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The Scriptural and Confessional Stance of American Lutheranism 1742-1867

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**THE SCRIPTURAL AND CONFSSIONAL
STANCE OF AMERICAN LUTHERANISM
1742-1867**

**A Research Paper Presented to the
Faculty of Concordia Seminary,
St. Louis, in fulfillment of the
Research Elective, H-199**

by

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May 1970

Approved by: _____
Advisor

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CHAPTER I

What kind of things did our American Lutheran forefathers say about the Scriptures and the Lutheran Confessions? This was the initial question behind the research in this paper. How did they express what they believed about the documents? There are quite a few words that surround our expressions of fidelity to the Bible and the Confessions. We are continually in dialogue about what we are really saying when we use them. Are they adequate for our intentions? Should we retire some of them? By means of this paper we hope to discover what was said and what was meant by the formulations of early American Lutheranism.

In a recent course on the canon of the New Testament we discussed some of the doctrinal vocabulary surrounding fidelity to the Bible. We talked about "inspiration" and "norm," "infallible" and "inerrant." Our research centered on the early church with some reference also to the Reformation period. Following up on these beginnings, I decided to launch into a study of the doctrinal formulations of the Lutheran Church in America as they expressed allegiance to the Scriptures and the Lutheran Confessions.

In determining the approach and scope of this paper, I chose to work with official documents and with the major Lutheran organizations in America. I centered my study on the General Synod, the first major inter-synodical organization of the Lutheran Church in America. Although a history of the General Synod would be an extensive undertaking, what I was looking for was more of an overall development in doctrinal stance. This necessitated looking into the Pennsylvania Ministerium and the work

of Henry Melchior Muhlenberg. It also meant a consideration of the two organizations that came forth out of the membership of the General Synod, the General Synod in the South and the General Council. Furthermore, a study of the scriptural and confessional stance of the General Synod must include the work of S. S. Schmucker. These were the limits of this study upon which I decided. On the one hand they were too broad. I could have spent an entire paper on the battle over the Definite Platform in church periodicals of that day. On the other hand, to have more narrow limits would have blunted the movement I was observing. 1742 marks the arrival of Muhlenberg to America and 1867 marks the organization of the General Council. Much movement takes place within these 125 years to give us a good picture of the stance of the Lutheran Church in America on Scripture and the Confessions.

The content of this paper runs along developmental lines. Chronology gives place to development. As a result of this, we leave the Pennsylvania Ministerium in 1853 and begin with the General Synod in 1820. We conclude our discussion of the General Synod in 1867 and move back to 1863 to discuss the General Synod in the South. It is also necessary in our discussion of the Southern Synod to move out of our time span in order to clarify their stance. We finally return to 1866-1867 and to the General Council. We have minimized the discussion of important churchmen of this period for practical reasons. It was also seen fit to minimize any involvement with the new Lutheran immigration from Germany and Scandanavia except to mention its influence upon the scriptural and confessional stance in the General Synod.

I consider the Appendices to be very helpful. These are a collection of documents, most of which have been reproduced from Richard C. Wolf's

Documents of Lutheran Unity in America. One is a reprint from S. S. Schmucker's book of essays, The American Lutheran Church, Historically, Doctrinally, and Practically Delineated, in Several Occasional Discourses.

In bringing together all of the research I have gathered, it was very difficult to determine what to become involved in rather deeply and what to mention only briefly. Where there was a discussion of a situation at what I considered to be a crucial point as we look at the development of a doctrinal stance, I went into the matter in depth. This was done in presenting the crucial convention of the General Synod at York in 1864.

The results of this study point to a very consistent stance toward Scripture and a stance toward the Lutheran Confessions which is consistently one of turmoil. Basically, the issue is the extent of authority which should be admitted to the Confessions.¹ Looking at the paper from another standpoint would suggest the question of what it means to be Lutheran.²

CHAPTER II

The colonial Lutherans displayed a remarkable unity in their scriptural and confessional stance. Repeatedly the following kinds of terms appear in documents: "Lutheran," "associates in the Augsburg Confession," "of the Evangelical Lutheran faith," and "congregations which adhere to the Unaltered Augsburg Confession." Their doctrinal basis was the "Holy Bible" and "our Augsburg Confession." These early Lutherans consciously distinguished themselves from the Zinzendorfers, Hernhutters, and Moravians.¹ It was not that they never associated with other churches. This they did. However, they did so because they admired the loyalty of each group to his own respective confession. In addition, they hoped to emphasize the truths held in common.²

The pastors of the Muhlenberg era laid the foundation of the Lutheran Church in America upon the doctrine of the Scriptures as set forth in the Symbolical Books. They were not symbolical in contradistinction to being biblical. They were eminently biblical, and discovered the very doctrines of the Bible aptly expressed in the confessional form of the Unaltered Augsburg Confession and the other Symbolical Books. It was not held that doctrines expressed in this manner would lead the church to dry orthodoxy and mere formalism.³ Some groups of Lutherans received the entire body of Symbols. Other groups, such as the Swedes, preferred the symbols recognized by the church of their homeland. In no instance was there a protest against any of the Symbolical Books or any part of their contents.⁴

Dr. W. J. Mann expressed similar convictions in his "Theses on the Lutheranism of the Fathers of the Church in this Country."

Those fathers were very far from giving the Lutheran Church as they organized it on this new field of labor, a form and character in any essential point different from what the Lutheran Church was in the Old World, and especially in Germany. They retained not only the old doctrinal standards, but also the old traditional elements and forms of worship. . . . Those fathers were admitted to the ministry on condition of their own declaration that they were in harmony with the Confessio Augustana Invariata, and with all the other Symbolical Books of the Lutheran Church. They demanded of those whom they admitted to the sacred office, the same condition. They allowed no organization or constitutions of congregations, without demanding the acknowledgment of all the Symbolical Books of the Lutheran Church as the doctrinal basis. Their Lutheranism did not differ from the Lutheran Orthodoxy of the preceding period in the matter of doctrine, but to an extent in the manner of applying it. It was orthodoxy practically vitalized.⁵

A decisive battle for the confessional basis of the Lutheran Church was waged in Philadelphia in 1742. The central figures were Zinzendorf and Muhlenberg. Zinzendorf sought to infuse Lutheranism with a Moravian influence. Muhlenberg stood for the historic connection with, and the sound Lutheran tradition of, a scriptural and confessional base. The general and indefinite acknowledgment of Zinzendorf to the doctrinal articles of the Augsburg Confession was not acceptable. Muhlenberg won the day.

Although the pastors of the Muhlenberg era had a sound scriptural and confessional stance, the actual situation of the churches upon the arrival of Henry Melchior Muhlenberg in 1742 was overwhelmingly a sad one for them. Geographic isolation, a lack of well-trained pastors, and a German indifference toward religion all opened the way to a negligence, yea even an annihilation of "distinctive" Lutheranism. Lutherans easily became prey to any ecclesiastical propagandist who might wander into their pulpits.⁶

Henry Melchior Muhlenberg, the "Patriarch" of the Lutheran Church in America, was a true son of that Church. At his ordination he pledged himself to the full body of the Lutheran Confessions. Furthermore, he exacted this same pledge of those whom he ordained, and inserted it in congregational constitutions and in the constitution of the first synod.⁷

This ordination vow committed Muhlenberg to the office of:

teaching the Gospel and administering the Sacraments according to the rule given in the writings of the Prophets and Apostles, the sum of which is contained in these three symbols, the Apostolic, Nicene and Athanasian, in the Augsburg Confession laid before Charles V., A.D. 1530, in the Apology of the same, in Dr. Luther's Large and Small Catechisms, in the Articles subscribed to in the Smalcald Convention, and in the Formula of Concord. . . .⁸

He promised that he would propose to his hearers what would conform and be in agreement with these writings. He would never depart from the sense which they give.⁹ Muhlenberg's ordination certificate of 1739 reveals the same doctrinal stance.¹⁰

To these vows the "Patriarch" remained faithful. He did not abandon them in the Old Country. They were a continual part of his life and practice in the colonies. In his struggle to affirm historic Lutheranism in America, many accusers challenged him and his stance. His hearty reply to one of these accusers is captured in the following quote:

I ask Satan and all his lying spirits to prove anything against me which is not in harmony with the teaching of the apostles or of our Symbolical Books. I have stated frequently that there is neither fault nor error nor any kind of defect in our evangelical doctrines, founded on the teaching of the prophets and the apostles, and set forth in our Symbolical Books.¹¹

It must be kept in mind that Muhlenberg came out of a German Lutheranism modified by a Halle tradition of pietism. This loyalty to a Spener and Francke influence led him to a theology that stressed

the Christian life. It also led him into a spiritual friendship with other Protestant denominations.¹² Bente takes a more critical view of Muhlenberg's Lutheran pietism. To Bente this Lutheran pietism was:

a Lutheranism inoculated with legalism, subjectivism, indifference, and unionism. Muhlenberg's confessionalism was of the historic kind, that is to say, reverence for the venerable Lutheran symbols rather than the living power of Lutheran truth itself, directing, permeating, and shaping one's entire ecclesiastical activity both as to teaching and practice.¹³

The ministry of Muhlenberg was one of pledging the churches to the Unaltered Augsburg Confession and to the other Lutheran symbols, as the best protection against the distracting religious movements of the period. At the dedication of St. Michael's Church in Philadelphia on August 14, 1748, Muhlenberg reiterated the church's doctrinal foundation. This church had been built:

to the end that the doctrines of the Evangelical Lutheran Church might be preached in it according to the prophets and apostles and in agreement with the Unaltered Augsburg Confession and all the other Symbolical books.¹⁴

The death of the "Patriarch" in 1787 ushered in a period of confessional laxity, open fraternity, and a spirit of independent thinking. Leaders of American Lutheranism made a noticeable departure from conformity to the doctrines of the historic Lutheran Symbols.¹⁵ Rationalism soon found its way into the churches. The Muhlenberg stance seemed to go underground.

CHAPTER III

The major highlight of the Muhlenberg era was the organization of the Ministerium of Pennsylvania. Organized on August 15, 1748 in St. Michael's Church in Philadelphia, the Ministerium is the oldest organization of Lutherans in America. At the time of its formation it embraced nearly all of the Lutheran pastors and congregations faithful to the Confessions of the church.¹ The foundation of the Ministerium was none other than that expressed in the Symbolical Books of the Lutheran Church, a foundation set by Muhlenberg and his associates.

The period from 1742 until 1820 before the organization of the General Synod has been characterized very well by Vergilius Ferm.

It begins, through the influence of Henry Melchior Muhlenberg and his associates, with a confessionalism of the type of the school of pietists over which Spener and Francke had presided. This type, while recognizing the principles of the historic Lutheran confessions, did not hold to them in a rigid and scholastic fashion, but placed an emphasis on the practical application of those doctrines which were productive of piety and practical Christianity. The development in the American Lutheran Church then follows in a gradual disregard for any inherited confessional distinctions and in courting in a more conspicuous way an open fellowship with other Protestant communions. The scholastic type of Lutheran orthodoxy which prevailed in the later sixteenth and during the seventeenth centuries in Germany was not characteristic of the American Lutheran Church which had been planted by Muhlenberg. Notable exceptions from the inherited doctrines contained in the Lutheran Symbols were made by men prominent in the affairs of the church during this period.²

At the organization of the Pennsylvania Ministerium in 1748 no formulated constitution was adopted. It was developed gradually in unwritten form until 1781 when a constitution was committed to writing and formally adopted. This same constitution became the prototype for other synodical organizations. Even though no specific confessional articles

were drawn up in 1748, the Ministerium, according to its 1748 Agenda regarded as self-evident the subscription of all pastors and congregations to the Lutheran Symbols.³ The initial convention of the Ministerium in Philadelphia in 1748 gives us an indication of its scriptural and confessional stance. In response to the question of whether our Evangelical Lutheran doctrine is the only saving doctrine, the convention replied:

If we examine our Symbolical Books, which contain the principles of our doctrine or religion, we will find that they are taken from the Word of God and substantiated by the Word of God. Consequently they belong to the class of symbols, which set forth the correct divine truth. . . .⁴

John Nicholas Kurtz was examined at this convention for the office of the Lutheran Ministry. One of the questions that he was asked, as well as his answer in part, follows:

IV. Whether our Evangelical Lutheran is the only justifying and saving faith, and upon what scriptural foundation does it rest?

Now, since the fundamental articles of the Lutheran doctrines clearly and plainly have their foundation in the Word of God, and since they are necessary to salvation, they must be the most correct and the best. . . .⁵

The reputation of this group of pastors is revealed in a letter to the Ministerium from the Tulpekocken congregation.

The reasons that move us to have recourse to the "Reverend College of Pastors," in regard to matters pertaining to our souls, and to call them as our pastors, are among others, chiefly the following:

1. Their true, regular, and, consequently, divine call.
2. The good testimonies given by the spiritual fathers and public teachers of our Evangelical Lutheran Church in Europe, who have shone, for many years, as lights in the entire Protestant Church, because of their zeal for the maintenance of the evangelical doctrine according to the Unaltered Augsburg Confession, and their correct life in accordance with the same, and the entire Word of God, from which it is taken. . . .

3. We are moved also by your steadfastness in the confession and doctrine of the Unaltered Augsburg Confession which is violently attacked here. . . .⁶

The name given to the Ministerium in its 1781 Constitution was "An Evangelical Lutheran Ministerium in North America." In chapter VI. section two, pertaining to the official conduct of ministers, the constitution states, "Every minister professes that he holds the Word of God and our Symbolical Books in doctrine and life. . . ."⁷ Chapter V. section 22 concerns complaints brought against ministers. One of the subjects to which the investigation must refer is, "1. Positive errors opposed to the plain teachings of the Holy Scriptures and our Symbolical Books."⁸ Appendix A is a copy of the 1781 constitution in part.

The "Patriarch" was in his grave only five years when the Ministerium of Pennsylvania made a radical change in its constitution. All confessional tests and references to Lutheran Symbols were removed from the constitution. Candidates for the ministry were ordained with the pledge to proclaim God's Word in its truth and simplicity in harmony with law and gospel as explained in Luther's Small Catechism and the church hymnal. While this does not necessarily express an antagonism to distinctive Lutheran doctrines, it does indicate a toning down of Lutheran convictions and the existence of many inconsistencies with sound Lutheran practice.⁹ The constitutions of the member congregations did not change. Loyalty to the teachings of the church did remain. The catechism and synodical liturgy were still in public use.

At the same convention the Ministerium moved in the direction of a narrow particularism by introducing the word "German" into the official name of the synod. In time this move alienated the English-speaking

element of the church while it courted the fellowship of German-speaking groups regardless of the difference in confession.¹⁰ Bente observes that, "the German language was regarded as being of greater import than faithful adherence to the Lutheran Confessions."¹¹

In 1818 at the Harrisburg convention the Pennsylvania Ministerium removed itself further from its beginnings. The new synodical Agenda removed the reference to the confession to the Lutheran Church in the form of confirmation. Furthermore, the formulas for ordination and licensure no longer demanded adherence to the Lutheran Confessions.¹² The liturgy adopted contained a formula for distribution of the Lord's Supper identical with that of the Reformed.¹³

The close fellowship of the Ministerium with the German Reformed Church was the contributing factor for the withdrawal of the Ministerium in 1823 from the General Synod which it had initially called into existence. Appendix B is the Ministerium resolution to withdraw from the General Synod. The pressure for this withdrawal came from the church folk, especially in the rural districts, where sacred ties with the German Reformed had been developed due to union churches, intermarriage, and the common language.¹⁴ To many the involvement of the Ministerium with the General Synod interfered with and threatened the projected union with the German Reformed. So the Ministerium withdrew.

An 1825 publication by Johann August Probst of Forks, Pennsylvania entitled "The Reunion of Lutherans and Reformed" may be considered the climax of post-Muhlenberg confessional laxity in the Pennsylvania Ministerium. The foreward by Johann Conrad Jaeger contains an invective against historic symbols and a plea for non-confessional unity especially

between the Lutheran and Reformed in America. For Pastor Probst the historic confessions were out of date and obsolete. They contained certain doctrines contrary to common sense, doctrines not held by most men. The Bible alone is our only and sufficient norm. Unconditional election and bodily presence, the two characteristic doctrines of the Reformed and Lutherans, are now given up. Calvin and Luther are set aside.¹⁵ Probst writes that,

all the old confessional writings have been brought about through particular grievous and troublesome circumstances and are likewise with time become obsolete and have only historical value. Those times and circumstances are past. . . .¹⁶

The Pennsylvania Ministerium experienced a return to the acceptance and enforcement of a distinctively confessional stance beginning some years prior to 1850. At its convention in Pottsville in 1850 the Ministerium requested an expression from the General Synod with reference to the Symbolical Books and especially to the Unaltered Augsburg Confession. The convention further resolved that,

like our fathers, we regard ourselves as a part of the one and only Evangelical Lutheran Church, that we too acknowledge the word of God as contained in the Holy Scriptures as the only ground of our faith, and that we too have never renounced the confessions of our church, but continue to regard them as a faithful exposition of the divine word.¹⁷

In 1853 the Pennsylvania Ministerium applied for readmission to the General Synod after an absence of thirty years and was readmitted. At this Reading convention two important resolutions were adopted. One, offered by W. J. Mann, returned the Ministerium to its original position on the Scriptures and the Confessions.

(A) That we also, in common with the Evangelical Lutheran Church of our Fathers, acknowledge the collective body of

the Symbolical Books, as the historico-confessional writings of the Evangelical Lutheran Church, and that we also, like the Evangelical Lutheran Church of former times, accord to the unaltered Augsburg Confession and Luther's Small Catechism, an especial importance among our Symbolical Books generally.

(C) Resolved, that it is not by any means our intention hereby to diminish the absolute authority of the Holy Scriptures, but much rather to place them in the clearest light possible, and that we by no means design through these Symbols to place constraint on the consciences of any, but much rather through them to bind the conscience to the Holy Scriptures as the divine Source of truth.¹⁸

The second resolution involved the relationship of the Ministerium to the General Synod. It reads in part as follows:

VII. Resolved, 2d: That this Synod regards the General Synod simply as an association of Evangelical Lutheran Synods, entertaining the same views of the fundamental doctrines of the gospel, as these are expressed in the confessional writings of our Lutheran Church, and especially in the Unaltered Augsburg Confession, and that we advert to the fact, that the General Synod is denied the right by its Constitution,¹⁹ of making any innovations or alterations of this faith.

The complete resolution appears in Appendix C.

CHAPTER IV

The General Synod, organized in 1820, did not mention in its own constitution the historical Symbolical Books of the Lutheran Church. Not even the Augsburg Confession was recognized. This reflected differences of opinion affecting the consciences of its constituency both in polity and doctrine. "Concord and unity" was its earnest desire.¹ John Tietjen has placed the organization of the Synod in good perspective.

The General Synod (1820) championed the way of inclusive confederation. It tried to be the framework for uniting all church bodies that stood in the Lutheran tradition, regardless of differences in theology or practice. It required only a limited avowal of the Lutheran Confessions and was interested in only as much unity in faith as union would allow.²

The initial goals for a "General Synod" are reflected in the resolution of the Pennsylvania Ministerium in 1818 in convention. This was the initial call for such an organization.

Resolved, Finally that the Synod thinks it were desirable if the various Evangelical Lutheran Synods in the United States were to stand in some way or another in closer connection with each other, and that the venerable Ministerium be charged to consider this matter, to prepare a plan for a closer union if the venerable Ministerium deem it advisable, to see to it that this union, if it be desirable, be brought about, if possible.³

However unsatisfactory the doctrinal basis of the General Synod was, its organization was a well-meant effort to gather scattered and unorganized Lutherans into one body. That time was pervaded by a spirit of rationalism and latitudinarianism in the church's doctrine and life.⁴ It did not represent a break in the spirit of confessional laxity, open fraternity, and independent thinking. It was "a way out" of the disruption of synods into smaller and separate groups.⁵

The "Plan of Union" sent out in 1819 mentions neither the Word of God, nor any of the Lutheran Confessions. The Reverend G. Schober had been sent by the North Carolina Synod with a plan to secure recognition of the Augsburg Confession in the "Plan of Union" and in the constitution of 1820. The confessionless attitude of the majority made this impossible.⁶ This does not indicate an absolute absence of a true Lutheran spirit. The minutes of the Maryland-Virginia Synod in 1824 indicate the opposite.

The unaltered Augsburg Confession is the only confession which this synod receives, or which has been received by our Church in this country; and even the "Plan Entwurf" expressly stated, section 4, that the General Synod has no power to make any alterations in the doctrines hitherto received in our Church.⁷

The "Plan of Union" is Appendix D. A document expressing the objections to the "Plan of Union" by the Ohio Synod is Appendix E.

The purpose of the General Synod, according to its 1820 constitution, was to assist the synods in the practical work of the church. It was assumed that the constituent synods would bear the name "Lutheran" and stand within the Lutheran tradition.⁸ The Synod was a union for counsel and work. The objectives were not doctrinal. Among the purposes of the General Synod was that of checking both rationalism and unionism. The autonomy of its members prevented any distinct doctrinal and confessional position in its constitution. However, this historic connection with the fathers was present and the Synod stood for the confession of a positive faith.⁹ W. J. Mann comes down rather hard on the General Synod. For him it was the most important representative of the Lutheran Church in America, but,

did not stand on the basis of the Lutheran Church, nay, which did not even unequivocally acknowledge the Augsburg Confession as the principal confessional document of the

Evangelical Lutheran Church, and whose members were, in their theological views, decidedly Zwinglian, in their practice generally Puritanic, and withal unable to offer a vigorous opposition by means of sound religious principles to the delusions of Methodism.¹⁰

The 1820 constitution of the General Synod is Appendix F.

It appears that the New York and Pennsylvania Ministeriums prevailed upon the General Synod at its formation to refrain from incorporating any kind of doctrinal declaration into its constitution.¹¹ The New York Ministerium itself made no reference to allegiance to any of the Lutheran Confessions in its constitution.¹² Its 1803 constitution refers neither to the Word of God, nor to any symbolical document of the Lutheran Church. The name "Lutheran" appears only in the title and on the seal. The only change made in the revised constitution of 1816 was that the name "Lutheran" occurs "incidentally" several times. No statement is made as to what the Synod believes or teaches.¹³ The Pennsylvania Ministerium, while initiating the plan for a synodical organization, was at that very time planning a union with the German Reformed Church.¹⁴ This indicates the substance of the Ministerium's withdrawal from the General Synod in 1823, which is the document of Appendix B.

To be sure there was objection to the lack of a doctrinal base. The Tennessee Synod strenuously objected on the grounds of an absence of the mention of either the Bible or the Augsburg Confession. Tennessee not only refused to join, but fiercely attacked the plan and the constitution of the General Synod.

All such as desire to become ministers, must solemnly promise to teach agreeably to the word of God, and the Augsburg Confession of Faith, and the doctrine of our church. Neither can it be suffered, that any minister of our Synod should be connected with the General Synod, if it should ever be established as it has been proposed.¹⁵

David Henkel led the battle for Tennessee against the General Synod. He made the following comments about its doctrinal character:

Had the projectors of this plan positively intended that our present creeds and symbolical books should always be retained in use, why was there not a clause inserted to that amount. . . . The Bible is not once mentioned in the plan--posals (sic.) for a General Synod! All that is said, is, that none of our creeds should be altered; thus the Bible itself might be omitted, if it only be not altered. . . . Would they reject Luther's catechism, our present liturgies, hymns, and the Augsburg confession of faith, and introduce others in lieu of them? I do not know. . . .¹⁶

Appendix G contains the objections of the Committee of the Tennessee Synod against the constitution of the General Synod.

Even though it is true that a confessional laxity had penetrated the life of the church at the formation of the General Synod, there remained also a strict and conservative element. Both groups came into the Synod and continued side by side for many years.

That the General Synod was working with a definition of the Lutheran faith is evidenced in the oath prescribed in 1825 for the professors in the theological seminary at Gettysburg. This is the same oath taken by S. S. Schmucker when he assumed a position as professor in 1826.

I solemnly declare in the presence of God and the Directors of this Seminary, that I do ex animo, believe the Scriptures of, the Old and New Testament to be the inspired word of God, and the only perfect rule of faith and practice. I believe the Augsburg Confession and the Catechisms of Luther to be a summary and just exhibition of the fundamental doctrines of the word of God.¹⁷

The seminary constitution also reveals a definite stance toward the Scripture and the Augsburg Confession.

Resolved, 1. that the General Synod will forthwith commence, in the name of the Triune God . . . the establishment of a Theological Seminary, which shall be exclusively devoted to

the glory of our Divine Redeemer, Jesus Christ, who is God over all, blessed forever. And that in this Seminary shall be taught, in the German and English languages, the fundamental doctrines of the Sacred Scriptures, as contained in the Augsburg Confession.¹⁸

In 1829 at Hagerstown, Maryland the General Synod incorporated the doctrinal articles of the Augsburg Confession into its system. The form of incorporation may not have been as extensive as some would have liked, but it certainly does represent a contrast with the attitudes of several Lutheran Synods of that time.¹⁹ The Synod adopted a constitution for its district bodies which included the following formula for the licensure and ordination of candidates:

1. Do you believe the Scriptures of the Old and New Testament to be the word of God and the only infallible rule of faith and practice?
2. Do you believe that the fundamental doctrines of the word of God are taught in a manner substantially correct in the doctrinal articles of the Augsburg Confession?²⁰

A further statement on the Augsburg Confession was made in a pastoral address at the convention.

The General Synod therefore only requires of those who are attached to her connexion (sic.), that they hold the fundamental doctrines of the Gospel as taught in the Augsburg Confession, and in all minor points leaves them unrestricted. On the one hand we are not able to go with those who renounce unconditionally all creeds and confessions, because we cannot see how Socinians could be effectually excluded from the Church without them. But we feel well assured, that the great majority of creeds in the Christian church, by entering far too much into minor ramifications of doctrine, and attaching too great importance to subordinate and even doubtful points, have cherished in the most direct manner, and from their very nature must cherish the unhallowed spirit of bigotry and sectarianism.²¹

The 1835 convention added a paragraph to the constitution which required synods wishing to unite with the General Synod to accept the

fundamental doctrines of the Bible as taught by the Lutheran Church.²²

The New York statement of this convention was of even greater importance.

This synod, resting on the Word of God as the sole authority in matters of faith, on its infallible warrant . . . declares that, in our judgment, the Augsburg Confession, properly interpreted, is in perfect consistence with this our testimony and with Holy Scripture as regards the errors specified.²³

In 1839 at Chambersburg the relation of the Confession to the General Synod was fully discussed. The decision arrived at was that it was not the province of the Synod to establish a theological basis or to define a standard of Lutheran orthodoxy. Acceptance of any part of the Lutheran Confessions should not be a prerequisite for admission.²⁴ The 1844 convention saw a lot of unsettled feelings about the official position of the General Synod. The recommended confessional basis of district synods was "that the fundamental doctrines of the Word of God are taught in a manner substantially correct in the doctrinal articles of the Augsburg Confession."²⁵ The terms "fundamental," "substantially correct" and "doctrinal" promoted the taking of great liberty.

The convention of 1855 only increased tensions over the issue of a confessional position. The General Synod had never defined what were the "fundamental doctrines" of the Word of God or the "doctrinal articles" of the Augsburg Confession. No homogenous doctrinal character could be expected of the broad base upon which the Synod was formed. This convention period was full of charges and counter-charges, secret meetings and private correspondence. What was consistent Lutheranism? The Synod had divided into opposing camps and those not yet committed to either. Only diplomacy and skillful leadership prevented the breaking out of a violent storm.²⁶

The storm did break at the next convention in 1859. The precipitating issue was the admission of the Melanchthon Synod. Admission was granted under a divided and registered vote. The organization of the Melanchthon Synod was a direct result of the controversy over the "Definite Platform." Their declaration of faith was as follows:

I. We believe the Scriptures of the Old and New Testament to be the Word of God, and the only infallible rule of faith and practice.

II. We believe that the fundamental doctrines of the Word of God are taught in a manner substantially correct in the doctrinal articles of the Augsburg Confession. . . . But while we thus publicly avow and declare our conviction in the substantial correctness of the fundamental doctrines of the Augsburg Confession, we owe it to ourselves and to the cause of evangelical truth to disavow and repudiate with equal clearness and emphasis certain errors which are said by some to be contained in said Confession. . . .²⁷

The conservative members of the General Synod immediately protested. The majority even added to the resolution an urgent fraternal appeal that the Melanchthon Synod reconsider and alter its doctrinal base. The conservatives were not impressed. It was evident that the two groups were on the verge of a break. However, the break did not come here.²⁸

CHAPTER V

The history of the Lutheran Church in America is the story of the transplantation and acculturation of two kinds of Lutheranism. One is "pietistic Lutheranism" or as it later developed, "American Lutheranism," and the other "confessional Lutheranism."¹ The position of "American Lutheranism" was that personal piety and evangelical methods, the Christian life and action were of the utmost importance. "They deprecated denominational exclusiveness and minimized the importance of confessions."² The Lutheran Church could develop on American soil if it accommodated itself to the American spirit. This meant confessional modification and adherence to the revivalistic and puritanic spirit of other denominations.³ It was felt that a strong infusion of historic Lutheranism would divest the church of spirituality and aggressiveness. They sought some of the vigor of Presbyterianism and the warmth of Methodism.⁴ The leaders of "American Lutheranism," though a minority group, were active and vocal, and included some of the most influential men in the General Synod. "Confessional Lutheranism" was an early nineteenth century movement in opposition to rationalism. The principles of historic Lutheranism must be recovered. The confessions were ardently studied. The recovery of "orthodox" Lutheran doctrine and practice was the goal.⁵

The revival of Lutheran consciousness during the middle of the nineteenth century is due in part to a renewed interest in the history and doctrine of the church, and in part to the immigration of the "confessionals" from Germany and Scandinavia. A. R. Wentz writes that the

"confessional" immigrants did not initiate the move to "confessionalism."

they only helped to swell the tide of confessional loyalty that had its source earlier in a renewed study of the church's confessional writings. Loyalty to historic Lutheranism had never disappeared. The deterioration in liturgy and hymnbook that took place between 1786 and 1817 had been concessions to the spirit of the times, recognized and deplored by many pastors and laymen. The 1792 change in the constitution of the mother synod eliminating all confessional tests and avoiding mention of the Augsburg Confession or the other symbolical books was a sign of spiritual torpor on the part of church leaders. But the constitutions of the congregations continued to specify the Unaltered Augsburg Confession as expressing the faith of the people. Even among the leaders there was always some outspoken confessors, some who regularly lifted up their voices against the current of rationalism and unionism. Express renunciation of the distinctive doctrines of Lutheranism never had the assent of a majority of the pastors or people. . . .⁶

Nonetheless, the great immigration of "confessional" Lutherans "stamped the whole church here as indelibly evangelical and forever conservative."⁷ The confessional reaction already begun within the bodies of Muhlenberg descent were helped along by the new immigration.

The Lutheran Church just preceding 1855 was not the Lutheran Church of 1820. The great inrush of German immigrants together with the confessional revival in Germany and America had placed a different complexion upon the Lutheran Church in America.⁸ This is impressed upon us by a sermon delivered at the Charleston convention of the General Synod in 1850 by Charles Porterfield Krauth. It reads in part as follows:

The Lutheran Church in this country is in a state of reaction. She has passed, in some parts, through an extreme leaning to the emotional in religion. . . . She is now retracing her steps, acknowledging her error, seeking release from crude views and objectionable measures. She is hunting amongst the records of the past for the faith of former days, and endeavoring to learn what she was in her earliest form. The desire for the symbols of our Church, the attention that is paid to them, the admiration that has been

expressed of them . . . all indicate a new state of things. . . . the church is disposed to renew her connection with the past, and in her future progress to walk under the guidance of the light which it was furnished.

It is our duty to exert a conservative influence.⁹

The confessional reaction led to long and acute internal controversies within the General Synod. The situation was difficult and dangerous.

Spaeth observes that,

the difficulty and danger arose from the fact that two conflicting and irreconcilable elements tried to unite in it with a sort of compromise, the one latitudinarian, unlutheran, unwilling or unable to prize the treasures of the Mother Church of the Reformation, and overanxious to exchange them for Puritan legalism and Methodistic "new measures"; the other, conservative, holding on to the inheritance of the fathers, and hoping almost against hope, to bring the Church back to their good foundation. If the former element succeeded in keeping out of the General Synod's original constitution any direct and outspoken reference to the historic confession of the Lutheran Church, the latter might have thought themselves secure in the provision which denied to the General Synod the power to make or demand any alteration whatever in the doctrines hitherto received by us.¹⁰

The ordination subscription under the General Synod was unclear and indefinite. Each group could interpret as they chose. Advocates of "American Lutheranism" interpreted "substantially correct" to mean that the Augsburg Confession was not thoroughly in accord with the Scriptures. Therefore, they had the right to reject articles as they chose.¹¹ The "confessional" Lutherans complained that the phrase "fundamental doctrines" permitted everyone to decide for himself what is "fundamental." The "American" Lutherans would be bound only to points of doctrine in the Augsburg Confession which exhibited the fundamental truths of the Bible. The non-fundamental truths would not be binding.¹² Many questions were raised. The General Synod would give no definition for "fundamental"

except that no denominational peculiarity could be considered as fundamental.¹³

It was within this type of tension then that the Definite Platform appeared. This document was the definite stand of "American Lutheranism." This "American Recension of the Augsburg Confession,"

was framed to meet an issue and a new circumstance. Viewed from the standpoint of the Church during the early period of the General Synod, it was a platform definitely and specifically interpreting the General Synod's attitude to the one historic Confession which was officially recognized by that body. It was an explicit definition of what was to be meant by such words as "fundamental" and "substantially correct." The omissions made in the "American Recension" were just such definitions. It was then, the most specific credal document which, up to this time, had been circulated in the General Synod. Viewed, however, from the standpoint of the Church in the period which saw its appearance, the platform proper . . . presented a liberal doctrinal basis upon which the two schools of Lutheranism could unite, provided they agreed to relegate their differences to a place outside the circle of Lutheran fundamentals.¹⁴

All confusion and uncertainty were not dispelled by this publication. However, a tangible and concrete expression of "American Lutheranism" had been produced.

Of special note is the realization that there was a third group on the scene in the Lutheran Church in America. They had studied the Symbolical Books with interest, but had not been brought to take a decisive stand. In such a state, this group was met with the proposal of an anonymous document which called for the pruning of the most venerable confession of Protestantism. Suspicion and resentment were the reactions. Some, who even acknowledged points of difference with the Augustana deemed it,

an act of irreverence to alter even by way of omission a document which had gathered around it, in the three centuries, an

officious and hallowed character. This conservative temper, so characteristic in religious history, became, through the appeals and arguments of the leaders in opposition, a strong factor in the defeat of that document and a sustaining force in the reaction toward confessionism.¹⁵

CHAPTER VI

In September, 1855 an anonymous document appeared entitled Definite Platform. In substance it was an American recension of the Augsburg Confession. Doctors Schmucker, Kurtz, and Sprecher, especially Schmucker, were its "anonymous" authors. The document appealed for the adoption of an "American Lutheranism" that had rid itself of errors said to be contained in the Augustana. This Augsburg Confession is presented in an abridged form. The other symbolical books are regarded as non-essential to Lutheran fellowship. The Augsburg Confession, 1855 revised edition, was to be acknowledged as containing the distinctive Lutheran doctrines and, therefore, the basis for fellowship.¹ The Definite Platform was an attempt to check the revival in America of "confessional Lutheranism." It brought to the forefront certain important questions.

Are the historic symbols of the Church mere descriptive statements of theological opinion which were obtained in a given period of the Church's history, and, as such, instructive, interesting, and suggestive historical documents; or are they normative doctrinal expressions to which the Church must ever remain faithful? May not the Lutheran Church in America develop its own characteristics theological and practical, or must she revert to the written documents of a former day in order to carry out her title to the historic name? What is generic Lutheranism? Does it consist in a rigid adherence to the minutiae of the written theological records of the sixteenth century with which all present opinions are to be conformed, or may it consist in an adherence to the fundamental doctrines and polity of the Church of the Reformation?²

The document itself offers an explanation for its existence. The preface and part I of the Definite Platform are reproduced in Appendix H. It recognizes the confused situation among American Lutherans in regard to the Augsburg Confession.

On the one hand there is to be found a group of Lutheran ministers and churches that insist upon subscription not only to the Augsburg Confession in toto, but also favoring a return to the entire mass of the historic Symbols; on the other hand, there is to be seen a general doctrinal uncertainty among many of those within the General Synod, as to the question of fundamentals. The situation demands a more definite doctrinal platform: one which will interpret the spirit characterizing the fathers of the American Lutheran Church and which will meet the present demands of a more concrete expression of the doctrinal tenets held "by the great mass of the ministers and churches of the General Synod, in this country."³

The Definite Platform contains a revised form of the Augsburg Confession. Article XI is entirely omitted together with all references to the five doctrines now considered as errors: the approval of the ceremonies of the Mass, private confession and absolution, denial of the divine obligation of the Christian Sabbath, baptismal regeneration, and the real presence of the body and blood of the Savior in the Eucharist. All condemnatory clauses are also omitted. The section "Articles in Which are Enumerated the Abuses Corrected," which includes Articles XXII-XXVIII, are omitted. The conclusions found after Article XXVIII in the Augustana of 1530 are presented in an abridged form after Article XXI.⁴ The document suggests that, for the sake of uniformity, it be received and adopted in its entirety and without alteration.⁵

The following are five representative sections from the Definite Platform which isolate the document's scriptural and confessional stance and the reasoning behind it.

Whereas the entire Lutheran Church of Germany has rejected the symbolical books as a whole, and also abandoned some of the doctrines of the Augsburg Confession . . . whilst they still believed and in various ways avowed the great fundamental doctrines contained in them: and whereas the General Synod of the American Lutheran Church, about a quarter of a century ago,

again introduced a qualified acknowledgement of the Augsburg Confession in the Constitution of her Theological Seminary, and in her Constitution for District Synods at the ordination and licensure of ministers, without specifying the doctrines to be omitted, except by the designation that they are not fundamental doctrines of Scripture. . . . and the General Synod has left the matter optional with each district Synod. . . .⁶

We believe, teach and confess, that the only rule and standard according to which all doctrines and teachers alike ought to be tried and judged, are the prophetic and apostolic Scriptures of the Old and New Testaments alone. . . .⁷

As the American Recension, contained in this Platform, adds not a single sentence to the Augsburg Confession, nor omits anything that has the least pretension to be considered "a fundamental doctrine of Scripture," it is perfectly consistent with the doctrinal test of the General Synod. . . .⁸

I. Therefore, Resolved, that this Synod hereby avows its belief in the following doctrinal Basis, namely, the so-called Apostles' Creed, the Nicene Creed, and the American Recension of the Augsburg Confession, as a more definite expression of the doctrinal pledge prescribed by the General Synod's Constitution for District Synods, and as a correct exhibition of the Scriptural doctrines discussed in it; and that we regard agreement among brethren on these subjects as a sufficient basis for harmonious cooperation in the same church.

The extraordinary length of the other former symbolic books as a prescribed creed, even if all their contents were believed to be true; because neither the Scripture nor the practice of the early centuries, affords any warrant for an uninspired and therefore fallible creed nearly as large as the entire Old and New Testament together. The exaction of such an extended creed is subversive of all individual liberty of thought and freedom of Scriptural investigation.¹⁰

The Definite Platform certainly discredited the historic Lutheran Confessions, as the opponents of the document charged. The discredit, however, was aimed not against the Symbols as descriptive doctrinal statements, but against attributing to them absolute and normative character.¹¹

The debate over this document was a fierce one. Church periodicals became battle grounds. Writing in the Lutheran Observer, Benjamin Kurtz

editorializes against the "confessionalists."

Many of these old Lutheran brethren are no doubt sincere and honest in their adherence to the old moth eaten, and long since abrogated and repudiated system of semi-popish error. But still they hold on to them; this party can of course make no progress. As they doomed themselves to go backwards, so they are doomed to go down. . . .

There is one quotation from the Form of Concord, page G, that will set hard on the party, viz: "But all human writings and symbols are not authorities like the Holy Scriptures, but they are only a testimony and an explanation of our faith, showing the manner in which at any time the Holy Scriptures were understood and explained by those who then lived." Now this is just my view of the case. Those who lived in the 16th century formed a platform to stand upon; they had a right, and it was their duty to do it. But they had no right, and never claimed the right to make a platform for us and for all time to come.¹²

The next week he wrote again.

I know some profess to believe everything in them (historic symbols), but I would like to see the Lutheran minister in any intelligent English Lutheran congregation, get up before the people and tell them he believes, and that they as Lutherans are morally bound to believe everything which the American Recension of the Augsburg Confession rejects. . . .

The confessions of the church were drawn up to meet the exigencies of the times. None of them are final statements. Each succeeding age will have to alter and amend them as a better understanding of the Bible grows. The special service of any confessional statement is to the age and circumstance in which it appears. The present day demands an honest statement of confession by American Lutherans, and such is presented in this Definite Synodical Platform.¹³

Schmucker himself comes to the defense of his Definite Platform in a later issue of the Lutheran Observer.

for half a century past, men on entering the Lutheran ministry in this country were pledged to the Bible alone, and not a word was said about any other confession of faith, although there was a traditionary understanding that the Augsburg Confession exhibited their views on the fundamental doctrines of Scripture, until the General Synod recommended the express requisition of this fundamental assent in her Constitution for District Synods.¹⁴

Schmucker's views are elaborated in a book published in 1856, American Lutheranism Vindicated. He suggests that human creeds are fallible and need to be revised. Each age must interpret Scripture anew for its own time.¹⁵ Symbolism is not a part of original Lutheranism.¹⁶ He asks, "With three centuries between the Reformers and us . . . has no new light been thrown on the Scriptures through philological and exegetical studies?"¹⁷

The debate continued onto the floor of Synodical conventions. The Synod of Central Pennsylvania passed the following resolution in part at its convention in 1856 in a statement of general support.

Resolved, 2. That the teachings of God's word, and the declarations of the immortal Luther himself, make it binding upon us to amend, alter, and modify our confession of faith, whenever we have sure and safe reasons to believe that doctrines are taught, or views implied, which are contrary to the teachings of the Holy Scriptures, our only infallible guide in matters of faith and practice.

Resolved, 4. That we will never permit our hands to be bound, or our consciences oppressed, by a subscription to extended creeds on non-fundamental doctrines. . . .¹⁸

The Pennsylvania Ministerium reacted against the "Definite Platform" at its 1856 convention.

Whereas the Evangelical Lutheran Church in the United States has of late, in certain places, been agitated to a degree threatening to the peace of the church, and likely to awaken unkind feelings, by a pamphlet entitled: "Definite Platform, &c.," which professes to be an improvement on the Augsburg Confession--the venerable, common, Confession of the entire Lutheran Church, in the old world and the new--and in view of the fact, that as the oldest Evangelical Lutheran Synod in this country, we feel it our duty publicly to bear our testimony to the faith of our Fathers, in opposition to every innovating attempt to lay violent hands on the ancient foundations of the faith; hoping at the same time, by such testimony, to strengthen the faith of the brethren with whom we desire to remain united in unity of spirit and in the bond of peace.¹⁹

Prior to the May convention of the General Synod in 1857 all but three of the member synods had reacted to the Definite Platform. Three synods adopted it, two recognized the errors but refused to sanction the document, two approved of the document but insisted on maintaining the doctrinal basis of the General Synod, four rejected it, two protested introducing any new tests of fellowship, two stated that a proper interpretation of the Augustana does not yield views therein that are objectionable or contrary to the Scriptures, two dismissed the whole affair, and one said that there is no need for the General Synod to express its views since they are clear enough.²⁰ The General Synod convention found the delegates very hesitant to bring the matter to the floor. The question was no longer a matter of the Definite Platform. That was settled. It was a question of the peace, harmony, and life of the General Synod itself. The 1857 convention minutes, as a result, do not mention the document.

The Definite Platform did not settle the issues between "American Lutheranism" and "confessional Lutheranism." Instead, it aggravated the whole situation in the church.²¹ The General Synod officially called a halt to the controversy raging on the pages of the church periodicals. The exchange from an inclusive to an exclusive basis for the General Synod, which the Definite Platform suggested, was rejected by the district synods.

CHAPTER VII

The General Synod era is not complete without a discussion of the influence of S. S. Schmucker. It can be said that Schmucker was both the savior and the destroyer of the General Synod. At the formation of the Synod he was a more positive theologian than most of his contemporaries. In spite of the influence of rationalism, he sought to raise the Augsburg Confession out of the dust. This is significant because he was involved with the New York Ministerium which would have little to do with the symbols. He demanded that every clergyman sign the Augustana and declare its harmony with the Scriptures.¹ This early desire for a confessional basis seems to reflect the influence upon him of his formative years. His theological teacher was Dr. Helmuth, a veteran of the Muhlenberg era.²

His concern to save the General Synod from dissolution lay in the need he saw for a revival of confessional subscription and for an educated ministry.³ With Schmucker's election to Gettysburg Seminary is to be seen the first official reference by the General Synod to any of the historic Confessions.⁴ Yet Schmucker was not able to keep ahead of the confessional advance of the 1840's and 1850's. Some accuse Schmucker of changing his position. What changed was the theological world around him.

Schmucker did not hold slavishly to all of the doctrines of the Confessions. His writings for the Synod and his own works indicate that he considered the Confession of 1530 to be only substantially correct. His editions of the Biblical Theology of Storr and Flatt and his Popular Theology support this stance. He had been faithful to his professorial

oath.⁵ It was Schmucker who put the phrase "fundamental doctrines" into the documents of the General Synod. He asserted that ~~to~~ only the fundamental doctrines of the Scriptures contained in the Augsburg Confession should members be obligated.⁶ J. W. Mann supports this view of Schmucker's confessionalism, although he is in a less than objective position to write.

Dr. Schmucker has been accused of being less of an orthodox Lutheran now, than formerly. . . . still in the main, we believe that he entertained the same views and opinions thirty years ago . . . notwithstanding the well-known fact, that he formerly stood forth in the defence of that same Confession, by asserting its authority as the Lutheran Symbol, which now he wishes to see altered, and purged of supposed errors therein contained; a measure, by the way, which, if carried out, would also make an alteration in the General Synod's basis, which has hitherto left the Augsburg Confession untouched, absolutely and indispensably necessary. . . . He received his theological training at a Presbyterian seminary. There his mind was impressed with, and his views shaped by, the reformed doctrines.
 . . .⁷

In several essays, Schmucker sets out his position in The American Lutheran Church, Historically, Doctrinally, and Practically Delineated. Schmucker regarded all confessional books as good and useful exhibitions of truth, but not as conscience binding except as they agree with the Bible.⁸ Muhlenberg in his Discipline of the Church at Philadelphia (Kirchenordnung) of 1762, while binding ministers to the Unaltered Augsburg Confession, says nothing about the other symbolical books.⁹ Schmucker knows of no Lutheran kingdom or principality which receives any confessional book as binding outside of the Augustana, and that only in substance.¹⁰ He answers the issue of who is entitled to be called "Lutheran" as follows:

Our own impression of the equity of the case is this, that so long as the Lutheran church, in this or any other country, adheres to the fundamental principle of Lutheranism, that the

Bible is the only infallible rule of faith and practice, and believes the great, the cardinal doctrines of Luther's system, together with so many of his peculiarities, as to agree more fully with them as a whole, than with the peculiarities of any other denomination, she may justly retain the Lutheran name.
...¹¹

In this book under the essay, "Doctrinal Basis and Ecclesiastical Position of the American Lutheran Church," he sets forth his stance in seven propositions. Appendix I reproduces these.

CHAPTER VIII

The General Synod had reached its height at the convention of 1859. Now followed a steady decline. At the 1862 convention the Civil War had separated the Southern synodical delegates. This was a break not according to doctrinal differences, but according to the political situation of the country.¹ The doctrinal basis of the General Synod, nevertheless, was in a confused state. All of the Lutheran Symbols were not recognized. The twenty-one doctrinal articles of the Augustana were embraced. The question of which of these twenty-one contained "fundamental doctrines of the Bible" was open. Even these fundamental articles were not simply or absolutely, but only "substantially correct."² Vergilius Ferm gives us a brief summary of the years of the General Synod from 1864 until 1867.

The minutes of the General Synod in its next two conventions (after 1862) reveal page after page of discord and dissension. The Platform controversy had left a bad taste and had strained the relationships of cordiality and confidence among the leaders. The admission under protest of Dr. Kurtz' group with its expressed declarations concerning the Augsburg Confession, and the admission in 1864 of the Franchean Synod which had in its constitution given no official recognition to the same Confession, the walking out of the delegates of the Pennsylvania Ministerium as a protest against this admission and the ruling of the president of the General Synod, Dr. Samuel Sprecher, in 1866 that the Pennsylvania Ministerium was in a "state of practical withdrawal" and therefore could not take part in the initial business of that convention--all bear witness to the distracted state of affairs in this body. The schism, which had been threatening for so many years, came in 1867 with the Mother Synod taking the lead. The American Lutheran Church had reached the end of another period in its history. Instead of centralization upon one large church organization, three large groups emerged from out of the old general body. Each shifted for itself, carrying on its work in a spirit of competition with the others, and carrying over the feeling of strife which had so long been rampant.³

At the York convention of the General Synod in 1864 the constitution was amended regarding the admission of synods.

All regularly constituted Lutheran Synods, not now in connection with the General Synod, receiving and holding with the Evangelical Lutheran Church of our fathers the Word of God, as contained in the Canonical Scriptures of the Old and New Testaments, as the only infallible rule of faith and practice, and the Augsburg Confession, as a correct exhibition of the fundamental doctrines of the Divine Word, and of the faith of our Church founded upon that Word, may at any time, become associated with the General Synod, by complying with the requisitions of this Constitution, and sending delegates to its Convention according to the ratio specified in Article II.⁴

It also passed another interesting resolution.

Resolved, That while this Synod, resting on the Word of God as the sole authority in matters of faith on its infallible warrant . . . nevertheless, before God and his Church, we declare, that in our judgment, the Augsburg Confession, properly interpreted, is in perfect consistence with this our testimony and with the Holy Scriptures as regards the errors specified.⁵

The spirit of the 1859 convention was again present in 1864 when the Franckean Synod sought admission into the General Synod. Ochsenford writes, "This was an un-Lutheran Synod, which not only did not endeavor to hide its variance with the Confessions of the Lutheran Church, but openly boasted of it."⁶ The convention committee reported the following on the reception of the Franckean Synod:

Resolved, That the Franckean Synod be admitted, as an integral portion of the General Synod, so soon as they shall give formal expression to their adoption of the Augsburg Confession, as received by the General Synod.⁷

The convention passed this resolution and the delegates representing the Franckean Synod immediately replied to it.

As we think that there was a misunderstanding on the part of the General Synod in regard to the position of our Synod relative to the doctrinal position of the former body, we therefore, beg leave as the delegation of the Franckean Synod, to inform the General Synod that, in adopting the Constitution of that body, the members of the Franckean Synod fully understood that they were adopting the doctrinal position of the General Synod, viz, "That the fundamental truths of the Word of God are taught in a manner substantially correct in the Augsburg Confession."⁸

Then the General Synod adopted the following resolution ninety-four to forty.

Whereas, It is desirable that said Synod should express in a more formal manner, its adherence to said doctrinal basis, therefore,

Resolved, That the Franckean Synod is hereby received into connexion with the General Synod with the understanding that said Synod, at its next meeting, declare, in an official manner, its adoption of the doctrinal articles of the Augsburg Confession, as a substantially correct exhibition of the fundamental doctrines of the Word of God.

In response to this resolution a protest was issued against the admission of the Franckean Synod. Many of the supporters of this protest were delegates from the Pennsylvania Ministerium.

I. The Constitution of the General Synod, in Art. 3 Sec. 3, provides for the admission of regularly constituted Lutheran Synods, solely. A regularly constituted Lutheran Synod is one, that "holds the fundamental doctrines of the Bible, as taught by our Church." By universal consent these doctrines, so taught, are expressed in the Augsburg Confession. The whole history of the Franckean Synod represents it as having no relation nor connection whatever with the Augsburg Confession; and upon diligent examination of its official documents we have failed to discover any evidence that it has ever accepted said Confession. It is not therefore a regularly constituted Lutheran Synod, and by admitting it as an integral part of the General Synod, the General Synod has violated its Constitution.¹⁰

The chairman of the delegation from the Pennsylvania Ministerium reminded the Synod of its own resolution upon re-entering the General Synod in 1853.

should the General Synod violate its Constitution, and require of our Synod assent to any thing conflicting with the old and long established faith of the Evangelical Lutheran Church, then our delegates are hereby required to protest against such action, to withdraw from its sessions and to report to this body.¹¹

In the opinion of the delegates of the Pennsylvania Synod the General Synod had violated its constitution. They issued the following statement:

The undersigned, therefore, representing the Synod of Pennsylvania, fully persuaded, that the terms upon which the Franckean Synod was admitted into the General Synod, are in direct violation of the Constitution of the General Synod, hereby protest against said act of admission and withdraw from the sessions of the General Synod, in order to report to the Synod of Pennsylvania at its approaching Convention.¹²

In part the following reply was made to the statement of the General Synod

1st. . . . It is admitted that the Constitution of the General Synod does not define the mode by which a regularly constituted Synod may be formed. The Protestants therefore make their own definition and affirm that a Lutheran Synod, by universal consent, is one which holds the doctrines of the Bible, as taught in the Augsburg Confession. We accept of the definition and go with them one step farther and admit, that the Franckean Synod has not formally adopted the Augsburg Confession. They have, however, formally adopted the Constitution of the General Synod.

. . .

3. They allege, that we have admitted the Franckean Synod without a compliance with the conditions, required by the Constitution. We reply that they (the Franckean Synod) aver that they have really, although not formally complied and that their formal compliance shall be secured at their next stated meeting.

Inasmuch as the Constitution of the General Synod is indefinite in its requirements on this point, we have yielded this point as has been done in the admission of other Synods, until the formal action required may be had. We have yielded to the consciences of some of the brethren that we might more certainly harmonize the whole Synod.¹³

The Pennsylvania Ministerium returned to the 1866 convention and, after one parliamentary hassle after another, reached the limit of its participation in the Synod. Behind all of that procedural thicket lay the sincere dissatisfaction of the Ministerium with the Lutheranism of the General Synod. The existence of the Lutheran Church itself was the issue for them. Having withdrawn from the General Synod, the mother

synod of Lutheranism issued a call for the formation of a truly Lutheran organization based upon subscription to the Unaltered Augsburg Confession. This criterion, then, is what the Ministerium defined as what was truly Lutheran.¹⁴

CHAPTER IX

The four Southern Synods that separated from the General Synod at the time of the Civil War established the "General Synod of the Evangelical Lutheran Church in the Confederate States of America." Appendix J presents this constitution. After the war they resolved to continue as a separate body changing "in the Confederate States of America" to "in the South." They placed themselves on a more positive confessional basis than the General Synod. In embracing the Symbolical Books, they had no feeling that any part of them would become obsolete. The doctrinal basis from the 1863 constitution affirmed the following:

We receive and hold that the Old and New Testaments are the Word of God, and the only infallible rule of faith and practice.

We likewise hold that the Apostles' Creed, the Nicene Creed, and the Augsburg Confession, contain the fundamental doctrines of the Sacred Scriptures, and we receive and adopt them as the exponents of our faith.

Inasmuch as there has always been, and still is, a difference of construction among us with regard to several articles of the Augsburg Confession; therefore, we, acting in conformity with the spirit and time-honored usage of our church, hereby affirm that we allow the full and free exercise of private judgment in regard to those articles.¹

In 1866 the third section (Inasmuch . . .) was omitted from the doctrinal statement.² The 1868 Book of Worship required an ordination oath of fidelity to the Word of God and the Lutheran Confessions based thereon. The form of confirmation also contained a pledge of fidelity to the Lutheran Confessions.³

An 1872 resolution indicates the rise of a sentiment toward an unequivocal acceptance of the Lutheran Confessions.

It (the General Synod South) was designed to nurture and secure unity "in the one true faith." To promote this end it has placed itself unequivocally upon the Ecumenical Creeds and the Augsburg Confession, "in its true native and original sense."⁴

In 1880 the other Symbolical Books were accepted by the Synod. "Resolved that we acknowledge said additional testimonies as in accord with and an unfolding of the teachings of the Unaltered Augsburg Confession."⁵

In 1884 the General Synod in the South had a doctrinal basis in which the Scriptures were accepted as the only rule of faith and life. The Ecumenical Symbols and the Unaltered Augsburg Confession were accepted as correct exhibitions of the doctrines of Holy Scripture in matters of faith and life. The other confessions of the Book of Concord were declared correct and scriptural interpretations of the doctrines taught in the Augustana, and were in harmony with the faith of the Scriptures.⁶

CHAPTER X

The organization of the General Council in 1867 promoted confessional subscription as the way to unity among Lutherans. Formed by synods who considered the doctrinal basis of the General Synod insufficiently Lutheran, they looked to the Confessions as the definition of Lutheran teaching. Complete and unqualified subscription to the Augustana was basic.¹ The Pennsylvania Ministerium resolved to withdraw from the General Synod and suggested the formation of another organization. Significant portions of these resolutions are in Appendix K. Thereupon, the mother synod issued a call for a new union of Lutherans who would take a decisive stand upon, "the common faith once delivered to the saints, the testimony of which is found in unmingled purity in the Unaltered Augsburg Confession, in its native, original and only true sense on which our Church rests as her unchangeable confessional foundation."²

Basic to the Council's formation were the theses on "Fundamental Principles of Faith and Church Polity" by Charles Porterfield Krauth. Of importance to us are the following sections:

IV. That confessions may be such a testimony of Unity and bond of Union, they must be accepted in every statement of doctrine, in their own true, native, original, and only sense. Those who set them forth and subscribe them, must not only agree to use the same words, but must use and understand those words in the one and the same sense.

VI. The Unaltered Augsburg Confession is by preeminence the confession of that faith. The acceptance of its doctrines and the avowal of them without equivocation or mental reservation, make, mark and identify that Church which alone in the true, original, historical and honest sense of the term is the Evangelical Lutheran Church.

VIII. We accept and acknowledge the doctrines of the Unaltered Augsburg Confession in its original sense as throughout in

conformity with the pure truth of which God's Word is the only rule. We accept its statement of truth as in perfect accordance with the Canonical Scriptures: we reject the errors it condemns, and believe that all which it commits to the liberty of the church, of right belongs to that liberty.

IX. In this formally accepting and acknowledging the Unaltered Augsburg Confession, we declare our conviction, that the other Confessions of the Evangelical Lutheran Church, inasmuch as they set forth none other than its system of doctrine, and articles of faith, are of necessity pure and scriptural. Preeminent among such accordant, pure and scriptural statements of doctrine, by their intrinsic excellence, by the great and necessary ends for which they were prepared, by their historical position, and by the general judgment of the Church, are these: the Apology of the Augsburg Confession, the Smalcald Articles, the Catechisms of Luther and the Formula of Concord, all of which are, with the Unaltered Augsburg Confession, in the perfect harmony of one and the same scriptural faith.³

Appendix L is entitled "Krauth's Theses on Faith and Polity, 1866."

The first convention of the General Council in 1867 adopted a constitution and by-laws. I have chosen several sections to illustrate the scriptural and confessional stance of the Council. This constitution is in Appendix M.

Principles of Faith and Church Polity

I. There must be and abide through all time one holy Christian Church, which is the assembly of all believers, among whom the Gospel is purely preached, and the Holy Sacraments are administered, as the Gospel demands.

To the true unity of the Church, it is sufficient that there be agreement touching the doctrine of the Gospel, that it be preached in one accord, in its pure sense, and that the Sacraments be administered conformably to God's Word.

III. The Unity of the Church is witnessed to and made manifest in, the solemn, public and official Confessions which are set forth to wit: the general Unity of the Christian Church in the general Creeds, and the specific Unity of pure parts of the Christian Church in their specific Creeds; one chief object of both classes of which Creeds is, that Christians who are in the Unity of faith may know each other as such, and may have a visible bond of fellowship.

Of Ecclesiastical Power and Church Government

III. The absolute directory of the Will of Christ is the Word of God, the Canonical Scriptures, interpreted in accordance with the "mind of the Spirit" by which Scriptures the Church is to be guarded in every decision. She may set forth no articles of faith which is not taught by the very letter of God's Word, or by the letter and spirit of God's Word.⁴

The doctrinal basis recommended for constituent congregations reflected the strong confessionalism of the Council.

Of Doctrine. -- This congregation receives and adheres to the Canonical Books of the Old and New Testaments as the revealed Word of God, and the only Rule of Faith and Life, and the Confessions of the Evangelical Lutheran Church, especially the Unaltered Augsburg Confession and Luther's Small Catechism, as a correct and faithful exposition of the Divine Word, to which rule and confessions all instruction in the church, the schools and the family shall be conformed, and by which all questions of doctrine shall be decided; and all books of worship and instruction used in the congregation shall accord with the same.⁵

The General Council from its beginning was the champion of "Confessional Lutheranism" Its formation was a protest against the disregard and rejection of the Confessions, or of an altered confession.⁶

At the time of its formation, a general body of the character, such as the General Council has proved itself to be, had become a necessity, in order to conserve and maintain the confessional position of the Lutheran Church in this country, as it had been founded by Muhlenberg and his associates in the middle of the eighteenth century; for at that time and for some time prior to it the only general body then in existence and a number of particular synods, not connected with that body had forsaken many of the distinctive characteristics of confessional Lutheranism, and, by reason of their latitudinarianism, were rapidly placing the Lutheran Church on a level with the sects of that day. In consequence of its close connection with the past, the General Council has inherited many of the troubles and difficulties, as well as some of the mistakes of the past; and from the beginning of its existence it was obliged to set itself right with the past, in order that it might be able to carry out its exalted aim of perpetuating confessional Lutheranism in this country.⁷

A strict adherence to the historic symbols was henceforth to characterize this body (General Council) and its constituent synods; a confessionalism akin to the late sixteenth and early

seventeenth centuries and of a more rigid spirit from that set up by Patriarch Muhlenberg. The Symbols having acquired a normative character, the Lutheran Church in America rested its theological position in those confessional standards. The post Muhlenberg development of confessional laxity, open fraternity, and spirit of independent thinking gradually gave way to strict confessional conformity, closed communion, and limited and prescribed sphere of theological inquiry.⁸

CHAPTER XI

What have we observed? It is necessary to summarize what we have noticed as we have moved through 125 years of Lutheranism in America. We can present some definite formulations which illustrate the stance of these Lutherans. We can also mention various factors which contributed to their stance. Finally, a number of questions have been raised which we offer to you for your consideration.

The study has shown a consistent adherence to the canonical books of the Old and New Testaments as the norma normans for Christian faith and life. The Bible is appealed to as the "ground of our faith" and "the inspired Word of God." This Word is confessed as the "only rule" and the "only infallible rule" of faith and practice. In matters of faith the Bible is the sole authority. It is used as the rule and standard by which all doctrines and teachings are to be judged. The Bible is the "revealed Word of God and only rule of faith and life." I found no reference to the term "inerrant" in my study.

The validity of the Lutheran Confessions rests in their fidelity to the Holy Scriptures. This was the basis for arguments both supporting the Confessions and attacking them. Pastor Probst praised the Bible as the only and sufficient norm, and he saw no need for the Confessions. Schmucker raised the question of how faithful the Augustana was to the Scriptures. The Pennsylvania Ministerium adhered to the Augsburg Confession because it was taken from the Word of God and substantiated by it.

The Lutheran Confessions have quite a crowd of words in its train. The Augustana is the chief Confession and most of the terms deal with it.

These are "historico-confessional writings." The Augsburg Confession is a "faithful exposition" of the Word of God. Again, it is viewed as a "summary and just exhibition of the fundamental doctrines" of the Bible. On the one hand it is "substantially correct;" and on the other hand, if properly interpreted, it is in "perfect consistence" with the Word of God. Ministers were pledged to the "fundamental doctrines of the Word of God taught in a manner substantially correct in the doctrinal articles of the Augsburg Confession." The Augustana is both a correct "exhibition" and "exposition" of the doctrines of the Bible.

All of the Confessions have been viewed as exponents of our faith. The Confessions outside of the Augustana have been supported as "correct and scriptural interpretations" of the doctrines of the Augsburg Confession and "in harmony with" the faith of the Scriptures. The General Council insisted on an unqualified subscription to the Augsburg Confession in its "native, original, and only true sense" using the same words and understanding these words "in one and the same sense." Finally, the Confessions are appealed to because they are "in perfect accordance with the Canonical Scriptures."

The stance of these Lutherans was the result of a great number of factors. The influence of their native background was one. The Swedes did not hold to the German Confessions outside of the Augustana. The effect of the Prussian Union was great upon the German communities in America. The national situation must also be kept in mind. Changes in doctrinal stance seem to have occurred in times of national crisis, the War of Independence and the Civil War for example. The activities of other denominations was another factor. Each denomination went through

similar types of experiences varying in the time and extent of their occurrence. Muhlenberg seems to have used an allegiance to the Confessions in part as protection against the "harmful" religious influences of the times.

One always takes the risk in writing a paper that he will raise more questions than he answers. This is what has happened. The questions raised in many instances are questions that encompass the content of this paper and more. I offer them to you for your examination. Do the Lutheran Confessions have absolute and normative character or are they descriptive doctrinal statements? What is the balance between unity and confessionalism? Is the basis for unity to be found in an inclusive or exclusive confessional commitment? Can we allow only as much unity in faith as union will allow? What is essential to Lutheran fellowship? How flexible can you be until you are no longer Lutheran? Can Lutheranism develop or must it continually revert to documents of a former day? Cannot a Lutheran group write a confession to suit its own situation? Is it possible to transplant the same type of Lutheranism everywhere? Where does environment, both national and local, enter the picture? What are the Confessions? Are they a Berlin wall or a witnessing instrument?

The questions surrounding our scriptural and confessional stance are many and varied. The issue itself is as viable today as in any former day. Our stance must take into consideration our mission in God to today's world, but cannot forget the historico-confessional context out of which the Lutheran Church has developed. This does not mean that we venerate the documents, but that we use them in keeping with the belief that the Lutheran Church is a confessional movement.

FOOTNOTES

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⁴Documentary History of the Evangelical Lutheran Ministerium of Pennsylvania and Adjacent States. Proceedings of the Annual Conventions from 1748 to 1821 (Philadelphia: Board of Publications of the General Council of the Evangelical Lutheran Church in North America, 1898), p. 20.

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⁷Ibid., pp. 165-176.

⁸Bente, I, 72.

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¹⁵Die Wiedervereinigung der Lutheraner und Reformirten - Ein fassliches Lesebuch für nachdenkende Glieder beider Konfessionen welche über diesen wichtigen Gegenstand gründlickern Unterricht und Aufschluss zu haben wünschen. Begleitet mit einer Abhandlung über das Abendmahl und die Grundsätze der Reformation. Von Joh. Aug. Probst, Evangelischen Prediger zu Forks ec. - 1 Kor. 10,15. Als mit den Klugen rede ich; richtet ihr, was ich sage. - Mit einer Vorrede von Joh. Conrad Jaeger, Evangelischen Prediger zu Allentown, ec., quoted in translation in Vergilius Ferm, The Crisis in American Lutheran Theology (New York: The Century Co., 1927), pp. 44-48.

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The Formation of the General Council

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Chapter XI

Conclusion

stitution, although it had apparently been in force for some time, was first recorded officially in 1781 (Doc. 12).

This earliest of all synodical constitutions was to become the basis of other subsequent synodical constitutions. In its title, it specified the Lutheran character of the body it regulated, "The Evangelical Lutheran Ministerium of North America" (Chapter First). Of even greater importance in designating the Lutheran nature of the group was the agreement which each new clerical member signed upon his admission to the synod (Chapter Fourth, Section 6), and the confessional basis (Chapter Sixth, Section 2).

The unity expressed by this earliest constitution was not one of organization. It was a unity of doctrine, belief, teaching, and life.

12 Constitution, 1781

CONSTITUTION OF THE MINISTERIUM OF THE EVANGELICAL LUTHERAN CHURCH IN NORTH AMERICA, IN FORCE IN 1781.

Chapter First.

Of the Name and Functions of the Fraternal Association of the Lutheran Ministers of North America.

We, Evangelical Lutheran Ministers of North America, who, by subscribing our names to this Constitution, do hereby declare ourselves an organized body, and, for the sake of establishing the Kingdom of Christ, whose we are and whom we serve, which can only be accomplished by unity (combined effort), and who never mean to consider ourselves otherwise, call this our Mutual Association, "An Evangelical Lutheran Ministerium in North America," and every meeting, "a Synodical Meeting."

[Chapters Second and Third treat of the President and the Secretary, their duties and responsibilities.]

Chapter Fourth.

Of Reception into the Ministerium.

§1. All those who set their names to this Constitution, and

to the agreement (pledge) to be mentioned further on, are members of this Ministerium. . . .

[Sections 2 through 5 treat of the process of reception.]

§6. Every member signs this article or agreement:

"I, the undersigned, called as a minister of the Gospel in North America, promise before God and my Chief Shepherd, Jesus Christ:

"1. That as long as I serve any congregation in North America, I will not declare myself independent of the Evangelical Ministerium, whose Constitution I have signed; and that I will obey its rules and regulations.

"2. That I will, as God gives me strength, faithfully obey the Constitution of the Ministerium subscribed by me, use the Liturgy to be introduced, and comply with the resolutions of the Synod as long as I exercise the office of a minister in North America; and that, as much as in me lies, I will promote the observance of the Constitution of the Ministerium by others.

"3. That I will not absent myself from any meeting of Synod without urgent necessity.

"4. That I will never consent to receive any minister whom I know to be unfit because of a lack of attainments, or of an immoral life, into our Synodical connection.

"5. That, unless for well-founded reasons, and impelled by conscience, I will never oppose the reception of any candidate or minister into the Ministerium.

"6. That I will not rudely refuse reproofs from the President, but even in case of an inward consciousness of innocence I will submit to them; and in case of an abiding consciousness of having been wrongly judged by the President, I will appeal to the judgment of the Synod, with whose decision I expect to be satisfied; and I will neither denounce the President nor treat him unkindly because of his censures.

"7. That in case two-thirds of the Synod should declare me no longer worthy to be a member of the Evangelical Ministerium of North America, and consequently to have a seat and

vote in a Synod, I will then give up my congregations, and no longer exercise the functions of a minister in any of the United Evangelical Lutheran Congregations of North America.”

To this the signature is to be attached.

[Sections 7 and 8 stipulate that every signatory shall receive a copy of the constitution, and every candidate be presented by the minister who has had charge of his training.]

Chapter Fifth.

Of the Meetings of the Synod and the Business Transacted Thereat.

§1. At least one meeting of the Synod must be held annually. . . .

[Sections 2 through 21 regulate the details of the meeting.]

§22. In complaints brought against ministers the subject of investigation must refer to:

1. Positive errors opposed to the plain teachings of the Holy Scriptures and our Symbolical Books.
2. Works of flesh, Gal. 5:19 ff., and offense given thereby.
3. Faithlessness and slothfulness in the ministry, and, in case of a candidate, also in those matters which are known to be necessary for his further preparation.
4. Neglecting attendance upon the meetings of Synod.
5. Bitterness and strife of ministers among themselves.

[Sections 23 through 32 treat of the processes of investigation and decision in the matter of charges raised against ministers, and of licensure and ordination.]

§33. Last of all, the ministers dwelling close together in one county or district confer, in regard to special meetings or conferences to be appointed, concerning which the details may be determined in due time by the resolutions of Synod. Whenever a special matter has been referred to a conference of that kind, such conference must be positively determined upon, and with the knowledge of all the others.

Chapter Sixth.

Of the Conduct of the Ministers in Their Official and Other Relations.

§1. Every minister must earnestly endeavor to introduce into his congregations a constitution which corresponds as nearly as possible with those already in use, and which must not conflict with the Constitution of this Ministerium in any point.

§2. Every minister professes that he holds the Word of God and our Symbolical Books in doctrine and life; that he so exercises his office that he may stand before his Great Shepherd, rejoicing in the great Day of Judgment, as well as promises to remain forever worthy of the fellowship of the Evangelical Lutheran Ministerium of North America.

§3. Every minister uses the Liturgy which has been introduced.

§4. No minister is allowed to encroach upon another's office, under whatever pretext it may be, without the other's consent. In actually vacant congregations an ordained minister is allowed to preach and administer the Holy Sacraments as often as he pleases, provided this can be done without neglect of his own pastoral duties. So, too, every ordained minister is at liberty to give up his congregations at his discretion, and to move into other actually vacant congregations which purpose connecting with us: provided, he do not thereby interfere with any other connection, and, also, that the change, when made, be, in every instance, communicated to the President.

§5. No minister is allowed to conform himself to the world in his walk and conversation.

§6. Licensed candidates must carefully record their official acts in a diary, which is handed over at each meeting of the Synod.

F. GOOD RELATIONSHIPS AMONG COLONIAL LUTHERANS OF VARYING BACKGROUNDS

In this early period of the history of the Lutheran church in America the relationships between the various sections of the church

The preface of the Proposed Plan (*Plan Entwurf*) noted that while the synods of the Lutheran church in America had thus far been able to settle "amicably" such differences as had arisen in the past, the growth of the number of synods might lead to "unnecessary and injurious divisions and departures" from the bonds of love and unity which had existed. It also averred that the desire for a fraternal union of the synods was "almost universal."

The plan proper proposed that the central body should exercise, by the consent of the participating synods, some measure of coordinating control over liturgical materials and practices, hymnals and catechisms for use in the church at large. It was to be the clearing house for the necessary arrangements for the formation of new synods. It was to be permitted to fix grades in the ministry which would "be generally recognized," and to serve upon appeal as arbiter of doctrinal conflicts within particular synods. The plan also granted ministers the right of appeal from decisions of the local synods to the General Synod. It proposed measures by which the transfer of a minister from one synod to another could be controlled and regularized. Finally it provided that if three-fourths of the existent synods adopted the plan the President of the Ministerium of Pennsylvania was to call a meeting in which delegates from the local synods could establish the "General Synod" and draw up a constitution for such a body.

23 Ministerium Committee for a Plan of Union, 1819

Resolved, That Dr. Schäfer, Dr. Kur[t]z and Pastors Lochman and Endress, from among the preachers, and Messrs. Demuth, Keller and Schorr, from among the delegates, shall constitute a committee to consider, together with Mr. Gottl. Schober, the matter of such a union of the Synods, and as soon as possible to draft a plan for this purpose.

24 The Proposed Plan, 1819

A PROPOSED PLAN (PLAN ENTWURF) FOR A CENTRAL UNION (ZU EINER CENTRAL-VERBINDUNG) OF THE EVANGELICAL LUTHERAN CHURCH IN THE UNITED STATES OF NORTH AMERICA, BALTIMORE, 1819.

WHEREAS, under the guidance of God, the Evangelical Lutheran Church has spread itself over the greater part of the United States of North America, and the members thereof are earnestly striving to live together in the spirit of love and harmony under one rule of faith, it has been customary heretofore for the ministers, and in most cases also for the lay delegates of the Evangelical Lutheran congregations to meet annually in Synods, or, as others call it, Ministeriums, in order to keep the bond of love and unity, and amicably to settle any differences that might arise. But inasmuch as the number of particular Synods or Ministeriums has increased from time to time, on account of the wide extension of said church, and the continued and increasing operation of the same cause will probably lead to the still further increase of the number of Synods and Ministeriums, and this might in the end be the means of bringing about unnecessary and injurious divisions and departures from the end and object hitherto pursued in common by said church; it appears to be the almost universal wish of the existing Synods or Ministeriums, that a fraternal union of the whole Evangelical Lutheran Church in these United States may be effected by means of a central organization.

How such a union and organization might be effected was a principal topic of consideration at the meeting of the Synod of Pennsylvania and the Adjacent States, which was held during Trinity week of the year 1819, at Baltimore, and this so much the more, inasmuch as the Rev. and highly esteemed Pastor Schober, of the Synod of North Carolina, attended this meeting as a special delegate in reference to his particular subject. The whole subject was placed in the hands of a special committee, with instructions to prepare with the concurrence of Rev. Mr. Schober a plan, which, if found acceptable, might be submitted for adoption to all the other Synods or Ministeriums in the United States.

The committee appointed for this purpose reported the following:

Proposed Plan (Plan Entwurf).

1. This central union of the Evangelical Lutheran Church in these United States shall be carried into effect and maintained by an organization to be called THE GENERAL SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN THE UNITED STATES OF NORTH AMERICA.

2. This General Synod shall be composed of delegates from all the Synods now existing in the United States, and of such as may be organized in future, which join this union [here follows the ratio of representation].

All delegates appearing in the General Synod in accordance with the above ratio shall have equal privileges and equal votes as members of the body. The manner of electing delegates, as well as the mode of meeting their expenses, is left to the discretion of each Synod.

3. [Treats of officers; time, place, and frequency of meeting.]

4. The General Synod has the exclusive right with the concurrence of a majority of the particular Synods to introduce new books for general use in the public church service as well as to make improvements in the Liturgy; but until this be done the hymn-books or collections of hymns now in use, the Small Catechism of Luther, the Agenda [Liturgy] already adopted, and such other books as have been adopted by the existing Synods shall continue in public use at pleasure. But the General Synod has no power to make or demand any change whatever in the doctrines (*Glaubens lehren*) hitherto received among us.

5. If twenty-five ministers living in close proximity in a fixed district, of whom, however, at least fifteen must be ordained ministers, make application to the General Synod to be permitted to form a Synod by themselves, and the Synod to which they have hitherto belonged having received formal notice of their intention to make the application, which notice must first be given in every instance, presents no weighty reasons to the contrary, the General Synod has authority to grant their application. And if there should be no separate Synod in an entire State, and six ordained ministers living in it should make application for that purpose,

the General Synod shall permit the formation of a new Synod in that State. But until the consent or permission of the General Synod has been formally given to it, no newly-organized body shall be recognized as a Ministerium among us, and no ordination performed by it shall be recognized as valid by us.

6. Those Synods now existing, as well as those formally recognized or organized by the General Synod, shall never be hindered in the appointing and ordaining of ministers at their own discretion within their own bounds. They also retain forever the privilege of establishing rules and regulations with regard to the internal arrangement and control of the affairs of their own districts; provided, however, that such rules and regulations are not in conflict with these fundamental articles of the general organization; and only in cases of appeal can the General Synod have anything to do with such internal rules and regulations of the particular Synods.

7. The General Synod is authorized by and with the approval of a majority of the particular Synods, or Ministeriums proper, to fix grades in the ministry which are to be generally recognized. . . .

8. If . . . dissension or division in regard to doctrine or discipline should arise in any Ministerium, such dissensions or divisions shall be brought before the General Synod for decision only when a full third of the members of such Ministerium present appeal to it for that purpose.

9. Every minister who is not satisfied with the decision of his Synod with reference to himself . . . has the right to appeal to the General Synod.

10. Each Synod retains the right of granting to visiting ministers from other Synods voice and vote. But no minister shall have the right to go from one synod to another as a full member, unless he present a certificate in which the officers of the Synod to which he belonged set forth his grade in office, attest his good character . . . and declare their consent to his transfer.

11. This proposed plan is to be sent to all Evangelical Lutheran Synods or Ministeriums in these United States . . .

Note.—Where the word “Synod” is found in the above “Proposed Plan” with the addition “or Ministerium,” it stands for Synod or Ministerium according to the name in use. . . . But when the word “Ministerium” stands alone, or “Ministeriums” proper are spoken of, this word denotes a body consisting of preachers alone, which might use the right of ordination.

The above Proposed Plan was in substance adopted in the Synod of Pennsylvania . . . by a large majority of votes, as a proposition for a central union of the Evangelical Lutheran Church in the United States of North America.

Attested.

J. GEORG SCHMUCKER,
President.
CONRAD JÄGER,
Secretary.

C. OPPOSITION TO PROPOSED PLAN, 1819-1821

The Plan of 1819 did not meet with the general acceptance that its proponents had anticipated. Of the four synods then in existence only two gave the Plan their approval, the Ministerium of Pennsylvania and the North Carolina Synod, which had been the prime movers in its creation.

A committee appointed by the New York Ministerium to study the Plan reported that certain of the proposals of the Plan violated the spirit of the synodical constitution. The committee further reported that it believed that everything that the Plan proposed could be accomplished if only all other synods would adopt the principles for intersynodical relationships which the New York Synod had already written into its own constitution (Doc. 25).

The newly formed Synod of Ohio withheld its approval of the Plan because of an anonymous pamphlet circulated throughout the synod charging that the General Synod was unnecessary and threatened the autonomy of the local synod in matters of worship, ministerial rank, and the transfer of ministers from synod to synod. The pamphlet deemed the tendency of the proposed General Synod to be hierarchical, and protested that the Ohio ministers who spoke only German would be at a disadvantage in a body which would use predominantly English in its proceedings (Doc. 26).

Even stronger opposition came from the Tennessee Synod, which was formed in 1820 as the result of schism within the North Carolina

Synod. This opposition will be discussed later in connection with the vigorous and detailed Tennessee objections to the constitution of the General Synod (Doc. 28).

25 New York Ministerium, 1819

The committee, to whom was referred the communication . . . relative to a central union of the Evangelical Lutheran Synods in the United States—REPORT, That they have carefully investigated the subject, and find, that some of the principles of the Plan-Entwurf . . . are at variance with the spirit of the constitution of the Evangelical Lutheran Ministerium in the state of New York.

[Here follows an outline of the Plan Entwurf.]

But your Committee are of opinion, that all the good effects, which the proposed plan anticipates, may be realized with less trouble, danger and expense, by a general adoption and enforcement of the fourth section in the 9th chapter of the constitution of this Ministerium . . . [“Chapter IX. Miscellaneous Articles. S.4. If any other Evangelical Lutheran Ministerium in the United States shall send a Commissioner or Delegate to attend the annual synod of this Association; such Commissioner or Delegate shall be received and have the right to vote in all its proceedings, as well as in the meetings of the Ministerium, strictly so called, after the business of the Synod is despatched; provided, that such Ministerium grant equal rights and privileges to a Commissioner deputed from this body.” From *The Constitution of the Evangelical Lutheran Ministerium of the State of New York and Adjacent States and Countries, 1816* (Philadelphia, 1816), p. 31.]

Resolved, 1. That the plan of a Central Synod, proposed by the Synod of Pennsylvania, cannot be accepted.

2. That an adoption of the fourth section of the 9th chapter in the constitution of this Ministerium be earnestly recommended to the Evangelical Lutheran Synods in the United States.

3. That this Synod will continue, as often as practicable to send Delegates to other Evangelical Lutheran Synods in the United States, and will always receive upon the same footing, the Delegates from other Synods, according to the 4th section aforesaid.

4. That this Synod will annually appoint a standing committee of correspondence, who shall . . . correspond with like Committees of other Lutheran Synods, on such subjects as may be best calculated to promote the prosperity, the extension and happiness of the Evangelical Lutheran Church in America.

26 Ohio Synod, 1821

SERIOUS REASONS GIVEN BY SOME OF THE EVANGELICAL LUTHERAN MINISTERS IN THE STATE OF OHIO AND VARIOUS OTHERS WHY THEY ARE UNWILLING TO ACCEPT THE PROPOSED PLAN FOR THE SO-CALLED CENTRAL SYNOD WHICH WAS DRAWN UP IN THE YEAR 1819 AT THE LUTHERAN SYNOD IN BALTIMORE.

The reasons why we reject the proposed plan and are not willing to place ourselves under its regulations are as follows, namely:

I. We believe that such an arrangement is entirely unnecessary; for even the friends of the proposed plan admit "that up until now the various synods of our church have, from time to time, endeavored to proceed under one and the same creed and doctrine." And we go a bit further and declare that up until now they have actually proceeded under one and the same creed and doctrine; for where have we ever heard of schisms and separations in our church unless one calls it schism or separation when a new synod is established? . . . However, . . . it is impossible to call this either a schism or a separation. . . . The friends of the proposed plan say, however, "This is all true, to be sure, but we are afraid that because our church extends itself geo-

graphically from time to time, schisms and separations thereby arise."—How they can foresee such a thing, however, they have not revealed to us. We . . . cannot perceive how occasion for this is given by the expansions of our church, for it is well known everywhere that the Augsburg Confession is the law of our faith and that the Ministerial Order, which must conform to said Confession . . . is the law of church discipline. Therefore it follows that schisms and separations can come into being only when individual members or groups of members wantonly and intentionally disobey this law. Those who act in accordance with this law, however, are in the closest union with us—even if the number were ten thousand times as great as it now is. Let us assume that there were really schisms to be feared. What should be the correct means of preventing them: Our opponents, the friends of the proposed plan, say a central union. But how a central union has more power to keep peace and unity than the law under which we now stand they have not made clear to us. . . . Therefore we conclude—and we believe quite rightly, that such an association is completely unnecessary. Instead of increasing peace and unity among us all, we believe that it opens the way to conflict and disunity; for we who have at one time solemnly promised before God and men to remain true to the Augsburg Confession and our Ministerial Order cannot possibly be expected to depart from it and accept another order which is not even as good and actually conflicts with both, as we shall point out further on.

II. That the proposed plan actually quarrels with the Augsburg Confession we learn from the 4th article of the aforementioned proposed plan which says, "The General Synod possesses the exclusive right, with the concurrence of a majority of the separate synods, both to introduce new books for general church usage and to make improvements in the church liturgy." What is the intent of this article? Is it intended perhaps that each synod or individual congregation may use . . . such hymnals as they judge to be good? Is it intended that each congregation may introduce . . . such ceremonies as it deems appropriate?

Does it give the ministers and their catechumens the right to use such catechisms as they wish? Of course not. The intent, without a doubt, is that the General Synod introduce and stipulate all the books of the church according to its discretion, so that uniform hymnals, catechisms and ceremonies may be used and observed. Then it follows naturally, because they are to have an exclusive right, that that minister or that congregation which refuses to adopt and to use said books and ceremonies will be expelled from the church as insubordinate and recalcitrant.—It is well known that some ministers differ greatly in their opinion with regards to hymnals, catechisms, and ceremonies. The General Synod designates the aforesaid books and ceremonies . . . ; they are, however, presumably, not pleasing to many; but these people are supposed to and must use them—yes, even against their will. Is it possible to imagine that such a thing can strengthen the bond of love and unity? Who does not see with us that it would be far better if we continued with the . . . 7th article of the . . . Augsburg Confession in which we are permitted to act according to our own discretion; that is, as long as we do not act contrary to the word of God, to use ceremonies and regulations which—even if they should be very different—are nevertheless not to be regarded as grounds for causing a separation. . . . the aforesaid 4th article of the proposed plan deprives us of the freedom which is permitted us in the 7th article of the Augsburg Confession. Therefore we conclude that the proposed plan repudiates the Augsburg Confession—or at least a part of it.

III. That the proposed plan is also at variance with the Ministerial Order and that we, therefore, cannot rightly agree to it. . . . Let us consider, for instance, the 5th article of the Ministerial Order and compare it with the 7th article of the proposed plan. We find that the former stipulates three steps in the ministry; but that the latter empowers the General Synod to make as many steps as they consider good. From this it is apparent that many more steps may be created about which we still know nothing, and that many of the present ministers can be set down from their respective ranks. Furthermore, our Ministerial Order, ac-

ording to the 9th paragraph in the supplement . . . permits each ordained member, if he moves, not only to join another synod according to his wishes, but also to have a seat and a voice in that to which he formerly belonged in case he submits to its rule.

In the 10th article of the proposed plan, however, it says: "No minister shall have the right to change from one synod to another as a member in good standing unless he present credentials in which the synod to which he belonged indicate his rank in the ministry, testify to his good behavior to the best of their knowledge and declare their approbation of his change." Who does not see that these two articles oppose each other as night and day; and also that the latter contains an unnecessary severity. . . . one could . . . demonstrate his authority and say, "We cannot permit you to leave our synod, and if you act contrary to our will in this then you cannot be admitted to any other (synod) either."

IV. By accepting the proposed plan we would transfer a great portion of our rights into the hands of some few persons, namely the representatives of the General Synod. Who would prevent these gentlemen, if they so wished, from having themselves incorporated according to the law of the land: And if such a thing were to happen, who would then contradict those laws which they would pass without fear of falling into the hands of a strict hierarchy? We are completely convinced, on the basis of church history, that the papacy established itself swiftly by such a method. . . . Experience has already shown us sufficiently that each synod knows its affairs best, therefore also is best qualified to make such arrangements as are most suitable for it. And, as has already been mentioned above, our church has up until now been preserved in peace and unity in this manner; where, on the contrary, others, as for example the Presbyterians, Methodists, and others, which have actually almost been governed by the above mentioned proposed plan, have already fall into various sects and factions. . . .

V. We cannot agree to accept the proposed plan because we believe it will provide an excuse for the General Synod to become

English speaking. It is well known that all the ministers of our synod are German and that they are almost all untrained and inexperienced in the English language. If, therefore, some of our members should be sent to the General Synod where, perhaps, everything was discussed in English, then they would not be able to pass judgment properly in many matters, which they could otherwise do if they could speak and listen in their own language.

. . . the Ministerial Order stipulates definitely according to page 29: "that the present Lutheran ministerium in Ohio and the neighboring states must remain a German speaking ministerium and that no arrangement can be adopted which makes necessary the use of another language in addition to German in the transactions of the synod meeting."

VI. In case we accept the proposed plan we are imposing burdensome expenses on ourselves; for . . . Pennsylvania has the great majority; thus, since they will outvote all others, we cannot expect that the General Synod will be held outside of Pennsylvania. . . . Permit us to say that we feel certain these expenses far exceed what could be gained and that we would be burdened unnecessarily.

VII. We learn from the 5th article of the proposed plan that in the future no synod can be established in the United States unless it is first approved by the General Synod. In case, however, some ministers should be so bold as to set up a conference outside the control of said General Synod, all ordinations and other affairs performed by them shall be regarded as invalid. . . . We cannot judge otherwise than that this article is far more papal than apostolic. . . .

As soon as we take the right of ordination out of the hands of individual pastors by an absolute law and transfer it to a national synod, we are also . . . immediately crawling back to Rome and our church is taking on the aspect of the papacy. . . . We firmly believe that this article usurps more power than is permitted by the Holy Scriptures or by the example of our late reformer. . . .

VIII. We believe that the adoption of the proposed plan would

be a risky action for us in that we would thereby subject ourselves to a constitution we have not even seen, much less carefully considered—which, moreover, has not yet been drawn up. The proposed plan says, to be sure, that the constitution of the General Synod shall be as suitable as possible; nevertheless the matter is as we are wont to say in the common proverb, "buying a pig in a poke." To be sure, we see its outward form clearly to some extent through the sack and conclude from that that it is not worth what it will cost us. We are therefore convinced by all this that we cannot do better than to conduct ourselves exactly according to the Augsburg Confession and the Ministerial Order and to remind all others who have sworn to do thus to do the same.

D. GENERAL SYNOD, 1820

Although the *Plan Entwurf* met with unexpectedly strong and widespread opposition, the proponents of a central, federative body went ahead with their plans to form a general synod.

A constitutional convention was held in October, 1822. Four synods were represented: the Ministerium of Pennsylvania; the North Carolina Synod; the Ministerium of New York, in spite of its earlier opposition to the *Plan Entwurf*; and the Maryland-Virginia Synod² which had been organized in 1820. The Ohio Synod and the Tennessee Synod were not represented.

The constitution drawn up by this convention tried to circumvent the objections raised to the *Plan Entwurf*. As a result the Constitution proposed less sweeping powers for the General Synod than the Plan had envisioned.

Part 4 of the Plan gave the General Synod "the exclusive right" to introduce new books of worship, and to effect "improvements in the Liturgy." Article II, Section II, Part 3 of the Constitution, however, specifically denied the General Synod "the power to prescribe among us uniform ceremonies of religion for every part of the Church." Part 7 of the Plan authorized the General Synod "to fix grades in the ministry." Article II, Section IV of the Constitution modified this to permit the General Synod "to give to the several Ministeriums well-considered advice" regarding grades in the ministry. Parts 7 and 8 of the Plan, which had been interpreted as making

²This Synod divided in 1829 to form the Maryland Synod and the Virginia Synod.

the General Synod a kind of court of final appeal in matters of doctrine and discipline, were rewritten in Article III, Section V of the Constitution to incorporate careful limitations upon the ways in which the General Synod could consider and act upon appeals in questions of doctrine and discipline. Part 10 of the Plan, which was intended to regulate the movement of ministers from one synod to another, was omitted in the Constitution.

The Constitution added several important matters not included in the Plan. In Article III, Section II it disclaimed for the General Synod the power to make "alterations" in the areas of doctrine and evangelism which might "tend to burden the consciences of the brethren in Christ." Not only did this phrasing form a declaration of loyalty to Lutheran doctrine and witness; it recognized the autonomy of the local synods in such matters. The wide divergence in doctrinal position among the synods which the General Synod was intended to serve—compare the absence of any confessional statement in the constitution of the Ministerium of Pennsylvania (1792) with the strongly conservative confessional position of the Tennessee Synod—led the General Synod to take up this rather indefinite position. It was an attempt to satisfy everyone. As a further significant addition, Article III, Section VI of the Constitution called for the General Synod to frame and carry into effect plans for "seminaries of education and missionary institutions," and to provide aid for poor ministers, and the widows and orphans of ministers.

Each of these additions was to play an important part in the life of the General Synod. The deliberately general doctrinal position proved to be a handicap. The seminary which was founded in keeping with the second addition proved a source of strength.

The Constitution was presented to the synods with the stipulation that if any three of the synods adopted it, an organizing convention of the General Synod was to be called to meet in 1821.

27 Constitution, 1820

CONSTITUTION OF THE EVANGELICAL LUTHERAN GENERAL SYNOD IN THE UNITED STATES OF NORTH AMERICA.

JESUS CHRIST, the Supreme Head of His Church, having prescribed no special Regulations concerning Church government, and every sectional portion of the Church being left at full liberty to make such regulations to that effect, as may be most adapted

to its situation and circumstances, therefore—Relying upon God our Father, in the name of our Lord Jesus Christ, under the guidance and direction of the Holy Spirit in the Word of God, for the promotion of the practice of Brotherly Love, to the furtherance of Christian Concord, to the firm establishment and continuance of the Unity of the Spirit in the bond of Peace—We, the Deputies of the "German Evangelical Lutheran Synod of Pennsylvania and the Neighbouring States," of the "German and English Evangelical Lutheran Synod in the State of North Carolina and the Bordering States," of the "Evangelical Lutheran Ministerium in the State of New York and the Neighbouring States and Countries," and of the "Evangelical Lutheran Synod of Maryland, Virginia, &c." for ourselves and our successors, do adopt the following fundamental articles, viz.

Article I.

The Name, Style and Title of this Convention shall be: *The Evangelical Lutheran General Synod of the United States of North America.*

Article II.

This General Synod shall consist of the Deputies from the several Evangelical Synodical Conventions in the United States, who may join themselves thereunto and be duly acknowledged as members thereof, in the following ratio, namely:

Every Synodal body, or Synod, (whether of Ministers only, or of Ministers and Lay Deputies together) containing six Ministers, may send one; if it contain fourteen, two; if twenty-five, three; if forty, four; if sixty, five; and if it contains eighty-six Ministers or upwards, six Deputies of the rank of ordained Ministers and an equal number of Lay Deputies.

Each Deputy, appearing in the General Synod according to this ratio, shall, except as is herein after provided, enjoy an equal right and vote with all others. Every Synod may chuse its Deputies in such a way and manner as to them may seem proper, and shall pay the travelling expenses of the same to and from the

General Synod, until the General Synod shall have established for itself a treasury, from which the future expenses may be discharged.

Article III.

The Business of the General Synod shall be as follows, namely:

SECTION I. The General Synod shall look into the Proceedings of the several Synods and Ministeriums belonging to this association, in order that they may obtain some knowledge of the existing state and condition of the Church. The several Synods therefore shall transmit as many copies of their proceedings to the General Synod, as there shall be members contained in the General Synod.

SECTION II. With regard to all *Books* and *Writings* proposed for common and public use in the church, the General Synod shall act as a joint committee of the special Synods and Ministeriums, after the following manner, viz.

1. The General Synod shall examine all books and writings, such as catechisms, forms of liturgy, collections of hymns, or confessions of faith, proposed by the special Synods for public use, and give their well considered advice, counsel or opinion concerning the same. No Synod, therefore, and no Ministerium, standing in connexion with this General Synod, shall set forth any new book or writing of the kind above mentioned, for public use in the church, without having previously transmitted a full and complete copy thereof to the General Synod, for the purpose of receiving their said advice, counsel or opinion.

2. Whenever the General Synod shall deem it proper or necessary, they may propose to the Special Synods or Ministeriums, new books or writings of the kind mentioned above, for general or special, common or public use. Every proposal of this kind, the several or respective Synods and Ministeriums shall duly consider, and if they, or any one of them, shall be of the opinion, that the said book or books, writing or writings, will not conduce to the end proposed, then and in such a case it is hoped, that the reasons for such opinion will be transmitted to the next con-

vention of the General Synod, in order that the same may be entered on their journal.

3. But no General Synod can be allowed to possess, or arrogate unto itself, "the power of *prescribing* among us *uniform ceremonies of religion* for every part of the Church;" or to introduce such alterations in matters appertaining to the faith, or to the mode of publishing the Gospel of Jesus Christ (the Son of God, and ground of our faith and hope) as might in any way tend to burden the consciences of the brethren in Christ.

SECTION III. If hereafter twenty-five ministers, dwelling exclusively together within a certain marked boundary, fifteen of whom being ordained ministers, shall apply to the General Synod for permission to create within themselves a Special Ministerium, and the Synod or Ministerium to which they have previously belonged, do not, upon due notice given of their intention so to apply, make any serious or important objection, then the General Synod shall have power to grant that permission; and if within the bounds of a whole state no special Synod or Ministerium shall yet have existed, and six ordained ministers residing therein shall apply for permission to create within themselves a Special Ministerium, the General Synod shall authorize the establishment of a new Synod and Ministerium within the said state. But until the permission or authority be thus formally conceded, no Deputies of a new Synod or Ministerium shall be acknowledged to have a seat and vote in the General Synod.

SECTION IV. With regard to the Grades in the Ministry, the General Synod may give to the several Ministeriums well considered advice, wherein the circumstances of time, place and condition must be duly contemplated, and a beneficial uniformity, and actual equality, of rank among the several ministers, must, as much as is possible, be had in view. The General Synod shall also advise such rules and regulations among the several Synods and Ministeriums, as may prevent unpleasant and unfriendly collisions, that might otherwise arise out of any differences of grades existing among them, or from any whatever other possible causes.

SECTION V. The General Synod shall not be looked upon as a

Tribunal of Appeal; it may, however, be employed in the following cases and after the following manner:

1. The General Synod may give advice or opinion, when complaints shall be brought before them, by whole Synods, Ministeriums, Congregations, or individual Ministers, concerning doctrine or discipline. They shall however be extremely careful, that the consciences of the Ministers of the Gospel be not burdened with human inventions, laws or devices, and that no one be oppressed by reason of differences of opinion.

2. If Parties, differing in matters of doctrine and discipline, refer the cause of difference, in a brotherly manner, to the General Synod, they shall institute a close and exact scrutiny and examination thereof, and give their opinion on the subject of difference, according to their best insight of right, equity, brotherly love and truth.

3. If differences between Synods be referred, the votes thereon shall be taken by Synods, and the referring Synods shall have no vote.

SECTION VI. The General Synod may devise plans for seminaries of education and missionary institutions, as well as for the aid of poor ministers, and the widows and orphans of ministers, and endeavour, with the help of God, to carry them into effect.

SECTION VII. The General Synod may also institute and create a treasury for the effectual advancement of its purposes.

SECTION VIII. The General Synod shall apply all their powers, their prayers and their means, toward the prevention of schisms among us, and be sedulously and incessantly regardful of the circumstances of the times, and of every casual rise and progress of unity of sentiment among Christians in general, of whatever kind or denomination, in order that the blessed opportunities to heal the wounds and schisms already existing in the Church of Christ and to promote general concord and unity, may not pass by neglected and unavailing.

Article IV.

The General Synod shall choose, from among their own number, a president and a secretary; and from among their own number or elsewhere, as soon as it may be necessary, a treasurer. They shall continue in office until the next succeeding convention. The same person is at all time re-eligible as secretary or treasurer; but no one may be elected president more than two conventions in succession, and the same person cannot thereafter be elected for the two successively following conventions.

[The four following sections delineate the duties and order of succession of the officers.]

Article V.

The course of business shall be conducted as follows, . . .

Article VI.

The General Synod may make whatever by-laws they may deem necessary, provided only that said by-laws do not contradict the spirit of the constitution.

Article VII.

No alterations of this constitution may be made except by the consent of two-thirds of the Synods attached to this convention; notice of the intended alteration having been given to the said Synods at least two years previous to the final adoption thereof.

[Here follow the names of the signees.]

The foregoing constitution being completed and adopted, the convention resolved unanimously:

1. That in case one or more of the Synods shall not be satisfied with every part of this constitution, and make known to the chairman of this convention a conditional adoption thereof, the chairman shall communicate the circumstances to the other Synods, and the General Synod may in its next convention de-

liberate thereon, and shall, in the adoption or rejection of the proposed condition, vote by Synods.

2. That, if three of the Synods here represented, shall have confirmed this constitution, the chairman shall give public notice that the next General Synod convene in Fredericktown, in the state of Maryland, on the third Monday in October, Anno Domini, 1821.

3. [Arrangements are outlined here for printing the proceedings and constitution.]

4. That the chairman of this convention address a friendly letter to the president of the Synod of Ohio, encouraging him, if possible, to prevail on the said Synod to unite with their brethren in the adoption of this constitution.

5. [Committee appointments are listed here.]

Done and concluded at Hagerstown, in the state of Maryland, October 24th, A.D. 1820.

DANIEL KURTZ, *Chairman*

Attest,

H. A. MUHLENBERG, *Secretary*.

E. OPPOSITION TO GENERAL SYNOD CONSTITUTION, 1820

The opposition to the Constitution of the General Synod was even stronger than the opposition to the Plan Entwurf.

The strongest opposition came from the Tennessee Synod³ which had been formed in July, 1820, by a schism in the North Carolina Synod.

The controversy which produced this schism involved personal animosities, disputes over polity, and disagreement regarding doctrine. In 1819, the North Carolina Synod, after hearing charges against David Henkel of exercising improper excommunication, teaching transubstantiation, claiming the power to forgive sins, and acting unfriendly toward ministers of other denominations, voted to make him only a catechist for the next year. Philip and Paul Henkel,⁴

³Originally called the "Conference of Tennessee," the body took the name "The German Evangelic Lutheran Synod of Tennessee" in 1825.

⁴The Henkel family is inseparably linked with the recovery of the Augsburg Confession and the other symbolical books for the Lutheran church in America.

older brothers of David, were ordained ministers of the Synod. In violation of the rule which vested the power of ordination in the Synod, Philip Henkel ordained his brother David and one J. E. Bell. A bitter controversy ensued over the authority of the synod to control ordination. The Henkels and their adherents refused to accept the authority of the Synod, charging it with doctrinal and confessional laxity, especially with regard to baptismal regeneration and the real presence of the "true body and blood of the Lord" in the Communion. The schism followed.

As far as the Tennessee Synod was concerned, the General Synod was identified with the North Carolina Synod and represented the positions regarding doctrine and polity which were at issue between the two synods. A special committee of the Tennessee Synod issued a blistering, lengthy, and somewhat unfair attack on the Constitution. Beginning with the Preamble, the committee's 23-page report went on through the first four articles of the Constitution, attacking each in turn. It made the most of every possible opportunity to express doubt about the Lutheranism of the general body and those synods which might join to form it. It attacked the undefined doctrinal position of the Constitution. Where Article II failed to include the word "Lutheran" in describing "the several Evangelical Synodal Conventions in the United States," the Tennessee Synod saw in the omission proof of the charge that the general body would not be Lutheran, but would accept deputies from other denominations and "intended to extirpate the Lutheran doctrine." It doubted the sincerity of the limitations of power which the Constitution placed upon the General Synod, and magnified every possible suggestion that the General Synod would try to seize power over its constituent synods. It rejected the General Synod's expressed desire to promote general Christian harmony with the sharp rejoinder, "All that we can understand from this, is a desire to *unite with all denominations*."

The report of the special committee, of which David Henkel was a member, found the General Synod, under the proposed Constitution, *un-Lutheran* because of the absence of any confessional statement citing the traditional Lutheran symbols—the Scriptures, the Augsburg Confession, and Luther's Catechism; too *unionistic* in what the Tennessee Synod expected its position in relation to other denominations would be; an unwarranted intrusion of a *hierarchical form* of ecclesiastical government upon the rights and prerogatives of local synods and congregations; an *indefensible financial burden* upon the laity. Although the Tennessee Synod felt it could not stop the formation of the General Synod, it condemned the establishment of such general bodies as "preparing the way" for the coming of the Antichrist.

28 Tennessee Synod, 1820

THE OBJECTIONS OF THE COMMITTEE AGAINST THE
CONSTITUTION OF THE GENERAL SYNOD.

.....

This constitution further saith: "By the guidance of the Holy Spirit in the divine word." How is it possible, that they can consistently say: that the Holy Spirit, in the *divine word*, hath taught or guided them to establish a General Synod; when at the same time they declare: that Christ has *not* given any particular prescriptions how church-government should be regulated? . . . Can it be supposed: that the Holy Spirit, in a miraculous manner taught them, without the word? . . .

. . . We sincerely wish, it might be considered, that the attempt of the establishment of this General Synod, has not produced any brotherly love, nor harmony, nor peace; but, on the contrary: divisions, contentions and confusion. This establishment is nothing but self-invented rules and traditions of men—and such as love christian liberty, cannot suffer themselves to be brought into bondage; . . .

.....

This body indeed, may call itself *Evang. Lutheran*, & yet not be such. The constitution does nowhere say, that the Augsburg confession of faith or Luther's catechism or the Bible, shall be the foundation of doctrine and discipline of the General Synod. . . . It is truly said by some: that every person knows this . . . that they have always been the standard of the church. . . . But who assures us, that they are to be the standard of this General Synod? . . . The General Synod, has unlimited power . . . to promote any doctrine, to establish any new creed or institute any discipline they please; for there is no Augsburg confession of faith, no Luther's catechism, nor Bible to restrict them. If they see cause, they may establish the principles of deism or any other, that may seem most lucrative or popular . . .

.....

This body may consist of deputies, from the *different* evangelical connexions. It is not said of the *several Evang. LUTHERAN* connexions. . . . it is evident, that it may be composed of *all* denominations . . . that all denominations, who call themselves Evangelical, may have seats and votes in this body; for . . . there is nothing to prohibit them from it. . . . What is the benefit of Luther's name, when his doctrines are extirpated? Does the General Synod intend to extirpate the Lutheran doctrine, in allowing deputies from other connexions to have votes? . . .

.....

Here [Article III] no individual Synod, can neither publish nor introduce books for public use of churches, without previously receiving the advice and admonition of the General Synod. . . . Why are measures taken to rob people of their christian liberty? The plea . . . is, that every person has liberty: . . . he shall only ask the General Synod for advice, before he publishes them. Why . . . ask for advice, if he still has the liberty to comply with . . . or reject it? It must be a natural consequence that such advice must be obeyed; otherwise advising would be a useless thing. . . .

One more thing. . . . It is said, "the General Synod shall examine all the manuscripts and books . . . such as . . . confession of faith." An opportunity is here given to introduce a new confession of faith. This appears a conclusive proof, that the General Synod, do not intend to be governed by the Augsburg confession. . . . They wish to have power to form a new confession; perhaps more popular, and suited to the new fangled opinions of this present age of infidelity.

.....

. . . The Synods who now compose the General Synod, and arrogate to themselves the power of giving formal grants and permissions to form [new] Synods, themselves had no formal grants from a General Synod, to become Synods. . . . Now those very men . . . arrogate to themselves authority of giving formal grants and prohibiting ministers from forming Synods, without petition-

ing them for liberty! . . . This pretended power . . . is nothing but an arbitrary usurpation. . . .

The General Synod shall not burden the consciences of ministers with human traditions: yet . . . the very institution of the General Synod is nothing but human laws and traditions. . . . In the name of common sense, how can this be consistent? . . .

Further . . . "that no person shall be afflicted with respect to difference in opinion." What an opportunity . . . to introduce all manner of false doctrines! . . . then no person can be excommunicated for propagating any false or wicked doctrine. One might deny the holy Trinity, and encourage any system of infidelity and, yet agreeable to this constitution, no one could be rebuked nor suspended. . . .

. . . . Had Christ established a general treasury out of which he hired his apostles . . . ? . . . Genuine ministers have no need of a general fund to support them . . . but such men, who are not called of God . . . expect to be supported by the promise of Christ. . . . What is better calculated to induce hirelings to enter into holy orders . . . ?

Why are ministers' widows and orphans, and poor ministers only, to be supported by a general fund, and not also other poor members of the church? Are the families of ministers a nobler race . . . so that extraordinary provisions must be made for them, in preference to others? . . . The farmers and mechanics may labour hard to procure money, to fill this treasury: of which though, their widows and orphans . . . could expect no assistance. . . . Howbeit, it is said: that no person is compelled to contribute . . . at last they would find themselves obliged to contribute.

SECT. VIII. This section shews, how the General Synod, shall endeavor to heal divisions, and to observe the opinions which are growing common, in order to promote a general union and

harmony.—All that we can understand from this, is a desire to unite with all denominations.

Conclusion.

We conclude, hoping that the friends of the General Synod will not view us as enemies. . . . We would freely join in with them, if we could do it with a good conscience. Such a general connexion . . . would certainly exalt the clerical state . . . to a high degree above the people. Greater burdens might then be imposed upon them; and such of us as are ministers, might thereby live more comfortably . . . It would . . . render us more popular; because the General Synod system, as it borders on temporal grandeur, finds many patrons who are wealthy, and it is much easier to swim with, than against the current. . . .

We do not expect finally to prevent the establishment of this General Synod . . . ; because we believe, agreeable to the divine predictions, that the great falling away is approaching, so that Antichrist will set himself into the temple of God. . . . We also believe that the establishment of General Synods are preparing the way for him. . . . Antichrist will not, and cannot go into power, without a general union, which is not effected by a divine harmony of godly doctrines; but by common temporal interests, and the power of a majority. . . .

F. OPPOSITION TO GENERAL SYNOD BASED ON DESIRE FOR UNION WITH REFORMED CHURCH

Three of the four synods which drew up the Constitution for the General Synod accepted the Constitution—the Ministerium of Pennsylvania, the North Carolina Synod, and the Maryland-Virginia Synod—and the organizing convention was held in 1821.

The over-all unity which the General Synod was expected to effect, however, was not achieved. The Ministerium of New York decided not to participate in organizing the general body, the Ohio Synod postponed the decision on membership until 1822, and the Tennessee Synod continued to oppose the General Synod vigorously.

The limited degree of unity achieved in 1821 was severely damaged in 1823 by the withdrawal of the Ministerium of Pennsylvania,

29 Proposed Joint Seminary, 1818

There now appeared before the Synod [The Ministerium of Pennsylvania] . . . a delegation from the Evangelical Reformed Synod of this State, and presented a communication . . . as follows: . . .

“No. 5. On motion of Mr. Sam. Helfenstein that, because of the increase and growth of our congregation, efforts should be made to provide an institution for the education of young preachers.” . . .

Thereupon *Resolved*, That a committee be appointed to confer with our brethren of the venerable Reformed Synod concerning the proposed plan.

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The committee . . . appointed yesterday to confer with the committee of the Evangelical Reformed Synod, and devise ways and means for the founding of a joint Institution of Learning, in order to train young men in the future for the ministry, presented the following report:

1. That they have . . . ascertained that in the city of Lancaster there is an institution known by the name of Franklin College, which, in the year 1787, was given to the German Lutheran and Reformed Churches for this purpose . . .

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5. That a committee shall be appointed by both Synods in common, to prepare a plan, according to which the above-mentioned institution can best be reconstructed (*eingrichtet*) for the above-mentioned purpose.

30 Ministerium Action to Study Merger, 1822

Upon the proposal of President Endress, supported by Secretary Mühlenberg, it was unanimously

Resolved, That a Committee of Synod be appointed, in order to take counsel together, in the fear of God, concerning the propriety of a proposal for the general union of our Church in this land with the Evangelical Reformed Church, and the possibility and the possible ways and means of introducing some such subject, provided, however, that the appointment of this Committee be postponed until the next meeting of the Synod.

31 Ministerium Withdrawal from General Synod, 1823

Resolved, To take . . . all matters referring to the General Synod and connected topics, into consideration. . . .

The following was laid on the table, read, considered maturely and after carefully hearing all the charges and counter-charges, was then passed.

All men shall know that we are the disciples of the Lord Jesus Christ, in that we have charity one for another. . . .

. . . Our aim has always been the exercise of love. To this end we are a Synod. We desire to exercise love. Desiring this, we enlarged the bond of love, entered upon a union of hearts with others of our brethren, in Christ Jesus and called it a General Synod. We desired that the ministry of reconciliation be held in honor among us, . . . and among our posterity, and we hoped for the time when an institution should be established to prepare young men for the ministry of reconciliation, . . . a *Theological Seminary*, a nursery of God’s doctrine. We beheld large, beautiful congregations of brethren, who teach the doctrine of Jesus in the same meaning and spirit with us, practicing the office of reconciliation, and who often work, teach and worship the same Lord in the same church buildings with us, after the same manner, with the same purpose. Simultaneously we gave utterance to the distant longings of love that we might enter into closer ties with these our German evangelical-Protestant brethren and called it the Union of the German Protestant Church. . . .

And our brethren mistake us. They hear false and malign representations and hold our love in suspicion, . . . The reports of various ministers and delegates of congregations, as well as the written evidence before us, reveal that the good intentions of our Synod with reference to the General Synod, an anticipated Seminary, and a hearty desire for a union of the Lutheran and Reformed Churches in this country, which has been cherished for a long time by some of our oldest congregations . . . has been greatly misjudged. It is clear that dissatisfaction, trouble and discord have arisen which cannot be removed, as long as the causes and objects of these unjust suspicions are not removed.

Therefore since love is always our aim, and since it is in danger of suffering a grievous wound . . . and since the Synod is not at all inclined to arrange anything among the congregations without their full and hearty consent, for the sake of preserving universal love and harmony, be it

Resolved:

1. To send no more delegates to the General Synod.
2. To take no steps toward the establishment of a Theological Seminary.
3. To desire solely the accomplishment of the future union with the Reformed Church, and
4. *Resolved*, That the above resolutions shall remain in force until somehow in the future the congregations themselves become aware of their misunderstanding of our true purposes and insist on rescinding these resolutions.

32 Probst's Proposed "Reunion," 1825

[Parts 1 and 2 discuss the division of the Reformation movement and the origins of the Lutheran and Reformed denominations.]

PART 3. [The opening paragraphs treat of various attempts

at reunification of the Lutherans and Reformed. The Prussian Union of 1817 is given high praise.]

Yet the way is broken for the first time; an example for imitation has been given us by our brethren in Europe; and the more we advance in the true Enlightenment and in apprehension of the pure evangelical disposition, so much the more shall we press upward toward the valiant age of perception and to one and the same faith, and steadily become more and more righteous and more genuine in love according to the proto-type of Christ.

[Part 4 is the heart of the little book. It discusses the obstacles which prevent the reunion as well as the means for removing these obstacles, and gives the steps necessary to reunion. Section 1 calls for Lutherans to give up the doctrine of the "real presence" and advocates the introduction among Lutherans of "breaking of bread." Section 2 repudiates any doctrine of unconditional election and predestination and the Reformed are called upon to give up these doctrines. Sections 3 through 12 treat minor objections and lay out the advantages to be gained by reunion.]

[Sections 13 through 17 detail the plan for reunion.]

It lies in the nature of the situation that the goal can be reached only through gradual, peaceful progress, and we would be unreasonable if we did not set up certain sure steps toward reunion, wherever this is possible. The first step, without which reunion is scarcely imaginable obviously consists in—

That both Synods—the Lutheran and the Reformed—lay aside the previous sectarian names, and solemnly declare that henceforth they call themselves only Evangelical, according to the Gospel of Jesus, and that they desire to stand in churchly communion and union with all Christian Churches which embrace the pure Gospel of Jesus, without human dogmas, as the ground of their faith. . . .

Section 14. The positive ground for further progress would be laid still more if the ministers on both sides would prepare, in District Conference, a small, biblical catechism, leaving out all learned distinctions. . . . That Luther's Small Catechism (which we do not have at all here in America, only a mutilation of it)

39 Pennsylvania Ministerium's Rejoining, 1853

WHEREAS the union of all parts of the whole Evangelical Lutheran Church is highly desirable, and, whereas this Synod is deeply sensible of the duty, not only "to keep the unity of the spirit in the bonds of peace," but also to co-operate with our brethren of the household of faith in the promotion of every good work . . . therefore

VI. *Resolved*, 1st: That this Synod renew again its active connection with the so-called "Evangelical Lutheran General Synod of the United States of North America," approving of the principles laid down in its Constitution for the Government of the several Evangelical Lutheran Synods of which it is composed, and in regard to their relation to each other, and their mutual operations.

VII. *Resolved*, 2d: That this Synod regards the General Synod simply as an association of Evangelical Lutheran Synods, entertaining the same views of the fundamental doctrines of the gospel, as these are expressed in the *Unaltered Augsburg Confession*, and we advert to the fact, that the General Synod is denied the right by its Constitution, of making any innovations or alterations of this faith.

VIII. *Resolved*, 3d: That this Synod in its union with the General Synod, retains its own Constitution and form of Government, and also the right to regulate its own internal affairs as previous and heretofore.

IX. *Resolved*, 4th: That we neither intend nor ever expect, that the principles which have hitherto governed our Synod in respect to church doctrine and church life shall suffer any change whatever, by our connection with the General Synod; but that, should the General Synod violate its constitution and require of our Synod or of any Synod, as a condition of admission or of continuation of membership, assent to any thing conflicting with the old and long established faith of the Evangelical Lutheran church, then our delegates are hereby required to *protest against*

such action, to withdraw from its sessions, and to report to this body.

X. *Resolved*, 5th: That we again earnestly request the Synod of Ohio, and all other Evangelical Lutheran Synods that are not yet connected with the General Synod, to join us in uniting with it on the same principles, so that the individual parts of the Evangelical Lutheran church may labor unitedly and more efficiently for the general welfare of the whole church. . . .

40 Pittsburgh Synod's Rejection of Membership, 1851

Your committee, upon whom was imposed the difficult and important task of setting forth the reasons which led to the rejection of the resolution to unite itself with the General Synod, would respectfully and briefly report as follows:

1. The objection on the ground of the General Synod's doctrinal basis was waived by those who had previously objected on this account, as they conceive, after the time they have had for consideration, that such a union in itself did not really commit the Synod or themselves to any basis which it may have proposed, or which might not be adopted by this Synod, and against which they could under any circumstances protest.

2. It was urged that it would cause distractions and divisions in some of our churches, and it would likewise shut us out to a great extent from exerting an influence on a large class of our population, and on a portion of the church which it is our duty and desire to bless.

3. The objection, however, mainly urged, was that the General Synod was *identified* with slavery; that delegates being slaveholders are admitted as members, and that we by uniting become implicated in the sin of slavery. This position, though strenuously opposed, even to the last, finally having excited the minds of

divine obligation of the Christian Sabbath; baptismal regeneration; and the Real Presence of the Body and Blood of the Saviour in the Lord's Supper.

The issue was clearly drawn between historic Lutheranism and "American Lutheranism."

The reaction to the *Definite Synodical Platform* within the General Synod was prompt and decisive. The preface to the second edition, which is the document quoted, proved to be even more disturbing than had the original preface. The constituent synods, with the exception of three small synods in Ohio, not only refused to accept the *Platform*, they opposed it vigorously and declared their firm allegiance to the Unaltered Augsburg Confession. The Pittsburgh Synod's statement of its position on the issue is typical of the rejection not only of the *Definite Synodical Platform* but of what the General Synod felt to be an unwarranted attempt to create dissension within its ranks, to restrict the Christian liberty of its members, and to impair the purity of the faith (Doc. 45).

44 Definite Synodical Platform, 1855

DEFINITE PLATFORM, DOCTRINAL AND DISCIPLINARIAN, FOR EVANGELICAL LUTHERAN DISTRICT SYNODS; CONSTRUCTED IN ACCORDANCE WITH THE PRINCIPLES OF THE GENERAL SYNOD.

Preface

This Definite Synodical Platform was prepared and published by consultation and co-operation of ministers of different Eastern and Western Synods, connected with the General Synod, at the special request of some Western brethren, whose churches desire a more specific expression of the General Synod's doctrinal basis, being surrounded by German churches, which profess the entire mass of former symbols.

As the American Recension, contained in this Platform, adds not a single sentence to the Augsburg Confession, nor omits anything that has the least pretension to be considered "a fundamental doctrine of Scripture," it is perfectly consistent with the doctrinal test of the General Synod. . . . The Apostles' and Nicene Creeds are also universally received by our churches. Hence any

District Synod, connected with the General Synod, may, with perfect consistency, adopt this Platform, if the majority of her members approve the Synodical Disclaimer, contained in Part II.

It is, moreover, exceedingly important, for the sake of uniformity, that any Synod adopting this Platform, should receive it entire, without alteration. . . .

Part II. . . . is not part of the Pledge or Doctrinal Basis . . .

Part I

Preliminary Principles; and the Doctrinal Basis or Creed to be Subscribed

WHEREAS it is the duty of the followers of Christ to profess his religion before the world . . . Christians have, from the earlier ages, avowed some brief summary of their doctrines or a Confession of their faith. Such confessions, also called symbols, were the so-called Apostles' Creed, the Nicene Creed, &c., of the first four centuries after Christ.

Thus also did the Lutheran Reformers of the sixteenth century, when cited by the Emperor to appear before the Diet at Augsburg, present the Confession, bearing the name of that city, as an expose of their principal doctrines; in which they also professedly reject only the *greater part* of the errors that had crept into the Romish Church Subsequently, Luther and his coadjutors still further changed their views on some subjects in that Confession, such as the Mass; and seven years later taught purer views in the Smalcald Articles.

Again, a quarter of a century after Luther's death, these and other writings of Luther and Melancthon, together with another work which neither of them ever saw, the Form of Concord, were made binding on ministers and churches, not by the church herself, acting of her own free choice, but by the civil authorities of certain kingdoms and principalities. The majority of Lutheran kingdoms, however, rejected one or more of them, and the Augs-

burg Confession alone has been acknowledged by the entire Lutheran Church . . .

WHEREAS the entire Lutheran Church of Germany has rejected the symbolical books as a whole, and also abandoned some of the doctrines of the Augsburg Confession, among others the far greater part of them the doctrine of the bodily presence of the Savior in the Eucharist, and our fathers in this country also more than half a century ago, ceased to require a pledge to any of these books, whilst they still believed and in various ways avowed the great fundamental doctrines contained in them:

And WHEREAS the General Synod of the American Lutheran Church, about a quarter of a century ago, again introduced a qualified acknowledgement of the Augsburg Confession, in the Constitution of her Theological Seminary, and in her Constitution for District Synods, at the ordination and licensure of ministers, without specifying the doctrines to be omitted, except by the designation that they are not fundamental doctrines of Scripture; and whereas a general desire has prevailed amongst our ministers and churches, to have this basis expressed in a more definite manner; and the General Synod has left this matter optional with each district Synod:

Therefore we regard it as due to the cause of truth, . . . to specify more minutely what tenets of the Augsburg Confession, and of the former symbolic system are rejected, some by all, others by the great mass of the ministers and churches of the General Synod, in this country.

Accordingly, the following *American Recension of the Augsburg Confession*, has been prepared, by consultation and co-operation of a number of Evangelical Lutheran Ministers of Eastern and Western Synods belonging to the General Synod, at the special request of Western brethren, whose churches particularly need it, being intermingled with German churches, which avow the whole mass of the former symbols. In this revision, not a single sentence has been added to the Augsburg Confession, whilst those several aspects of doctrine have been omitted, which have long since been regarded by the great mass

of our churches as unscriptural, and as remnants of Romish error.

The only errors contained in the Confession (which are all omitted in this Recension) are—

1. The Approval of the Ceremonies of the Mass.
2. Private Confession and Absolution.
3. Denial of the Divine Obligation of the Christian Sabbath.
4. Baptismal Regeneration.
5. The Real Presence of the Body and Blood of the Savior in the Eucharist.

With these few exceptions, we retain the entire Augsburg Confession, with all the great doctrines of the Reformation.

The other errors rejected in the second part of this Synodical Platform, such as Exorcism, &c., are contained not in the Augsburg Confession, but in the other former symbolical books, and are here introduced as among the reasons for our rejection of all the other books except the Augsburg Confession.

At the same time, whilst we will not admit into our Synod any one who believes in *Exorcism, Private Confession and Absolution*, or the *Ceremonies of the Mass*, we grant liberty in regard to the other omitted topics, and are willing, as heretofore, to admit ministers who receive them, provided they regard them as non-essential, and are willing to co-operate in peace with those who reject them, and to subscribe the pledge defined in the following Resolutions:—

I. *Therefore, Resolved*, That this Synod hereby avows its belief in the following doctrinal Basis, namely, the so-called *Apostles' Creed*, the *Nicene Creed*, and the *American Recension of the Augsburg Confession*, as a more definite expression of the doctrinal pledge prescribed by the General Synod's Constitution for District Synods, and as a correct exhibition of the Scripture doctrines discussed in it: and that we regard agreement among brethren on these subjects as a sufficient basis for harmonious co-operation in the same church.

II. *Resolved*, That we receive the General Synod's Formula of Government and Discipline, contained in her Hymn Book, as our directory; and that any additions or alterations we may

desire, we will embody in bye-laws; so that our beloved Church may possess and exhibit to the world entire harmony in the reception of one Doctrinal and Disciplinarian Platform.

III. *Resolved*, That we will not receive into our Synod any minister who will not adopt the Pledge defined in these Resolutions, and faithfully labor to maintain its discipline in his charge.

Note.—Part II, containing the Synodical Disclaimer, being not included in the above Pledge, is not intended for subscription, but is published by the Synod to discourage the views there rejected, and to repel the charge of avowing them.

45 Objections of Pittsburgh Synod, 1856

Testimony of the Synod of Pittsburgh.

WHEREAS, Our Church has been agitated by proposed changes in the Augsburg Confession—changes whose necessity has been predicated upon alleged errors in that Confession;

And WHEREAS, These changes and the charges connected with them, though set forth by individual authority, have been endorsed by some Synods of the Lutheran Church, are urged upon others for approval, and have been noticed by most of the Synods which have met since they have been brought before the Church;

And WHEREAS, Amid conflicting statements, many who are sincerely desirous of knowing the truth are distracted, knowing not what to believe, and the danger of internal conflict and of schism is incurred;

And WHEREAS, Our Synods are the source whence an official declaration in regard to things disputed in the Church, may naturally and justly be looked for; we therefore, in Synod assembled, in the presence of the Searcher of hearts, desire to declare to our churches and before the world, our judgment in regard to these changes and these charges, and the alienation among brethren which may arise from them:

1. *Resolved*, That by the Augsburg Confession we mean that

document which was framed by Melancthon, with the advice, aid and concurrence of Luther and the other great evangelical theologians, and presented by the Protestant Princes and Free Cities of Germany, at the Diet of Augsburg, in 1530.

2. *Resolved*, That while the basis of our General Synod has allowed of diversity in regard to some parts of the Augsburg Confession, that basis never was designed to imply the right to alter, amend or curtail the Confession itself.

3. *Resolved*, That while this Synod, resting on the word of God as the sole authority in matters of faith, on its infallible warrant rejects the Romish doctrine of the real presence, or Transubstantiation, and with the doctrine of Consubstantiation, rejects the Mass and all ceremonies distinctive of the Mass, denies any power in Sacraments as an *opus operatum*, or that the blessings of Baptism and the Lord's Supper can be received without faith, rejects Auricular Confession and priestly Absolution, holds that there is no priesthood on earth except that of all believers, and that God only can forgive sins, and maintains the sacred obligation of the Lord's day; and while we would, with our whole heart, reject any part of any Confession which taught doctrines in conflict with this our testimony; nevertheless, before God and his Church, we declare that, in our judgment, the Augsburg Confession, properly interpreted, is in perfect consistence with this our testimony, and with the Holy Scriptures, as regards the errors specified.

4. *Resolved*, That while we do not wish to conceal the fact, that some parts of the doctrine of our Confession, in regard to the Sacraments, are received in different degrees by different brethren, yet that even in those points wherein we as brethren in Christ agree to differ till the Holy Ghost shall make us see eye to eye, the differences are not such as to destroy the foundation of faith, our unity in labor, our mutual confidence and our tender love.

5. *Resolved*, That now as we have ever done, we regard the Augsburg Confession lovingly and reverently as the "good Confession" of our fathers, witnessed before heaven, earth, and hell.

6. *Resolved*, That if we have indulged harsh thoughts and groundless suspicions; if we have, without reason, criminated and recriminated, we here humbly confess our fault before our adorable Redeemer, beseeching pardon of him and of each other, and covenant anew with him and with each other to know nothing among men but Jesus Christ and him crucified, acknowledging him as our only Master, and regarding all who are in the living unity of the faith with him as brethren.

7. *Resolved*, That we will *resist* all efforts to sow dissensions among us on the ground of minor differences, all efforts on the one hand to restrict the liberty which Christ has given us, or on the other to impair the purity of the "faith once delivered to the saints," and that with new ardor we will devote ourselves to the work of the gospel, to repairing the waste places of Zion, to building up one another in holiness and in pointing a lost world to the "Lamb of God."

And that this our Covenant with Christ and with each other is made in singleness of heart, without personal implication, duplicity of meaning, or mental reservation, we appeal to him before whose judgment bar we shall stand, and through whose grace alone we have hope of heaven.

C. PROPOSAL OF "FREE CONFERENCES," 1856

The reaction to the *Definite Synodical Platform* outside the General Synod was quite as strong as that within the body. Everywhere conservative Lutherans joined the attack on the "American Lutheran" position, in which the more recently arrived Lutherans found evidence of both the rationalism and the unionism which they had opposed so strongly in Europe. In fact, common opposition to the *Platform* served temporarily to draw together groups of Lutherans who had been at odds.

The Buffalo and Missouri Lutherans, between whom union had originally seemed possible, had come into conflict in 1840 over varying interpretations of ministry and ordination. The Iowa Synod, formed in 1854 by pastors in close fellowship with William Loehe, was like Loehe equally opposed to the high clerical stand of the Buffalo Synod and to the "legalistic" interpretation the Missouri Synod placed upon the Lutheran symbols. The Iowa men took the

position that there were "open questions" in the area of Lutheran doctrine which should not be considered impediments to pulpit and altar fellowship. The Ohio Synod, which had become strongly confessional, felt less favorably disposed toward the General Synod than it did toward these more confessionally aligned newer bodies, but was undecided with which of them to throw its lot.

The danger to historic Lutheranism embodied in the *Definite Synodical Platform* and the divisive effects of the controversies among German Lutheran bodies not connected with the General Synod led C. F. W. Walther, the acknowledged leader of the Missouri Synod, to propose in 1856 the holding of "free conferences . . . as a means toward the promotion of . . . unity in faith and confession." He envisioned that such free conferences among those who were truly "Lutheran" would advance the cause of the final establishment of "one single Evangelical Lutheran Church of America" (Doc. 46).

In response to his appeal, the first of four "free Lutheran conferences" was held in 1856 with seventy-three representatives present representing four synods: the Ministerium of New York, the Ministerium of Pennsylvania, the Joint Synod of Ohio, and the Missouri Synod. The participants were encouraged by the hope that future meetings would "disprove the charge that Lutheranism in America is divided and distracted into many petty and sectional parties."² The remaining three conferences, however, dispelled the hope. Controversy counteracted the original good will, attendance dwindled, and the hoped-for unity did not result.

Regardless of the negative outcome of this first experiment, the pattern of "free conferences" as a means to promote unity among American Lutherans had been instituted and was to remain the method consistently espoused by the Missouri Synod as over against the more organic structuring represented by the General Synod.

46 Walther's Proposal, 1856

Our brothers in Germany, working apart in various state churches, have utilized free conferences, religious assemblies, etc., as a means toward the promotion of their unity in faith and confession. We are convinced that after a time in which the various local churches lapsed into a deep and general decay in matters of doctrine and practice . . . there is no way more fitting

² On these conferences, see Fred W. Meuser, *The Formation of the American Lutheran Church* (Columbus, Ohio: Wartburg Press, 1958), pp. 50-52.

6. *Resolved*, That if we have indulged harsh thoughts and groundless suspicions; if we have, without reason, criminated and recriminated, we here humbly confess our fault before our adorable Redeemer, beseeching pardon of him and of each other, and covenant anew with him and with each other to know nothing among men but Jesus Christ and him crucified, acknowledging him as our only Master, and regarding all who are in the living unity of the faith with him as brethren.

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² On these conferences, see Fred W. Meuser, *The Formation of the American Lutheran Church* (Columbus, Ohio: Wartburg Press, 1958), pp. 50-52.

that we withdraw ourselves "from every brother that walketh disorderly," and from "men of corrupt minds and destitute of the truth," while at the same time we believe that the peace and prosperity of our Southern Church will be thereby promoted.

49 Formation of General Synod South, 1863

On motion of Rev. Dr. Bachman, the Convention now, by an unanimous vote, resolved itself into a "General Synod of the Evangelical Lutheran Church in the Confederate States of America."

50 Object of General Synod South, 1863

A Plea for Organizing the General Synod of the Evangelical Lutheran Church South

[The opening sections rehearse the grievances of the southern Lutherans against the political position of the original General Synod.]

VI. Finally. Our object in establishing this central bond of union in the Lutheran Church, South, is, by united efforts, as instruments in the hands of God, to promote the interests of our Zion in these Confederate States, to hand down to unborn generations the fundamental doctrines of the Lutheran Reformation, and to extend the Church of the Redeemer among the children of men. We feel the need of a common centre around which, as Lutherans, we may gather, to consult upon the great interests of the Church, to institute uniform plans and regulations for the whole Church under our immediate supervision, to give vitality to our benevolent associations, efficiency to our theological and literary institutions, and activity and energy to our various congregations.

51 Constitution, 1863

THE CONSTITUTION OF THE GENERAL SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN THE CONFEDERATE STATES OF AMERICA

In the name of the Father, of the Son, and of the Holy Ghost.
Amen.

[The Preamble states the reasons for establishing the body.]

Article I.

The name, style, and title of this Convention shall be: *The General Synod of the Evangelical Lutheran Church in the Confederate States of America.*

Article II.

Section 1. We receive and hold that the Old and New Testaments are the Word of God, and the only infallible rule of faith and practice.

Section 2. We likewise hold that the *Apostles' Creed, the Nicene Creed, and the Augsburg Confession*, contain the fundamental doctrines of the Sacred Scriptures, and we receive and adopt them as the exponents of our faith.

Section 3. Inasmuch as there has always been, and still is, a difference of construction among us with regard to several articles of the Augsburg Confession; therefore we, acting in conformity with the spirit and time-honored usage of our Church, hereby affirm that we allow the full and free exercise of private judgment in regard to those articles.

[Articles III and IV treat of membership and officers.]

Article V.

The power and duties of the General Synod shall be as follows, viz:

Section 1. The General Synod shall be, in all cases of funda-

mental doctrine or church discipline, the highest court of appeal. It shall hear and decide upon all questions of difficulty or complaints concerning these, which may be referred to them by whole Synods, Ministeriums, congregations, or individual ministers, which decision shall be final and binding. With reference to doctrines non-fundamental, however, the province of the General Synod shall be merely advisory.

Section 2. The General Synod shall furnish a uniform Order of Service, which shall be observed by every part of the Church. It shall, therefore, cause to be prepared and published a BOOK OF WORSHIP containing a proper form for general or special public use, a collection of hymns, and such other instructive or devotional matter as it may deem necessary.

Section 3. The General Synod shall examine the proceedings of the several Synods and Ministeriums, in order that they may obtain a correct knowledge of the existing condition of the Church. . . .

[Sections 4 and 5 deal with benevolent institutions and the attitude of the General Synod toward "Christians in general."]

[Articles VI and VII deal with the order of business and by-laws.]

Article VIII.

All regularly constituted Lutheran Synods holding the fundamental doctrines of the Bible, as taught by our Church, not in connection with the General Synod, may at any time become associated with it by adopting this Constitution and sending delegates to its Convention

Article IX.

No Synod shall be formed within the bounds of any District Synod now in existence and in connection with this body, except with and by the consent of the General Synod.

[The list of delegates from the North Carolina Synod, South Carolina Synod, Virginia Synod, West Virginia Synod, and the Georgia Synod follows.]

2. Southern Lutheran Unity After Civil War, 1866-1886

At the close of the Civil War the southern Lutherans faced the decision whether to return to the original General Synod or continue their own organization.

Their decision was to maintain their separate existence. They had not forgotten the hard words of the General Synod resolution against them in 1862 (Doc. 47), but there were more important reasons for a general body for the Lutherans in the South which they cited in their Pastoral Letter of 1866 (Doc. 52). They felt that they faced unique, local problems and they were disturbed, as well, by the latitudinarianism and internal dissension which they observed in the northern General Synod. The southern body now took the name The Evangelical Lutheran General Synod in North America. In 1878 it was renamed The General Synod South.

In 1876 the synod took action urging the North Carolina Synod, which had withdrawn from the general body with the Holston Synod after the convention of 1871, and the Tennessee Synod, which had never joined the general organization, to consider "uniting with us upon the basis of an unreserved acceptance of the Augsburg Confession" (Doc. 53). A similar invitation was extended to and accepted by the North Carolina Synod in 1880 (Docs. 53, 54).

In 1882, the Tennessee Synod considered a resolution to join the General Synod South but deferred action until the following year (Doc. 55). In 1883, instead of joining the General Synod South, it called for a "diet" to discuss means of forming a more satisfactory general Lutheran body for the southern portion of the church (Doc. 55).

The General Synod South issued a "Declaration Concerning Union" in 1884 and appointed a commission to meet with the committee of the Tennessee Synod (Doc. 56).

The result was a church diet, held in Salisbury, North Carolina, the same year, which drew up a "Basis of a More General Union Among the Evangelical Lutheran Synods in the South" and a proposed constitution for a new body (Doc. 57).

A second diet, held in Roanoke, Virginia, in 1886, adopted enabling resolutions to create the new general body, adopted the proposed constitution, and took the name "The United Synod of the Evangelical Lutheran Church in the South"³ (Docs. 58, 60). In addition to the synods related in the General Synod South (North Carolina, South Carolina, Virginia, Southwest Virginia, Georgia, and Mississippi), the Tennessee Synod and the Holston Synod accepted the Constitution and joined the new body. The General Synod South then merged itself into the United Synod in the South (Doc. 59).

A general Lutheran body comprising all the synods of the Muhlenberg strand in the South had come into existence.

³ Frequently but incorrectly called "The United Synod of the South."

latest break extended down into the local synods and even into congregations, where each of the two general bodies found defenders.⁸ The General Synod, which in 1860 had represented two-thirds of the Lutherans in America, comprising some 864 ministers and 164,000 communing members, was reduced to half that size, 590 ministers and 86,198 communicants. Now three general bodies represented the Muhlenberg strand, with relations strained at times to the point of antipathy and bitterness. Wounds had been opened in the body of Lutheranism which would take half a century to heal, some of the scars of which are still present.

61 Pennsylvania Ministerium Withdrawal from General Synod and Suggestion of Another Union, 1866

5. That as we have been unjustly deprived of our rights by the late convention of the delegates at Fort Wayne, and thereby excluded by them, and because of the conviction that the task of uniting the conflicting elements in the General Synod has become hopeless, and the purpose for which it was originally formed, has signally failed, we hereby declare our connection with the General Synod dissolved.

6. That we recommend the appointment of a committee . . . to correspond with other Lutheran Synods with reference to the propriety of calling a convention of such Lutheran Synods, churches and individuals, as may be favorable to the organization of a general ecclesiastical body, representing the interests of the church in this country on a truly Lutheran basis.

The following substitute for the sixth resolution was adopted:

That a committee be now appointed and be charged with the following duties:

- 1. To prepare and issue a fraternal address to all Evangelical

⁸For a succinct discussion of the differences between the General Synod and the General Council, see Wentz, *op. cit.*, pp. 155-56.

Lutheran Synods, ministers and congregations in the United States and Canada, which confess the *Unaltered* Augsburg Confession, inviting them to unite in a convention for the purpose of forming a union of Lutheran Synods.

- 2. After consultation with the members of other Synods, to determine and announce the time and place of such convention, the time to be, if possible, within the current year [1866].

62 Ministerium Invitation to Convention, 1866

Brethren in the Faith—At the one hundred and nineteenth session of the German Evangelical Lutheran Ministerium of Pennsylvania and Adjacent States, the resolutions which we herewith communicate were adopted:

Resolved, That a committee be now appointed, and be charged with the following duties:

- 1. To prepare and issue a fraternal address to all Evangelical Lutheran Synods, ministers, and congregations in the United States and Canadas, which confess the *Unaltered* Augsburg Confession, inviting them to unite with us in a Convention, for the purpose of forming a Union of Lutheran Synods.

The Synod of Pennsylvania has not assumed the serious responsibility of inviting such a Conference, without reasons of the gravest kind. It is most clear that the Evangelical Lutheran Church in North America needs a general organization, first and supremely for the maintenance of unity in the true faith of the Gospel, and in the uncorrupted Sacraments, as the Word of God teaches and our Church confesses them; and furthermore, for the preservation of her genuine spirit and worship, and for the development of her practical life in all its forms. It is no less clear that there is no existing organization adapted to these great ends, or capable of being adapted to them. . . . All hopes of the "General Synod" ever becoming in our church what its name appears

to claim have become fainter and fainter, until finally, by receiving as integral elements what its Constitution excluded, and by denying a place in its organization to elements whose full rights of representation were guaranteed by its Constitution and confirmed by its own solemn act, it ceased to be such a Body as that Constitution defines, and has no moral right to be considered or called a General Synod, even in the very doubtful sense in which it might once have been entitled to that name.

A great necessity is therefore laid upon us . . . to confer together for the formation of wise plans, which shall avoid the serious mistakes which weakened, and finally brought to an unhappy termination, the former effort . . . to declare what is that great end for which we build, to wit: The pure Gospel and its Sacraments, the preservation and extension of which can alone give to Synods a true value. The Church needs an organization in which Christian liberty shall wisely work under the law of love and in the grace and beauty of Divine order, in which shall be unmistakably acknowledged the common faith once delivered to the saints, the testimony of which is found in unmingled purity in the Unaltered Augsburg Confession, in its native, original, and only true sense, on which our Church rests as her unchangeable confessional foundation. Such an organization would have the vigor necessary to efficient action and to so much uniformity as is needed to embody true unity, yet would provide such complete and wise safeguards as to prevent it from being made the instrument of inequality or oppression, or from being tempted to establish what is merely human, and which binds only by the law of love and the just principles of Church Order. . . . It would avoid the weakness of government, which first runs into anarchy, and then, by reaction, into tyranny. It would shun the laxity in doctrinal obligation in which error, first satisfied in being tolerated, speedily goes on to rule, and at length on the ruins of faith establishes the most intolerable of all proscriptiveness, the proscriptiveness of unbelief.

. . . With our communion of millions scattered over a vast and ever-widening territory, with the ceaseless tide of immigra-

tion . . . , with the diversity of surrounding usages and of religious life, with our various nationalities and tongues, our crying need of faithful ministers, our imperfect provision for . . . the urgent wants of the Church, there is danger that the genuinely Lutheran elements may become gradually alienated, that misunderstandings may arise, that the narrow and local spirit may overcome the broad and general, that the unity of the Spirit in the bond of peace may be lost, and that our Church, which alone in the history of Protestantism has maintained a genuine catholicity and unity, should drift into the sectarianism and separatism which characterize and curse our land.

Apart from these extraordinary reasons, our general vocation as a Church, the interests of foreign and home missions, of theological, collegiate and congregational education, of institutions of beneficence, of a sound religious literature, all demand such an organization as shall enable our whole Church in this land, in its varied tongues, to work together in the unity of a pure faith, and in the harmony of mutual good understanding and love.

Moved by these great facts, and by a hearty desire for the unity of Zion, the Ministerium of Pennsylvania . . . has felt, that . . . her motives could not be misunderstood in taking this necessary initiative to future action.

In conformity with her resolution, therefore, we invite you to appoint delegates to represent you in a Convention for the purpose of forming a union of Lutheran Synods.

63 Krauth's Theses on Faith and Polity, 1866

Preamble.

[The preamble is substantially the same as Document 62.]

Resolved, That we now take steps to effect an organization, as preliminary to which, we declare that

We hold the following principles touching the faith of the

Church to be fundamental and of necessity presupposed in any genuine Union of Evangelical Lutheran Synods:

FUNDAMENTAL PRINCIPLES OF FAITH AND CHURCH POLITY

I. There must be and abide through all time, one holy Christian Church, which is the assembly of all believers, among whom the Gospel is purely preached, and the Holy Sacraments are administered, as the Gospel demands.

To the true Unity of the Church, it is sufficient that there be agreement touching the doctrine of the Gospel, that it be preached in one accord, in its pure sense, and that the Sacraments be administered conformably to God's Word.

II. The true Unity of a particular Church, in virtue of which men are truly members of one and the same Church, and by which any Church abides in real identity, and is entitled to a continuation of her name, is unity in doctrine and faith and in the Sacraments, to wit: That she continues to teach and to set forth, and that her true members embrace from the heart, and use, the articles of faith and the Sacraments as they were held and administered, when the Church came into being and received a distinctive name.

III. The Unity of the Church is witnessed to, and made manifest in, the solemn, public and official Confessions which are set forth, to wit: The generic Unity of the Christian Church in the general Creeds, and the specific Unity of pure parts of the Christian Church in their specific Creeds; one chief object of both classes of which Creeds is, that Christians who are in the Unity of faith, may know each other as such, and may have a visible bond of fellowship.

IV. That Confessions may be such a testimony of Unity and bonds of Union, they must be accepted in every statement of doctrine in their own true, native, original and only sense. Those who set them forth and subscribe them, must not only agree to

use the same words, but must use and understand those words in one and the same sense.

V. The Unity of the Evangelical Lutheran Church . . . depends upon her abiding in one and the same faith, in confessing which she obtained her distinctive being and name, her political recognition and her history.

VI. The Unaltered Augsburg Confession is by pre-eminence the confession of that faith. The acceptance of its doctrines and the avowal of them without equivocation or mental reservation make, mark and identify that Church which alone in the true, original, historical and honest sense is the Evangelical Lutheran Church.

VII. The only churches, therefore, in any land which are properly in the Unity of that Communion, and by consequence entitled to its name, Evangelical Lutheran, are those which sincerely hold and truthfully confess the doctrines of the Unaltered Augsburg Confession.

VIII. We accept and acknowledge the doctrines of the Unaltered Augsburg Confession in its original sense as throughout in conformity with the pure truth of which God's Word is the only rule. We accept its statements of truth as in perfect accordance with the Canonical Scriptures: we reject the errors which it condemns, and believe that all which it commits to the liberty of the Church, of right belongs to that liberty.

IX. In thus formally accepting and acknowledging the Unaltered Augsburg Confession, we declare our conviction that the other Confessions of the Evangelical Lutheran Church, inasmuch as they set forth none other than its system of doctrine and articles of faith, are of necessity pure and scriptural. Pre-eminent among such accordant, pure and scriptural statements of doctrine, by their intrinsic excellence, by the great and necessary ends for which they were prepared, by their historical position, and by the general judgment of the Church, are these: the Apology of the Augsburg Confession, the Smalcald Articles, the Catechisms of Luther and the Formula of Concord, all of which are, with

the Unaltered Augsburg Confession, in the perfect harmony of one and the same scriptural faith.

Of Ecclesiastical Power and Church Polity.

I. All power in the Church belongs primarily, properly and exclusively to our Lord Jesus Christ, "true God begotten of the Father from eternity, and true man, born of the Virgin Mary," Mediator between God and men, and Supreme Head of the Church. This supreme and direct power is not delegated to any man or body of men upon earth.

II. All just power exercised by the Church has been committed to her for the furtherance of the Gospel, through the Word and Sacraments, is conditioned by this end, and is derivative and pertains to her as the servant of Jesus Christ.

The Church, therefore, has no power to bind the conscience, except as she truly teaches what her Lord teaches, and faithfully commands what He has charged her to command.

III. The absolute directory of the Will of Christ is the Word of God, the Canonical Scriptures . . . She may set forth no article of faith which is not taught by the very letter of God's Word, or derived by just and necessary inference from it, and her liberty concerns those things only which are left free by the letter and spirit of God's Word.

IV. The primary bodies through which the power is normally exercised . . . are the Congregations . . .

V. In Congregations exists the right of representation . . . the people have the right to choose representatives from their own number to act for them, under such constitutional limitations as the Congregation approves.

VI. The representatives of Congregations thus convened in Synod . . . are . . . representatively, the Congregations themselves.

A free, Scriptural General Council or Synod, chosen by the Church, is, within the metes and bounds fixed by the Church which choose it, representatively that Church itself, and . . . "The judgments of Synods are the judgment of the Church."

VII. The Congregations . . . may elect delegates through those

Synods, to represent themselves in a more general body, all decisions of which . . . bind . . . those Congregations which consent, and continue to consent, to be represented in that General Body.

VIII. If the final decision of any General Body thus constituted shall seem to any Synod within it, in conflict with the faith, involving violation of the rights of conscience, it is the duty of that Synod to take such steps as shall be needed to prevent a compromise on its part with error. To this end, it may withdraw itself from relations which make it responsible for departure from the faith of the Gospel, or for an equivocal attitude toward it . . .

IX. The obligation under which Congregations consent to place themselves, to conform to the decision of Synods, does not rest on any assumption that Synods are infallible, but on the supposition that the decisions have been so guarded by wise constitutional provisions as to create a higher moral probability of their being true and rightful than the decisions in conflict with them, which may be made by single Congregations or individuals . . .

X. In the formation of a General Body, the Synods may know and deal with each other only as Synods. In such case, the official record is to be accepted as evidence of the doctrinal position of each Synod, and of the principles for which alone the other Synods become responsible by connection with it.

XI. The leading objects for which Synods should be organized are,

1. The maintenance and diffusion of sound doctrine, as the same is taught in God's Word and confessed in the authorized standards of the Church.

2. When controversies arise in regard to articles of faith, to decide them in accordance with God's Word and the pure confessions of that Word.

3. The proper regulation of the human externals of worship, that the same . . . may be in keeping with the spirit of the New Testament and with the liberty of the Church, and may edify the Body of Christ.

4. The maintenance of pure doctrine, to the fostering of holiness and fidelity in the ministry and people.

5. The devising and executing of wise and Scriptural counsels and plans for carrying on the work of the Church, in every department of beneficent labor for the souls and bodies of men, at home and abroad.

All these things are to be done, that the saving power of the Gospel may be realized, that good order may be maintained, and that all unsoundness in faith and life may be averted, that God may be glorified, and that Christ our King may rule in a pure, peaceful and active Church.

64 Constitution, 1867

CONSTITUTION OF THE GENERAL COUNCIL OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA

In the name of the blessed Trinity and adorable Unity, God the Father, God the Son, and God the Holy Ghost, We, the Synods representing the Congregations of the Evangelical Lutheran Church in America, which desire to form a Union on the basis of God's Word, and of the true confession of the same, in order that among us the Gospel may be purely preached, and the sacraments be administered conformably to God's Word; that a thorough harmony in faith, worship and discipline may be maintained, and that all holy works may be promoted,—do hereby declare the principles of Doctrine and Polity here annexed to be fundamental and unchangeable, and in accordance with them, ordain and establish the Constitution thereafter following: [Here follow the Fundamental Principles, Doc. 63.]

Article I.

SEC. 1. The power granted in this Constitution by the Congregations through the Synods, shall be vested in a body which

shall be called the *General Council of the Evangelical Lutheran Church in [North] America*. ["North" was inserted in 1876 in order to make the Constitution conform to the charter; cf. S. E. Ochsenford, *Documentary History of the General Council of the Evangelical Lutheran Church in North America* (Philadelphia, 1912), p. 178, hereafter referred to as *Doc. Hist., General Council*.]

SEC. 2. It shall be composed of delegates chosen annually [the word "annually" was eliminated by amendment in 1880] by the Synods represented in it, as nearly as possible in the ratio of one ordained minister and one lay delegate to every ten pastoral charges connected with a Synod; any remainder over five shall entitle to two additional delegates; but in any case, a Synod represented shall be entitled to two delegates. The mode of filling vacancies in a delegation shall be determined by each Synod for itself. The General Council shall have power to reduce the ratio, so that the total number of delegates shall not exceed two hundred. . . . The General Council shall have the power of extending the privilege of debate to the representatives of Synods which adopt the Fundamental Principles, but which have not ratified the Constitution.

SEC. 3. The General Council shall meet annually [amended to read "bi-ennially," 1876]. . . . In extraordinary cases, the President, Secretaries and Treasurer may change time and place; and should a necessity arise which, in the judgment of three-fourths of the whole number of officers, demands an extraordinary session . . . they shall be empowered to call it. . . .

A majority of the delegates elect shall form a quorum. If only a minority should convene, they may adjourn . . . until there is a quorum, or until a final adjournment becomes necessary. . . .

SEC. 4. The powers and duties of the General Council shall be these:

1. To guard the purity of the Faith and the right administration of the Sacraments; to devise and execute plans for the increase of a holy, able and effective ministry, especially by establishing or encouraging good institutions of learning and theo-

4. The maintenance of pure doctrine, to the fostering of holiness and fidelity in the ministry and people.

5. The devising and executing of wise and Scriptural counsels and plans for carrying on the work of the Church, in every department of beneficent labor for the souls and bodies of men, at home and abroad.

All these things are to be done, that the saving power of the Gospel may be realized, that good order may be maintained, and that all unsoundness in faith and life may be averted, that God may be glorified, and that Christ our King may rule in a pure, peaceful and active Church.

64 Constitution, 1867

CONSTITUTION OF THE GENERAL COUNCIL OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA

In the name of the blessed Trinity and adorable Unity, God the Father, God the Son, and God the Holy Ghost, We, the Synods representing the Congregations of the Evangelical Lutheran Church in America, which desire to form a Union on the basis of God's Word, and of the true confession of the same, in order that among us the Gospel may be purely preached, and the sacraments be administered conformably to God's Word; that a thorough harmony in faith, worship and discipline may be maintained, and that all holy works may be promoted,—do hereby declare the principles of Doctrine and Polity here annexed to be fundamental and unchangeable, and in accordance with them, ordain and establish the Constitution thereafter following: [Here follow the Fundamental Principles, Doc. 63.]

Article I.

SEC. 1. The power granted in this Constitution by the Congregations through the Synods, shall be vested in a body which

shall be called the *General Council of the Evangelical Lutheran Church in [North] America*. [“North” was inserted in 1876 in order to make the Constitution conform to the charter; cf. S. E. Ochsenford, *Documentary History of the General Council of the Evangelical Lutheran Church in North America* (Philadelphia, 1912), p. 178, hereafter referred to as *Doc. Hist., General Council*.]

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SEC. 4. The powers and duties of the General Council shall be these:

1. To guard the purity of the Faith and the right administration of the Sacraments; to devise and execute plans for the increase of a holy, able and effective ministry, especially by establishing or encouraging good institutions of learning and theo-

logical schools; to circulate Evangelical truth through the press; to promote the religious training of the young, especially in schools under the control of the Church, and in the use of the Catechism of the Church; to provide and encourage institutions and agencies for the relief of poverty and suffering, especially among orphans and widows, and the families of superannuated, disabled, or deceased clergymen; to carry on the work of Missions abroad and at home, especially among the scattered members of our own Church, and to solicit and use the funds necessary for these and other purposes defined in this Constitution.

2. To recommend or prepare suitable books, for official use, in conducting public worship, so that uniformity may be promoted among the churches. No Liturgy or Hymn Book should be used in public worship except by its advice or consent, which consent shall be presumed in regard to all such books now used, until the General Council shall have formally acted upon them.

3. At its discretion, to receive and act upon questions of doctrine, worship or discipline, referred to it by any of its Synods; to decide upon appeal, on any of these points, made by one Synod from the decisions and acts of another, and to receive a final appeal from congregations or individuals whose cases have passed through the processes required respectively by the Constitutions of the Congregations, Conferences and District Synods to which the previous decision belonged; to summon and examine any clerical or lay member of the congregations represented in it, whose presence it shall deem necessary to the decision of questions committed to it.

4. To collect statistics and information in regard to the Churches within its own bounds and elsewhere, and to correspond with other bodies in the unity of the faith with it, and to send and receive delegates to and from such bodies.

Article II.

SEC. 1. The *Officers* of the General Council shall be a President, Vice-Presidents, Secretaries and Treasurer, all of whom, except the Vice-Presidents, shall be elected by ballot at each

Convention, to serve until the organization of the next.

SEC. 2. The *President* shall be a clergyman. . . .

SEC. 3. The Presidents of the District Synods shall be the *Vice-Presidents* of the General Council. . . .

SEC. 4. The *Secretaries* may be chosen from the clerical or lay delegates. . . .

SEC. 5. The *Recording Secretaries*. . . . The *Corresponding Secretaries*. . . .

SEC. 6. The *Treasurer* may be chosen from the clerical or lay delegates. . . .

SEC. 7. The Officers of the General Council shall form the *General Executive Committee*, to whom shall be referred for advice, decision or execution, any matters which a majority of the Council may see fit to commit to them; and in particular questions involving Synodical rights, the Council may give them the power of veto, with instructions as to time. Any resolution vetoed by them shall require a vote of two-thirds of the Council to sustain it.

Article III.

SEC. 1. The District Synods forming the General Council shall give full faith and credit to official records of each other's acts, unless it shall be decided by the General Council that such records are unworthy of confidence.

SEC. 2. Ministers and members of its Synods shall be entitled, on due certificate, to the rights accorded to ministers and members by the Constitution of any other of its Synods into whose bounds they may move, and the discipline of ministers or members administered in one Synod shall not be set aside by another.

SEC. 3. The bounds of Synods shall be as nearly as possible geographical, and shall be determined by the Synods themselves, unless differences arise, in which case, on appeal from both or either, the General Council shall decide. No division of Synods, or formation of new Synods within the bounds of older ones, unless with the concurrence of all the parties concerned, can be made without the consent of the General Council.

SEC. 4. Synods ratifying this Constitution and the Fundamental Articles of Faith and Church Polity, may become parts of the General Council, by a vote of two-thirds of its delegates.

SEC. 5. In case any of the Synods forming this body shall, by acts or neglects, violate this Constitution, the General Council shall call the attention of the Synod involved, to the fact, and may advise, admonish and reprove, as the case may require. If there be obstinate persistence in violation of the Constitution, Synods may be suspended from connection until the wrong be corrected. A vote of two-thirds shall be required to recommend the suspension of a Synod, and the recommendation shall be acted on at the next session, and a vote of two-thirds shall be required to sustain it. Synods under charges shall have the full rights of debate and vote until the decision is made.

Article IV.

SEC. 1. Amendments to the Constitution. . . .

SEC. 2. The Fundamental Articles of Faith and Church Polity shall not be changed, and if it shall be proposed to add any articles to the Constitution, to fix their meaning still more precisely, or secure their object more thoroughly, such Articles shall require the assent of every Synod within the General Council.

2. *Failure to Achieve Anticipated Unity, 1867-1889*

The founders of the General Council anticipated that the new body would prove to be the vehicle of a Lutheran unity wider than had proved possible for the General Synod. Midwestern German and Scandinavian synods which previously had avoided association with the General Synod attended the Reading conference of 1866—for example, the Missouri Synod, the Wisconsin Synod, the Joint Synod of Ohio, the Norwegian Synod, the Iowa Synod, and the Canada Synod. The Swedish Augustana Synod showed interest.

The "bright hopes and prospects for the future of our Church" held "during those cold December days of the year 1866"⁹ were quickly dimmed.

⁹ S. E. Ochsenford, *Documentary History of the General Council of the Evangelical Lutheran Church in North America* (Philadelphia, 1912), p. 145.

Four of the Synods represented at the Reading meeting did not unite with those who brought the General Council into existence at its First Regular Convention in 1867.

The Missouri Synod reported by letter that it remained unswerving in its "conviction, that Free Conferences . . . are the only proper means . . . which . . . may lead to a unity on the basis of our beloved Confession" (Doc. 65). The General Council attempted to convince the Missouri Synod that its desire for free conferences was met by the arrangement by which any synod which adopted the Fundamental Principles could have a limited relationship with the General Council with the "privilege of debate," but in this it failed (Doc. 67). In 1869, the Missouri Synod declared that it was unwilling "to deal with the General Council as such," and renewed its plea for free conferences (Doc. 68). The General Council made one last attempt to secure the participation of the Missouri Synod in the same year (Doc. 69). Thereafter the negotiations between the two bodies lapsed.

The Norwegian Synod was not represented; no explanation of the reasons for its abstention is recorded.

The Joint Synod of Ohio withheld action on membership until it had inquired the General Council stand on the "Four Points": chiliasm, mixed communion, exchange of pulpits with sectarians, and secret or unchurchly societies (Doc. 66). The reply of the General Council (Doc. 67) was not satisfactory to the Joint Synod and that body was not represented in the General Council after the first Convention.

The Iowa Synod also raised three of the four points, excluding chiliasm, and requested that the General Council adopt a declaration regarding the intent of the Fundamental Principles proposed by the Iowa Synod (Doc. 70). When the General Council declined to adopt the proposed declaration (Doc. 71), the Iowa Synod decided it could not enter into full membership in the general body, but it did avail itself of the debate privilege to urge the General Council to adopt a stricter stand on the Four Points. In 1868, the General Council responded with a statement on the Four Points (Doc. 73) which apparently resolved the questions regarding chiliasm, but which did not meet the requirements of some of its member synods with regard to the other three points.

The Wisconsin Synod withdrew in 1869 because it had made the condition of its continuing membership that the General Council present "an adequate declaration" on the Four Points. The Synod deemed the Council's statement of 1868 inadequate. Its subsequent withdrawal was carried out in a manner offensive and disturbing to the General Council, which censured the Wisconsin Synod (Doc. 74). The Minnesota Synod continued the agitation over the Four Points in 1870 (Doc. 75) and when the General Council held firmly to the position it had taken in 1868 (Doc. 76), both the Minnesota and the Illinois Synod withdrew. The Illinois Synod had raised the issues of

tians, characterized by diversity of external polity, but even Christians of the same denomination, in different countries, admit of these variations. Thus, the adherents of the Augsburg Confession, the XVth article of which sanctions this principle of diversity in external arrangements, designed to "*promote peace and good order in the church,*" though all designated by the general name of *Lutheran*, or Evangelical, are characterized by strongly marked diversities of organization and polity. For example, whilst all Lutherans of every land, acknowledge the primitive parity of ministers, in Denmark our church has diocesan bishops, and in Sweden also an archbishop; whilst in Germany she has superintendents, and in republican America, adheres to entire parity of ministerial rank in practice; as well as in theory. In like manner, whilst in Luther's lifetime, no symbolical books at all, except the Bible, were imposed on either pastors or churches; after his death, several important documents of historical importance, all (except the Form of Concord,) written for other purposes, were prescribed by the civil authorities, as binding on both pastors and churches. After this system of symbolic servitude had been commenced, more books were invested with such authority in Saxony, than in some other sections of Germany. In Sweden, none of these modern documents were regarded as strictly symbolical, except the Augsburg Confession; and in Denmark, none but that Confession, and the Smaller Catechism of Luther. The Lutheran Church in America, though pursuing some diversity in practice, never entered on a formal settlement of this point, until the General Synod virtually accomplished this end, in her Synodical Constitution, by the requisition of *fundamental assent to the Augsburg Confession*, from all candidates for licensure and ordination. That Lutherans in this country would not be insensible, either to their inalienable rights or obligations, that they would avail themselves of our happy liberty from all entangling alliances with the civil government, and organize their church more closely, according to the Apostolic model, than could be done in Germany, was natural and right. Accordingly, like their brethren of other denominations, our fathers did introduce various improvements on the ecclesiastical institutions of Lutheran Europe, and adopt a system, which, whilst it is *Lutheran*, is also *American*, and more nearly conformed to the

Apostolic model, than has been attained by the Lutheran church in any other country.

To portray the practice of our Fathers, the principles on which they acted, and the organization which has gradually grown out of them, is the design of this essay; as well as to vindicate them against the objections, which may arise in the minds of our friends or foes. As the subject is possessed of a high, enduring interest, these discussions, which first appeared in the Lutheran Observer, are now presented in this permanent and condensed form, entirely divested of the peculiarities in which they originated; and they are circulated, not to provoke controversy, but to present calm, rational and scriptural argument, for the conscientious consideration of those concerned, with the supplication and the hope that a gracious Providence may employ them to cherish peace and harmony within our borders, to promote a Scriptural organization of the Church on earth, and to hasten her triumph over the kingdoms of this world.

We shall devote the present chapter to a statement of the propositions to be discussed, and to several general and preliminary topics.

The doctrinal basis and ecclesiastical position of the American Lutheran Church, may be briefly comprehended in the following propositions:

1. The patriarchs of our church did at first practically profess the former symbolical books of our church in Germany, by avowing them or in most instances the Augsburg Confession at the erection of their houses of worship, and in various cases at the induction of men into the ministerial office.
2. They soon relaxed from the rigor of symbolic requisition, and referred only to the Augsburg Confession, generally omitting all reference to the other former symbolic books, except the use of the Smaller Catechism of Luther in the instruction of the rising generation.
3. Neither they nor their immediate successors ever formally adopted these symbolical books as binding on our church in this country, as tests of admission or discipline.
4. About the beginning of this century they ceased, in fact, to require assent even to the Augsburg Confession at licensure and ordination, and demanded only faith in the word of God, thus practically rejecting (as they had a right

to do) all the symbolical books as tests; though still respecting and occasionally referring to the Augsburg confession as a substantial expose of the doctrines which they taught.

5. The actual doctrinal position of our church in this country at the formation of the General Synod, was that of adherence to the fundamental doctrines of Scripture as substantially taught in the Augsburg Confession, with acknowledged dissent on minor points. Ecclesiastical obligations are voluntary and personal, not hereditary. God deals with every man as an individual moral agent, possessing certain unalienable rights, and owing certain unalienable duties. Hence the ministry and laity, that is, the church of every age have as good a right and are as much under obligations to oppose, and, if possible, change what they believe wrong in the religious practices of their predecessors, and to conform it to the word of God, as were Luther and the other christians of the sixteenth century.

6. Whatever moral obligation their practical requisition of assent to the Augsburg Confession, may have imposed on themselves and those thus admitted by them, it was annulled when, by common consent, they revoked that practice. And as none, so far as we have ever heard, protested or seceded, they thus all practically rejected all those books as binding symbols.

7. Our General Synod found the Lutheran Church in America without any human symbols as tests of admission or discipline, although the Augsburg Confession was still occasionally referred to as a substantial exhibition of the doctrines held by them; and the General Synod ratified the state of doctrine existing among its members, namely, fundamental assent to the Augsburg Confession, with acknowledged deviation in minor or non-fundamental points, and subsequently passed a formal adoption of the Augsburg Confession, in this fundamental way, as a test of admission and discipline.

The American Lutheran Church is characterized by certain definite features, and as such is worthy of the highest respect and confidence of her membership, and of the Christian public at large.

In regard to our first position, namely, that our earliest preachers often referred to the symbolical books, and especially to the Augsburg Confession as an expose of their doctrinal

views, no doubt can exist, and therefore an induction of proofs is superfluous. And yet it seems evident that in thus referring, they did not design to profess an absolute conformity; because they had certainly rejected several of the tenets of those books, which are also at present generally rejected, such as auricular confession, which is taught in the Augsburg Confession, Article xi: "*Concerning Confession we teach that PRIVATE ABSOLUTION must be retained in the churches and must not be abandoned,*" and also *Exorcism*, which is enjoined in the Directory for Baptism, (*Taufbuechlein*), appended by Luther himself to his *Smaller Catechism*, where we find on the subject of Baptism, the following directions: Let the officiating minister say: *Depart* (or come out, *fare aus*) *thou unclean spirit, and give room to the Holy Spirit,*" and after a prayer the minister says: "*I adjure thee, thou unclean spirit, by (bei) the name of the Father, and of the Son; and of the Holy Spirit; that thou come out and depart from this servant of Jesus Christ, N. N. (naming the child) Amen.*" All these things are omitted from the liturgies and catechisms published by our earlier ministers, that we have seen. We know, too, that some of them, such as Dr. Kunze, rejected the *imputation of Adam's sin, or rather of the depraved nature which we derived from him, to his posterity as personal guilt;* and from the general tenor of Muhlenberg's theological views, we doubt not he and others of them participated in this rejection. Now these are the principal points, with the addition of the *bodily presence of Christ in the Eucharist*, which the friends of the "*General Synod's basis,*" or of the "*American Lutheran church,*" object to in the Augsburg Confession, (and exorcism is not even taught in that book); and we are greatly mistaken if one in five hundred of our American Lutherans will ever adopt the views of Luther on these subjects. But if the early fathers of our church in this country had formally adopted the whole mass of the books as symbolical and binding on all future generations, (which they did not,) the writer's views of his own position in the Lutheran church, and of his duty in regard to her, as well as that of his brethren of the General Synod, would not be changed in the least. His reasons are these:

Religious and ecclesiastical obligations are not hereditary. In matters not prescribed by the word of God, I am bound by no other obligations than those which I personally as-

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