

THE HISTORICAL BACKGROUND  
WHICH PROMPTED KOEHLER'S PAPER,  
"GESETZLICH WESEN UNTER UNS"

Pr. L. H. Lemke

South Atlantic District  
Florida Pastoral Conference  
April 26-27, 1976  
Bethany Ev. Lutheran Church  
North Fort Myers, Florida

WISCONSIN LUTHERAN SEMINARY  
*Library*  
6633 W. WARTBURG CIRCLE  
MEQUON, WISCONSIN 53092

paper, "Gesetzlich Wesen unter Uns."

## Preface

The question which led to the assignment of this paper might be summarized, "What caused Prof. Koehler to write the way he did in his essay Gesetzlich Wesen unter uns?" In rereading the essay several times and in researching its historical background, other questions began to go through my mind. Aside from the weighty doctrinal material of Law and Gospel and Koehler's involved writing style which comes to us in translation by another individual, what more is there to know which will make the essay more clear? Why do we want to know the circumstances of the first decade of this century? That such questions are asked points to this ~~fact~~ perhaps the writer continues to touch the hearts of his readers. Or perhaps he does not. Is our interest aroused concerning the events of the past because we are shocked that in the good old days things were not so good? Or do we wish to consign the words of the writer to specific sins of the past as if they no longer happen?

If we could summarize the subject matter of Gesetzlich Wesen in one sentence, we might say: *Any form of religious life not motivated by the Gospel is an outgrowth of the Law.* Thus, each of us as saints and sinners cannot help but acknowledge the truths Prof. Koehler sets before our hearts. In this life a part of us continues to remain "unconverted" and that part, therefore, is not motivated by the Gospel. Natural man always receives his motivation from the Law. You and I must find ourselves guilty of less than total Gospel motivation.

The purpose of this paper is not motivated by a self-righteousness akin to the scribes and pharisees in which we cut ourselves off from the fact and point our fingers at our forefathers. Rather we take up this historical study in order that the message of the original essayist may also have its intended effect in us.

### I. Introduction

Gesetzlich Wesen unter uns originally appeared serially in the Wisconsin Lutheran Quarterly (then called Quartalschrift) between October, 1914, and July, 1915. The article was a result of remarks which Prof. Koehler had made at a larger mixed conference.<sup>1</sup> He was an honest historian applying the facts of the past to the present. His was, therefore, a critical mind wont to make comment. This critique of our own arts

and practices as "gesetzlich" (legalistic) was intended as "a description of one aspect of all our acts in thought, word, and deed, gained from a careful, all-around observation of life and, especially, from the study of history."<sup>2</sup>

I was unable to determine at which conference the original remarks were made. What transpired at the Synodical Conference meeting during the summer of 1908 at Dr. Martin Luther College in New Ulm does, however, suggest itself. Politics in the church was part of the discussion at that time. Because of the uneasiness of the subject, it was never recorded in the minutes of the conference. We have a record though in Koehler's own History of the Wisconsin Synod:

Since 1904 the Cincinnati Case had been disturbing the relations between Wisconsin and Missouri and adding to the internal strife in Synod. Dr. Pieper of St. Louis was the New Ulm essayist and read a paper on the preciousness of the unity of fellow believers; in his last part he enlarged on the disturbances of such unity within congregations and beyond their confines, and the taunts of the Romanists, the state church in Germany, the General Synod, Iowa, and Ohio, when discord threatened to rend orthodox camp. In this connection Prof. Koehler commented on church politics as the underlying and contributing factor.

Pastor Toepel of Wisconsin expressed his astonishment that anyone would consider such doings possible among us; so Koehler was asked by resolution to carry out in the afternoon session at greater length what he understood by synodical politics. He did so and showed that as in a congregation, so in a synod, too, and in the relations between synods and their officials such things happen that are known as politics, and are inspired by partisanship, or the party spirit, which revolves about one's own person, relatives, friends, partisans, congregation or synod, and is always shot thru in some way with selfish interests (emphasis my own). The same motives and actions were frequently in evidence in the conduct toward those who are not classed as of the fellowship of the faith. This analysis was implemented by illustrations that were not fictitious examples but were obtained by historical study and personal observation; the presentation, of course, was impersonal.

At once Pastor C. C. Schmidt of St. Louis took the floor and objected that the statement that such things happened among us was equivalent to the judging of hearts. Before Koehler had a chance to counter this judging-of-hearts commonplace, Bergemann of Wisconsin moved that Koehler's talk be not recorded in the minutes, and Prof. J. Meyer, secretary of the meeting, with alacrity declared that he had not taken any notes at all; the chairman, Pastor Bading, ruled that the discussion of the essayist's paper had been brought to a close in the forenoon...

(While referring to Dr. Pieper's essay, the chairman was deleting Prof. Koehler's afternoon reply from the official record.)

...The Wisconsin men's parliamenteering here, at which they still were novices indeed was a piece with the very things Koehler had enlarged upon. It did not shock the Missourians out of their coma of orthodox infallibility; in four instances later, of the same rawness, the writer had occasion to observe their employing such tactics, no doubt with the firm conviction that it is best so for the church of God. What the writer did not know until the Synodical Conference report appeared in print, was that at the end of the forenoon discussion, which he had not heard because of

the task assigned to him, the Eastern synods had been charged with the same kind of politics which he had reference to (but at which they were not quite so crude). That charge against outsiders was not suppressed.<sup>3</sup>

In this even we may see examples of the partisanship, lack of ecumenical spirit, pride in one's own doctrinal rectitude, and hints of "officialdom" in our own midst, to which Koehler alludes in Gesetzlich Wesen.

As in his comments to the Synodical Conference convention in 1908, Prof. Koehler has kept the example in his Gesetzlich Wesen impersonal. Some of his examples are clearly traceable to events and practices in the Lutheran synods at or before the turn of the century. Others are not. In order to narrow the approach and yet cover the most territory, I have chosen to deal with "Pochen auf Rech<sup>t</sup>glaebigkeit" (harping on orthodoxy), for as Prof. Koehler writes, "In the Lutheran churches this characteristic manifest itself first of all and primarily in the noisy self-satisfied to-do about pure doctrine."<sup>4</sup> From this follow many sins against the invisible church.

## II. Prof. Koehler and "Wauwatosa Theology"

Next Part and parcel with a discussion of "harping on orthodoxy" is a need for us to understand Koehler and what he stood for. The impression is given by some that Koehler was the father of a theological attitude which began to evolve at the Wauwatosa Seminary under his tutelage. This "Wauwatosa Theology" or "Wauwatosa Gospel" is supposed to have been the golden age of the Wisconsin Synod which died when Prof. Koehler was ousted from the Seminary in 1930 and from the Synod in 1933. Unless I have drastically misunderstood, the "Wauwatosa Theology" is alive and well in Mequon. It is what I learned or perhaps was unintentionally taught. But, I do not believe myself to be as Paul, born out of due season. There are two methods to theological study. The one is the dogmatical approach in which the importance of formulated doctrines is stressed. These formulated doctrinal statements are buttressed by proof texts from the Bible and Lutheran Confessions. The other methodology is the historical approach. In it the Scriptures are studied directly to see the unfolding of God's plan of salvation as it is presented in the context of historical sequence. Both methods are valuable and have always been used in the study of theology. Neither has been emphasized to the detriment or exclusion of the other at our

Seminary. At Mequon we are being taught in Scripture study and dogmatics to apply all of Scripture, to read passages in context, to understand the words in the sense that the holy writer intended them to be understood, rather than to use the passages in a disconnected way as proof texts. This is a very brief summary of what I understand the "Wauwatosa Theology" to have been and which now continues to be taught in Mequon with no particular label.

This is a hermeneutic based on Scripture directives and a "ministerial use of reason," of we might say, a God-pleasing use of our common sense in Bible study. The practical application of the "Wauwatosa Theology" may be found in Pastor Kolander's booklet, Holy Scriptures--How Shall I Read Them.<sup>5</sup> The "Wauwatosa Theology" extends into more than Scripture study and dogmatics. It is an attitude which reaches into the other branches of theology as well.

While I am not ready to say that Koehler was the father of this attitude, he was responsible for its being documented through his many articles for the Quartalschrift and in essays for conferences such as ours today. This attitude developed in Koehler as a result of his honest study of history in general. By getting a total picture of the church in the history of the world, he could see with his critical mind that much of true Lutheranism was based on the right thing for the wrong reason. Lutheranism was founded upon the Holy Scriptures, but since the time of the 1600's much of so called Scripture study was no longer honest. The mind of the theologian was being controlled in his Bible reading by the way these passages had been used in dogmatics books. A doctrinal position was being held because it agreed with the Lutheran Confessions and the 17th century dogmaticians and only indirectly because this also was taught in Scripture. In Gestezliche Wesen Koehler writes,

Even though it is established that the Scriptures are the norma normans, the ruling standard, we actually make the confessional writings, or even the writings of the fathers the effective norm; and Scripture, dressed in its dicta probantia, the individual proof texts, must serve in the role of curtain boy, shifting the scenes and dimming the lights for the norma normata, the standard that is ruled, corrected, established.<sup>6</sup>

What had happened is that in an effort to remain true to the Scriptures via the Lutheran

Confessions and dogmaticians, the theologians were operating with an attitude in which the Scriptures fell into the background and an intellectual understanding of Christ's teaching came to the fore. The measure of one's theological rectitude was made on the basis of old doctrinal formulations rather than on fresh Bible study. A fresh study of the Word is not looking for new doctrines or a change in doctrine but what that "godless heathen" Goethe calls earning again for oneself that which has been handed down from the fathers. A fresh study of Scripture, untied from "prevailing conditions...can and will (bring the result) that many cardinal truths of the Gospel will again be cultivated."<sup>7</sup>

Within the Synodical Conference differences of opinion or of procedure between congregations or synods were often carried out in the same cocksure way in which orthodoxy was maintained. Without sighting numerous examples it is easy to see how this pride in one's own doctrinal rectitude would cause a snobbish attitude toward Lutherans outside the doctrinal stand of the former Synodical Conference as well as the doubting the eternal salvation of anyone outside the Lutheran Church altogether.

In their dealings with individuals, officials can rely upon their intellectual knowledge of doctrine in a very cocksure way. In 1908 when Dr. Hoenecke died, the Seminary board was called upon to choose a new director. When Koehler's name came up for consideration, he was accused by one board member of teaching false doctrine in one of his articles for the Quartalschrift on the baptism and temptation of Jesus. Prof. A. Pieper assured Koehler that he had received a testimonial from his brother Dr. Franz Pieper and Prof. Stoeckhardt, both of St. Louis. Koehler declined the testimonial because, as he says in his History, "the decision should purely rest with the testimony of Scripture."<sup>8</sup> When Koehler appeared before the board, his accuser did not use the Bible, but the Book of Concord. Koehler was led by his attitude toward the Scriptures but was also well read in the Lutheran Confessions. An example of being motivated in a "gesetzlich" way comes out in what happened. His accuser pointed to a statement in the German text which when taken out of context might be misunderstood. Koehler pointed to the Latin text which then cleared the peculiar wording of the German text. Koehler was cleared of the charge.

I do not wish to burden you with all the details of those early years for they would be only conjecture on my part. Nor do I wish to sin against history by being too simplistic in my handling of these events. Before moving to a brief treatment of synodical and intersynodical events leading up to World War I, permit me to make a summary of Koehler and his thinking, which I judge to be central to a fuller understanding of Gesetzlich Wesen unter uns. At the center of the "Wauwatosa Theology" and Gesetzlich Wesen is the call for an attitude in the individual which lives in the liberty of the Word of God and not in slavish obedience to dogmatics. This is not to say that the two differ in their teaching. Our liberty in the Gospel is a childlike belief in what our Lord tells us. A misguided dogmatician may operate with an attitude of slavery to a written formulation from which we get the none too complimentary comment, "You're too dogmatic!"

### III. "A Thumbnail Sketch"

In 1900 the Lutheran synods were living in the aftermath of the Election Controversy of the 1880's, which disrupted the alignment of the Synodical Conference. The Ohio Synod left the Conference and would eventually merge with the Iowa Synod in The American Lutheran Church during the 1930's. The Norwegians left the Conference to put their house in order.

Efforts were being made to reunite not only the original synods of the Synodical Conference, but to merge the Wisconsin, the Missouri, Minnesota, Michigan, and Nebraska Synods into state synods of one massive church body similar to the Lutheran Church in America of today. All Synodical Conference congregations in a given state would break their original ties to become members of but one synod in that state. The effect would be that of making the synods of the Synodical conference into geographical districts. Together they would support national Lutheran institutions rather than local seminaries, colleges and prep schools.

This had been tried in the 1870's but lacked the support of the Wisconsin Synod. During the early 1900's the push came from Wisconsin and Missouri laymen in the Racine and Milwaukee area. This "Laienbewegung" (lay movement) had a good backing but was

killed in convention by efforts to merge the loose federations of the former "Allgemeine Synode" (Wisconsin, Minnesota, Michigan, and Nebraska Synods) into one unit. This merger came into reality in 1917 under the name "The Ev. Lutheran Joint Synod of Wisconsin and Other States." The former synods became districts of the Wisconsin Synod.

These were the years when the last of the German trained pastors were passing from the scene. Work was beginning to be done in English marked by the appearance of the Northwestern Lutheran in 1914.

#### NOTES

<sup>1</sup>J. P. Koehler, "Gesetzlich Wesen unter uns", page 1

<sup>2</sup>Ibid.

<sup>3</sup>J. P. Koehler, History of the Wisconsin Synod, Faith-Life, 1970, p 219

<sup>4</sup>Gesetzlich Wesen, Ibid.

<sup>5</sup>Paul H. Kolander, The Scriptures--How Shall I Read Them, Milwaukee: Northwestern Publishing House, 1970

<sup>6</sup>"Gesetzlich Wesen", p 16

<sup>7</sup>Ibid., p 36

<sup>8</sup>History, p 218