

FELLOWSHIP AND STATUS CONFESSIONIS

A discussion between
the ELS, WELS, and CAL

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EAL

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Church History

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This paper concerns a discussion which took place in November of 1975. The ELS, WELS, and CAL were involved in this discussion which centered on certain fellowship issues. Information for this paper was gained mostly from minutes of various meetings. Unfortunately, these minutes were lacking in the details which one would like to have studied. Consequently, this paper will present the history of events leading up to this discussion with little interpretive commentary added to it.

In the early years of FAL, the issue of status confessionis came up among FAL members. The concept of status confessionis involved a person putting himself into a state of confessional protest. Such a person would have agreed with the orthodox teachings and practices of a Lutheran body such as FAL, yet he would remain a member of a heterodox church in hopes that his public protest of their false teachings or poor practices would bring that church body back to the truth. The issue, as it involved FAL, was practiced by establishing fellowship with a person who was in a state of confessional protest. Most often it showed itself in the communing of a person in confessional protest in an FAL church. Objections to status confessionis arose, declaring that status confessionis was nothing more than selective fellowship. Selective fellowship involved having fellowship with people who perhaps agreed with orthodox teachings and practice, yet refused to publicly protest their church's actions and never foresaw the time when they would have to leave their church.

In May of 1974, at a FAL Pastoral Convocation, status confessionis was under discussion. There were no objections to the principles of status confessionis. However, two pastors (who were not in CAL) admitted to practices of selective fellowship with LCMS members who were visiting their congregations on a seasonal basis. Later, at a 1974 convention in North Hollywood, there was the first reference to a possible problem with status confessionis. Some men at that conference equated status confessionis with selective fellowship. In the FAL convention workbook, the statement is made:

There was complete agreement by representatives of all three synods (WELS, ELS, FAL) that FAL's understanding and practice (of status confessionis) as stated at the FAL Constituting Convention of 1971 is the correct one.

It was then resolved that those who had an understanding or practice on status confessionis which differed from that of FAL, should either come to agreement with FAL or leave FAL for the sake of peace and unity. Those who chose to leave would be granted peaceful releases.

In late 1974 and early 1975, disagreements continued to grow over the whole concept of status confessionis. These disagreements were not helped by other developments in FAL. Growing concern for disbandment of FAL (for reasons of size, geography, and administration problems) only added fuel to the fire.

On January 19, 1975, the paper entitled "In Statu Confessionis" was drafted and adopted by some of the old CAL men in the FAL. The paper was written in North Hollywood as a study document, with the authors willing to make amendments.

In March, six congregations requested a release from FAL. Releases were granted by the FAL Council, but at the same time fellowship between the withdrawing congregations and the FAL was terminated. This termination of fellowship concerned the affected members and they turned to the ELS and WELS to solicit their reactions and opinions. On March 14 and 15, 1975, the WELS Commission on Inter-church Relations met and began discussions of status confessionis. Concern was expressed for a definition of status confessionis and for the way in which this concept was employed. After a discussion of developments in FAL it was decided to postpone the discussion of status confessionis. It was feared that their actions could be misinterpreted as interference in affairs that were not their concern. Instead, it was decided to contact the ELS Board for Theology and Church Relations to arrange a meeting for the purpose of jointly deciding how to deal with this matter.

In the meantime, a special convention was held in Hillsboro, Oregon on April 15-17, 1975 to deal with the problem caused by the withdrawal of the six congregations from FAL. The outcome was that:

- 1) a unanimous refusal was given to uphold the FAL Council's prior action of suspending fellowship with the six CAL congregations;
- 2) final action on these congregations was to be deferred until a proper study had been made on status confessionis;
- 3) CAL's withdrawal from FAL for legal reasons was officially recognized; and

- 4) a merger of FAL with the WELS was proposed upon approval of 2/3 of the FAL congregations (each congregation having the individual right to join WELS, ELS, or remain independent in a referendum to be concluded by June, 1975).

Additionally, a request was made of the WELS to host a conference on status confessionis to be attended by representatives of WELS, ELS, CAL, and FAL.

The above conference was unable to meet in April because of the ELS-BTCR's inability to meet on such short notice. The WELS-CICR proposed for it to meet in the end of May or early June but again it failed to meet. At its synod convention in August, the WELS urged the CICR to arrange this conference since the fellowship of the CAL and WELS, ELS, and newly merged FAL was affected by this issue of status confessionis. In October, the Evangelical Lutheran Confessional Forum (a meeting of ELS, WELS, and FAL before its disbandment) discussed the upcoming conference on status confessionis. The Forum expressed its misgivings on status confessionis with regard to selective fellowship, proselytizing, and church fellowship in general as it seemed to be proposed in the paper, "In Statu Confessionis". The CAL authors of the paper expressed their intent to work at a remedy for those misgivings. Finally, the meeting was held on November 17-18, 1975, at St. James Lutheran Church in W. St. Paul, Minnesota.

Present were members of the ELS-BTCR, WELS-CICR, and representatives from the CAL, i.e. Pastors H. Marks, R. McMiller, and E. Halverson. The CAL men clarified the point that the issue of status confessionis had not been involved in their withdrawal from FAL. That point had erroneously been reported within the WELS, and measures were taken to officially correct that error in the records.

It is beyond the scope of this paper to reproduce "In Statu Confessionis" or even to detail its contents. However, a summary of its contents and a discussion of the controverted points are in order.

OUTLINE

I. Definition

- A. What it is - a state of public protest against error; a temporary state to be terminated when erring body returns to the truth or when the protest proves futile and separation becomes necessary

- B. How it is carried out - provisionally refraining from pulpit fellowship, communion with erring brethren, and participation in activities which promote or support error
 - C. Its purpose - prevent participation in errors of the brethren, unite confessors of the truth, preserve unity of brothers who have separated, with brothers who remain to work for return to the truth, to exercise love and patience toward erring brethren, and to unite confessors in other erring church bodies (later omitted)
even across denominational lines
 - D. What it is not - not selective fellowship; selective fellowship strives for preservation of the organization instead of preservation of doctrine; selective fellowship sees no time when separation will become necessary
- II. Historical background - Article X of the Formula of Concord
 - III. Confessional basis for status confessionis
 - IV. Scriptural basis for status confessionis
 - V. God's patience with error
 - VI. God's severity when error goes unchanged
 - VII. The necessity of status confessionis - individuals and congregations must witness to the truth and must protest error
 - VIII. Historical background of FAL leaving LCMS and the role of status confessionis
 - IX. Status Confessionis and fellowship - congregations and individuals who confess the truth and protest error need encouragement; fellowship should be established with them and they should be communed if circumstances permit
 - X. Summary of "In Statu Confessionis" for laymen
 - XI. Sample layman's statement of being in a state of confessional protest

Some of the points in the paper were controverted while most were readily agreed upon. The morning session on November 17 began with a discussion of Article X of the Formula of Concord. The definition of status confessionis was discussed. Concern was expressed that in following these principles, one might intrude upon the pastor-member relationship, especially in communing those who were in a state of confessional protest yet retained membership in an erring church.

The afternoon session centered on a discussion of the applicability today of Article X and how status confessionis fits into that application.

The evening session was a discussion of status confessionis and fellowship with congregations and individuals in a state of confessional protest (see IX above). An interesting issue which came up was the issue concerning whether an individual's confession is

determined more by his personal confession than by formal membership in a church body. By evening's end, the WELS-CICR in a separate meeting by itself agreed that, as things stood, there were portions of "In Statu Confessionis" which were unacceptable to the WELS.

Pastor H. Marks, representing the CAL, opened the morning session of November 18 with the following statement:

We wish to express our deep appreciation for the counsel, patience, kindness, and candor expressed by the participants of the committees of WELS and ELS and for the fact of the brotherly concerns by which our discussions have been conducted. Responding to these expressions of Christian brotherhood and considering the segments of our paper which might give offense to some, we suggest the following changes:

At this point changes were suggested by the authors of the paper. The first change was to commit in I. (C), that one of the purposes of status confessionis was to unite confessors in other erring church bodies, even to the point of crossing denominational lines. The next change occurred in IX. A sentence was omitted which stated that in matters of congregational fellowship, status confessionis would allow fellowship across denominational lines. The third change took place in the layman's summary (X.) and again had to do with status confessionis crossing denominational lines. The last change was the omission of the concluding paragraph which had stated a unique position in which the CAL said it had found itself, a position which led them to practice altar and pulpit fellowship on the basis of status confessionis. Although there were other small changes during the course of the discussions (many only involving minor changes of wording), it can be seen from the above amendments that the major problem had to do with practicing fellowship across denominational lines.

After these amendments were made, the entire paper was withdrawn by the CAL in the following statement:

Inasmuch as our document, "In Statu Confessionis", has been charged with emotional overtones and has been greatly misunderstood by some, we herewith suggest that for the purpose of this meeting and the goals we wish to achieve under the Word, that this document be set aside until we establish a set of guidelines by which we can uniformly practice church fellowship and to whom it is to be extended, including the matters of formal and informal confession. We, furthermore, ask that the guidelines which are adopted be guidelines which truly reflect the actual practice which exists in our churches.

Following this, there was a discussion on distinguishing the formal and informal confession of individuals. A statement concerning this matter was offered and was to be finalized in the afternoon.

In the afternoon session, Pastor T. Aaberg (ELS) read the following:

"A reply of the WELS Commission on Inter-Church Relations and of the ELS Board for Theology and Church Relations based on their synods' public confession on the doctrine of church fellowship to a question regarding church fellowship raised by pastors from the Conference of Authentic Lutherans."

Do we hold that the exercise of church fellowship, especially prayer and altar fellowship, can be decided in every instance solely on the basis of formal church membership, that is, on whether or not the person belongs to a congregation or synod in affiliation with us?

No. Ordinarily this is the basis on which such a question is decided since church fellowship is exercised on the basis of one's confession to the pure Marks of the Church, and ordinarily we express our confession by our church membership. There may be cases in the exercise of church fellowship where a person's informal confession of faith must also be considered. This is especially true regarding the weak. But whether one is guided by a person's formal or informal confession of faith, in either instance it must in principle be a confession to the full truth of God's Word. In addition, special care must be exercised so as not to cause offense to others or to interfere with another man's ministry. Further, we are not to judge harshly concerning the manner in which a brother pastor after much agonizing handles such difficult cases.

In a second session that afternoon, the conference members met to exchange their thoughts on the outcome of the two-day meeting. The WELS-CICR members expressed their pleasure that the objectionable parts about cross-denominational fellowship had been removed. Whereas the WELS and ELS had disagreed on "In Statu Confessionis" prior to the discussions of November 17-18, they were pleased that agreement had been reached and that the differences had been resolved in the conference.

In conclusion, the issue of status confessionis had the potential of dividing Christian brethren from one another. It is an encouragement to see how this problem was resolved peaceably and in a God-pleasing way. Unity of doctrine was maintained and fellowship was strengthened. At the close of the conference, the CAL men were in complete agreement with both the WELS and the ELS. A stronger fellowship between the groups was built and is maintained to this day. Perhaps the CAL did

face an unusual situation. Perhaps we, in the WELS, will someday face a similar unusual situation in which status confessionis will come into play. If so, may we learn from the struggles of these men and be guided by the principles and guidelines which they established.

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