONTANA DISTRICT.

SENIOR CHURCH HISTORY

JAMES D. LIGGETT JR.

1972

It is with a trembling hand that I begin to write about the controversy that took place in the Dakota-Montana District. What is going to be discussed happened so recently in the history of the WELS that it almost could be a present day news article. As you will see at the end of the paper there is no bibliography. The majority of the content of this paper was gleaned from the following sources:

1) The district reports of the Dakota-Montana District from the years 1956-1960. 2) An interview which I had with Pastor Walter Schuman Jr. of Watertown, Wis. 3) The CLC publications "Concerning Church Fellowship" and "Mark... Avoid...." The origin of the CLC.

It is because of my source of materials for this paper that I say I am writing this with much trembling. I hope that I can give a fair and accurate recounting of the things that Pastor Schuman told me. I hope that after I am finished with this paper Pastor Schuman will come off as a type of hero in the battle of the Dakota-Montana District. Pastor Schuman had some very keen insights into what happened in the Dakota-Montana District, especially when you know what the other side has said and is still saying even today.

I am going to use the question-answer method to explain the controversy between the WELS and CLC in the Dakota-Montana District.

1) WHAT PRECIPITATED THE CLASH IN THE DAKOTA-MONTANA DISTRICT?

Before the CLC even existed there were already problems leading up to a battle within our synod. These battle lines were being drawn over the WELS and its problems with the Missouri Synod. (Mo. Synod) The WELS in the 1956 convention of synod came out with the Saginaw Resolution that encouraged all districts to wait and continue to admonish the Mo. Synod. Some men in our ranks said that Rom. 16:17 did not permit this. These men said that when you mark you must immediately avoid.

Our Church Union Committee (CUC) said that we should take to heart

passages like II Thess. 3:14-15. Our CUC suggested that we go out of our way, out of love, to help lead our erring brethren back to the right track.

"No" said P. Albrecht, the president of the Dakota-Montana District. Albrecht said that Rom. 16:17 was law. When the other passages like II. Thess. 3:14-15 were brought up he and his cohorts would not listen to them. This attitude is what was prevalent in most of the men who later left the District for the CLC. These men loved to jump on one passage and beat it to death, forgetting the rest of the Bible. Prof. J.P. Koehler wrote once in the article "Legalistic practices in the church." that it was legalistic to pull out of the Bible one passage which you intend to use as bullets, as shells and forget the rest of the passages.

In 1958, Pastor W. Schuman Jr., 38 years old, was elected president of the Dakota-Montana District. At the Aberdeen convention of the district Schuman had been assigned an exegesis of Rom. 16:17. Albrecht expected something different than he heard, he thought that Schuman would say its time for the Dakota-Montana District to get out of WELS or at least to go into "statu-confessionis" with WELS. After Schuman had finished reading his paper Albrecht knew that he had been had. Albrecht got up on the convention floor and asked whether the district upholding of the synod's actions at New Ulm in 1957 in which the synod encouraged everyone in WELS to continue waiting and admonishing. Albrecht also asked if what Schuman had said was a rejection of the District's protest to synod? Schuman got up and said that all that Albrecht said was correct. It was at this point that a separation in the district was evident.

The actual separation and leaving of the WELS took a while for the following congregations and pastors: St. Luke's of Lemon South Dakota. Pastor V. Greve. Our Savior's of James town South Dakota Pastor H. Rutz

Zion of Hidewood Twp., South Dakota Pastor A. Sippert, First Lutheran of Faulton and Zion of Ipswich South Dakota plus the following pastors Eibs, C. Albrecht and P. Albrecht. The number of communicants lost was about 500. One Christian Day school was also lost. At first the men said they were in fellowship with WELS. Yet they would not come to conventions, they held their own communion services, they separated themselves from the brethren. They said that they had formed their own conference. Schuman as the District President told them that only the District could form new conferences. Immediately after his message to these men and trying to show them they were out of line, with no response from the men Schuman announced in a 1961 ¹⁹⁵⁹ Northwestern Lutheran that these men were no longer in fellowship with the WELS.

The printing in the NWL brought violent reactions. The men listed said that they were still in fellowship with WELS. Albrecht wrote Naumann President Nauman backed up Schuman's action. The complaint from these men went no farther than the letter to Nauman. They didn't even bring their complaint to the floor of the joint synod of WELS.

2) HOW DID THE CONTROVERSY AFFECT THE DAKOTA-MONTANA DISTRICT

There were vast repercussions to what happened between these men and the district. The congregations were upset. Throughout the entire controversy the Praesidium of the district walked very carefully. No matter how upset a congregation was the Praesidium did not go in unless they were invited by the congregation. The reason these congregations were so upset was because not all of them agreed that the WELS was out of line in what it did. Especially laymen within congregations did not agree among themselves as to what course of action to take. In order that the laymen might get both sides of the story many of the congregations invited the Praesidium to tell them the WELS side of the story.

It is at the invitation of the Bowdle congregation, at which P. Albrecht was pastor, that the real show down came. The majority of the congregation wrote to Schuman and asked him to come and present the WELS case. After Schuman presented his case for the WELS, the congregation voted and a clear majority said that they wanted to stay in the WELS. This really upset Albrecht, he said that Schuman had violated Albrecht's call. Albrecht said that Schuman had no right in his congregation. Albrecht forgot what he had learned at the Seminary that the congregation is also attached to the synod.

When the majority of the Bowdle congregation decided to stay with the WELS, Albrecht and the minority took the case to court. The trial was held at Ipswich, South Dakota. Albrecht's groups were the ones who asked for a trial. They were also given the right to choose between a judge or a jury trial. Albrecht thought that a judge would be adequate.

When the trial began the WELS was represented by a very good lawyer from Aberdeen. The judge was a very fair man. He said that it was not the court's business to get involved in religious matters. Schuman, P. Albrecht and Ed. Reim were some of the people who testified in the trial at Ipswich.

The crux of the trial came down to one question. When is a pastor's severance with his congregation recognized? Schuman answered the WELS lawyer by saying there are three ways a congregation can terminate a pastor's call. 1) False doctrine. 2) Unfaithfulness in carrying out his duties. 3) Unchristian life.

Albrecht's lawyer then asked the same question about the severance of a pastor. Schuman said that there were 4 ways a pastor's call could be severed. Albrecht's lawyer thought that he had Schuman nailed. The lawyer asked the court reporter to read back the proceedings. Schuman

said wait a minute, you asked me the ways a pastor could leave office, not the way a congregation terminates a pastor's call. The 4th way a pastor's call may be severed is when he decides or declares that he is not in fellowship with the congregation. This literally destroyed Albrecht's lawyer. Being late in the day a recess was called.

That night Albrecht called Edmund Reim in Mankato, Minn and asked him to come to Aberdeen so that he could testify by 10 AM the next morning. As a result of Reim's testimony the conclusion was reached that there were 4 ways a pastor could be terminated from the office he held in the congregation. The judge then voted in favor of the WELS, saying that the majority of the congregation had the right to all prerogatives.

Albrecht was not satisfied. He took this case to the South Dakota Supreme Court. This trial took a couple of months, but in the end the Supreme Court agreed with the judge at Ipswich. By a unanimous decision the Supreme Court ruled in favor of the WELS, upholding the ruling of the Ipswich judge. The wording of the Supreme court of South Dakota was very strong against Albrecht. The Supreme Court said that it is a shame that a few men could lead a minority of people into so many problems.

The repercussions of this trial and all that took place were loud and are still being heard today. Families were spilt. Brothers will not speak to brothers. Some people even put their dogs on other people's sheep. Things really got carried away. "hat was really sad", was that so many of these people had never, ever been told both sides of the story. Many of these people had only heard one side of the story (that of their pastor). The proof that what happened was foolish was proved a couple years later when many of these same people became disenchanted with the CLC. These people then went to the ALC. How concerned about confessionism could they have been?

3)WHAT WERE THE MEN LIKE?

The answer to this question could be as varied as the number of people you ask the question. Pastor Schuman said that these men so strongly believed in what they stood for that they lost their objectivity. It was impossible to talk to these men. You would tell them something and it would go in one ear and out the other. Yet we should never say they weren't sincere, they were conscience bound to take their course of action.

The men involved in the hassle in Dakota were men of a wide range of talents. Some were very talented, others could be backed into a corner easily. Some of the men were legalistic, some were radical. Pastor Schuman said that it was even difficult to eat a meal in peace at conventions because they were always arguing about all that went on.

4)HOW LONG DID WE TRY TO WORK WITH THEM?

These problems had been kicked around since early 50's. But in 57-58 they reached their peak. The reason things reached their peak in 57 was because of what happened at the New Ulm convention of WELS. WELS stuck by the Saginaw resolution. It was in 58 that these men in Dakota ceased attacking Mo. Synod for its problems and began attacking WELS for not forgetting MO. Synod. WELS still worked with these CLC men until 61. Yet never did we have to kick them out because they left before it happened.

5)HAVE ANY OF THESE MEN RETURNED TO WELS?

No. In fact some have even left the ministry.

6)HAVE ANY MORE CONGREGATIONS IN THE DISTRICT LEFT WELS TO GO TO CLC?

No.

7)WHO TOOK WHO TO COURT?

In the only court cases the CLC took the WELS to court. The WELS was not that interested in the buildings, they were more interested in the souls of the congregations.

8) WHY DIDN'T CLC MEN LEAVE EARLIER?

They will not answer that question. They know if they do they will then be in the shoes they are trying to get the WELS to wear.

9) DO YOU (PASTOR SCHUMAN) THINK THIS WILL BE STRAIGHTENED OUT?

He doubts it very much. Subjectivity will keep it from happening. No one has forced the CLC out. They took themselves out. A lot of scars remain. The WELS is still waiting for an answer to several questions before discussions can begin. 1) An exegesis of Romans 16:17
2) The role of admonition in the church.

10) PASTOR SCHUMAN'S REACTIONS

Never did he wonder if the WELS was wrong. He knew that the CLC was wrong. They jumped the gun. They used Rom. 16:17 legalistically. How could 300,000 people of the WELS come to the same decision at the same time? Where was love for fellow Christians?

11) MY OWN REACTIONS

I feel the same about the CLC as Pastor Schuman does. When a person reads their literature you can't help but see a spirit of legalism. It seems that these men were so keyed up to nail both Mo. synod and men in the WELS that they lost all of their objectivity.

The trial at Ipswich was the straw that broke the camel's back as far as the protesters were concerned. If anything is the high point of the controversy the trial is it. The protesters took the WELS to trial and they lost their shirts. These men then had no choice, either they must admit that they were wrong or they had to leave and form their own group.

After reading the CLC literature put out in the early 60's and reading the WELS's CUC literature being put out since the mid-50's a person who is biblically sound can't help but go along with the WELS.

I feel that WELS walked the extra mile both with the Mo. synod and the CLC. The WELS followed all the passages in scripture that encourage love for its erring brethren.

My own personal opinion of Walter Schuman Jr. is that he is a very evangelical, honest, sincere man. At 38 years of age and president of a district he did a tremendous job. In my opinion the Lord used Walter Schuman Jr. to save a district that may have been led out of the WELS. I feel that the WELS and Dakota-Montana district owe Schuman a lot of thanks. Under his leadership he led the district back towards the WELS. In his testimony at Ipswich he showed us how a scripturally sound man can defend his church even in a court room.

I wish that I had 2-3 months to travel to the different areas that that this battle was fought. I think that the topic of this paper would make an excellent thesis for a man majoring in Church History. This story is so full of different angles and personalities. I hope that in my writing Pastor Schuman and the Praesidium of the Dakota-Montana District of the WELS has come off as the heroes because that is exactly what they are in this controversy.

JAMES D. LIGGETT JR.

* These last 8 pages are an addendum. They are not part of my paper. Please go back 8 pages for the bibliography -