

Letter to the Board of Control, Concordia Seminary
From the Faculty Advisory Committee for the Faculty, Concordia Seminary In Exile
[Written by Robert W. Bertram]

5 June 1974

The Board of Control
Concordia Seminary
801 DeMun Avenue
Saint Louis, Missouri 63105

Dear Brothers in Christ:

You have come to us with an offer. You are offering to interview us in order to test our orthodoxy. And if we pass the test you might even reemploy us. At least a few of us. The reason for your offer is, as you say, that you may be needing additional professors in time for the new school year next fall. Therefore you ask that we reply to your proposal quickly. Now finally, after you have delayed almost a year since the synodical convention instructed you to deal with our doctrine, now five whole months after you suspended our president and have delayed his trial, now that an entire school term has passed since you dismissed us from our posts and evicted us from homes and offices, you suddenly ask us to submit our doctrine for your examination in case you might need us to man your classrooms. Any reasonable person would understand if we simply declined your offer outright. But we do not intend to decline it. On the contrary, we think we might even be able to improve on your offer by making one of our own. Ours is an offer of help.

I. Interviews

Before we spell out our offer, however, let us explain something else. The interviews you are asking us to submit to are really beside the point. And why? For at least three reasons.

A) For one thing, we are no longer under your supervision. You made that clear when you terminated our employment. Ever since then, as you yourselves have said, you have no official responsibility for us and for what we teach. True, the New Orleans convention did ask you to implement its doctrinal charges against us. But that of course was back in the days when you were still our board of control. Does it make sense that you take up your New Orleans assignment against us now first, long after you have gotten rid of us as your faculty? Not that we are without any and all doctrinal supervision. After all there is still our district president and, first of all, our own congregations. Why at this late date should you now be the ones to sit as our judges? You relieved yourselves of that obligation months ago.

B) Another good reason against the interviews is that you already have all the information about our doctrine that you could possibly need. If anybody lives in a glass

house these days, we do, and our books are constantly open to public audit. What we believe, teach and confess, both as individuals and as a faculty, we have published and spoken again and again for all to hear. You yourselves have interviewed us previously, and you have studied "fact-finding" reports of still other interviews, hours and hours of them. Our teaching has probably been more exposed than that of any theological faculty in Christendom today, perhaps even to the point of wearying our readers. In spite of that, you still say that you are not sure whether we really believe what we say we do.

Take for instance, our two booklets, Faithful To Our Calling Faithful To Our Lord, Volumes I and II. You question whether those documents honestly reflect the stand of each and everyone of us, even though we all signed them name-by-name. What we do deny is that these documents teach the heresies which the New Orleans convention claimed they do ("false doctrine which is not to be tolerated in the church of God"): namely, the undermining of biblical authority, the reducing of Scripture to some minimum "Gospel," the denial of the Law as a rule for living. Those heresies we refuse to acknowledge as ours. But what our two documents, Faithful... I and II, do teach, that we still stand by, personally and collectively. So we beg you, do not ask again, "Yes, but whose teaching is that?" It is ours. If after that you still insist on condemning the teaching, then please accept the responsibility of condemning us as well.

What further need have you of interviews? Is it that you want to ask us the same two illegitimate questions you have been asking the thirteen men you are now calling to your faculty: How do they stand 1) with regard to President Preus' A Statement and 2) with regard to the New Orleans condemnation of our "false doctrine"? But our answer to those two questions you already know. We made that plain in last summer's Declaration of Protest and Confession. For that you and your superiors castigated us. What more is there to know?

C) Our chief reason, however, for declining your interviews is a confessional reason. The best way we know to confess our faith in the present circumstance is to forego your interviews and to explain why. May that very act and the Word which explains it be our confessional witness. What we hope and pray is that by this response of ours, by saying "No, thank you" to your invitation, we might speak a Word of God to our common gravest problem.

That problem, as thousands in our Synod are coming to recognize, is that the Word of God is being silenced. It is being silenced by legalism. The legalist--the legalist in all of us--wants to silence not only God's Word of Gospel but also His Word of Law, the divine criticism. Indeed, isn't it just because the legalist has muted the divine mercy that he no longer has the resources to cope with the divine judgment? First he fears that the Gospel is too permissive, too indulgent, too free, too risky. But once he is afraid to count too heavily on the Gospel, he then lacks the courage to accept the Law's criticism as well. So when he is criticized for his legalism, he tries desperately to defend himself by silencing that criticism. But what does he have left to silence it with? Not much Gospel, not even much Law, certainly not the strong Law of God. About all that the legalist now has to fall back on are lesser laws: man-made rules, by-laws, one-sided interpretations of

Scripture, favorite traditions, harsher and harsher membership restrictions. With these the legalist tries to silence his critics and, ultimately, his chief Critic. But God's Word will not be silenced. Even if it only exposes how the legalist is trying to silence it, even then the Word is already being un-silenced.

Who is this legalist? He is all of us. That is why the problem is Synod-wide and not just a private, local squabble between a few titanic personalities. In fact, isn't that one of the subtlest ways of silencing the divine criticism all over again, by shifting it to someone else? None of us is immune, surely none of us at Seminex. We all need the courage to see that and repent of it. But penitential courage, that is the point exactly: the courage the Gospel alone gives us for repenting, for heeding the Law's judgment upon our legalism. Yet once that encouraging Gospel is silenced from our synodical midst, then not even the Law can be endured. Then all we have left is our legalism, but legalism no longer as something we regret but now as our official policy, our synodical way of life, our preferred style for administering the church.

That is a whole new situation. In that case we are no longer merely garden variety legalists struggling not to be legalists. No, then we have become legalists who have legislated our legalism into public policy and positions of leadership. At that point our legalism actually has taken over and is in control, so that not only professors in seminaries but even our missionaries in far-off lands and pastors in parish pulpits are hesitant to speak out against it. It is that kind of official silencing of the Word, we are saying, which is upon us now. And none of us can complain that we do not deserve it.

But what we still can do is to cry out against that legalism, to try once more to un-silence the Word, so long as God gives us the freedom to do so. It is this creeping legalism in high places against which we are trying to take a stand. Not as though we have no share in it--that we surely have--but as a last stand lest we all succumb to it further than we already have. Our God forbids all of us Christians to submit again to the yoke of slavery from which Christ has made us free. Frankly, brothers, that is what we see in your new proposal to sit in judgment on our doctrine, namely, a yoke of slavery to which we no longer have a right to submit.

By submitting now we would only create the illusion for thousands in our Synod who are struggling for the freedom of the Gospel, that that freedom is no longer in jeopardy or, worse yet, that it is no longer worth risking everything for. Ordinarily we would have no objection to being interviewed by you, as our past record shows. But these are no longer ordinary times. Today is, as the Formula of Concord would say, "a time for confessing." (Article X) For us to encourage the misimpression that the massive, practically official legalism in our synodical administration is now being reversed, when in fact it is not, and that now we can all return to business as usual, would be conscious collusion in silencing of God's Word. This is a hard Word, we know, and one which we dare to speak only with fear and trembling. Thank God, it is not our only Word to you and not our final Word. But God's Word of judgment is also one which we Christians owe one another. That is our chief reason, and a confessional one, for not submitting to your interviews.

II. Fraternal Discussions

On the other hand, we do renew our previous offer to sit down and talk with you, you and the synodical president as well, brothers to brothers. Why do you resist that? Do you resent the implication that you and President Preus also have something to answer for? Does that threaten your and his plans to control? Really, from us you have little to fear unless it be our criticisms. Do they too need to be silenced? Why not hear us out, as we agree to hear you out?

A) The Executive Committee of the Synod's Board of Directors has been trying for weeks to arrange "fraternal discussions" between you and us. Finally arrangements had reached the point where discussions were ready to commence, face to face, with President Preus included. But then at the last minute you decided after all to place the discussions "in abeyance." Before they could proceed, you said, you would first have to interview us: you as the would-be employers and we as applicants for jobs, you as the examiners and we under your investigation--with President Preus excused and both yourself and him conveniently relieved of accountability. Is that "fraternal"? Is that what President Preus means by "brother-to-brother"? Isn't that more like oppression, oppression born of a fearful conscience? But we are hardly the ones for you to fear. Whatever power, whatever ecclesiastical influence we might once have had, has long since been stripped away. But that is not all-important. No, the only thing you have to fear is the truth. Yet that we all have to fear. Why not sit down and face it together?

We admit that we have never been overly optimistic about the sort of discussions between yourselves and us which the Executive Committee had in mind, as we have often told them. On the other hand, there are many dear people in the church who do look to those discussions with great hope. Out of consideration for their hopes, therefore, we at Seminex agreed to bend every effort to make the discussions succeed. In that case, though, it was essential that the discussions be the kind which the church itself has a right to expect. So we suggested improvements in the Executive Committee's procedures accordingly. For one, the parties to the discussions should deal with the real issues, issues of the faith and of churchmanship, not just with labor-management questions about terms of employment. Furthermore, the parties should not have to meet in separate rooms with some mediator shuttling back and forth between them but rather as Christian brothers, face to face, who could be trusted to deal with one another directly. Moreover, the discussions should not be secret but should be as open as possible, with regular progress reports to the participants' constituents and to the Synod as a whole. These requests of ours were hardly unreasonable. They were much the same requests which the Synod's mission staff was making as the Executive Committee was planning similar discussions between them and the Mission Board--only to be broken off before they ever began.

Whenever we made our suggestions to the Executive Committee, they in turn would first have to relay the suggestions to you for your approval. So we were told, since the Executive Committee never wanted us to meet with you directly. Evidently you did not want that either. Our impression from that distance was that our requests got your grudging approval at best or no approval at all. No wonder results were discouraging.

People in the church complained of the lack of progress. Finally, in our last meeting with the Executive Committee, our representatives tried a new suggestion: Why not get all of the participants together for once in the same room and together let us work out our own procedures so that the talks could at last get under way? After all, the moderator--a prominent and trusted layman to whom all the parties had long before agreed--was said to be all ready to begin meeting with us. So why not begin talking with him and with one another, you and we and our students and President Preus? The Executive Committee was hardly enthusiastic but promised to try. Time passed. Finally we heard, and then only from the public press, that you had decided suddenly that the fraternal discussions should be placed "in abeyance." And now it turns out that the Executive Committee itself concurred in that "abeyance." It sounds like a repeat, doesn't it, of what happened to the "fraternal discussions" between the Mission Board and the mission staff? At the last minute they were called off.

B) Obviously one of the things which worries you and President Preus most is our request that he join our discussions as a participant. But why should you and he be worried by that? You and he and the Executive Committee have not even wanted our suggestion that he participate to be known by the church. But why not? Do you fear that the church itself might just agree that he should be involved? Surely many, many church-members, including many of his own sympathizers, know by now that he played an influential role--probably the single most influential role of all--in "the Seminary problem." And people do expect him to sit down with the rest of us, not as the lordly onlooker who hosts the discussions or who is available for private consultation but as himself a part of the problem who likewise needs to be heard out and spoken to.

At a recent district convention President Preus was asked point-blank whether he would submit to mediation under a third-party mediator. Perhaps under the embarrassment of the moment there was nothing else he could say but he did say yes. And he was willing to accept the audience's standing ovation in return. But then why does he balk at following through? Our own district president has urged us to do all we can to involve President Preus in discussion, even though we had tried before and failed. We have pursued that advice seriously. In fact, twice in our negotiations with the Executive Committee that committee itself promised though very reluctantly to try involving the synodical president as a principal in the discussions. But always, by the next meeting, the record of the previous agreement was changed back, and once again President Preus had fled the conference table. How legalism fears to let the Word of God have free course between brothers!

C) As far as we are concerned, the offer of fraternal discussions still stands. There is no reason, except fear, to keep them "in abeyance." We had even agreed to a starting-date, and although that date has come and gone we are ready to begin again. We encourage you and President Preus to do the same. The encouragement we speak of does not originate with us. It is the encouragement of Christ. And we ourselves need that just as you do. For surely the discussions, once they begin, are bound to be frank and critical, as they should be. But the Holy Spirit, in view of who it was who sent Him, has had vast experience with criticism, beginning with the Cross. There our Lord Christ accepted the

most drastic criticism for us all. That, brothers, is the other Word, our final Word to you, the Gospel.

With that Gospel our Lord encourages you and us to bear the criticisms we face, including the loss of jobs and removal from office--a possibility which also you and President Preus should allow for. There is no need to retreat to the safe and lofty status of interviewers, of judges, except the fear of being treated as brother-sinners in Christ. Remember how our Lord said, You have but one Master, only Christ, and all the rest of you are brothers (Matthew 23:8-10). So let the discussions begin, fraternally and fearlessly.

There is no reason for you and President Preus to hold up fraternal discussions until you have first cleared our faculty for re-employment. What does that have to do with it? Really, isn't that just another delaying tactic? For that matter, if you really are serious about using the teaching services of Seminex faculty, they are available to you now already, at nearby Seminex. Your students could easily take some of their course-work from at least some of us if you truly wanted them to. It has long been your practice to grant your students transfer-credit for courses which they might have taken at other seminaries, even at seminaries of other denominations. Your next year's catalogue continues to make the same provision: up to two full years of seminary education may be transferred to Concordia from elsewhere. Why not from Seminex? The fact is, many of the very courses in our synodical system which you need new faculty to teach and courses which your students need to take, are already being taught by us only a short distance away from 801 DeMun--exactly as we taught them at 801 DeMun. Moreover, our courses are accredited. And the financial saving for you and our Synod could be substantial. Obviously we can do no more than suggest this to you. But that is not our main point. Our point is that there is really no excuse for you to postpone two-way discussions with us until after you have first subjected us to your one-way interviews.

If you and President Preus, on the one hand, and we at Seminex, on the other, begin to talk with one another as brothers, we might just provide an example. We might encourage others in the Synod who are still sitting aloof as spectators and are safely advising you and us to repent. Then they too might find the courage to recognize that repentance begins at home, where legalism also begins. But fraternal discussions begin at home, too, not just in summit meetings but also at the district level, in circuits, in congregations, in families. A good many of our people have already begun to do that, some at great sacrifice to themselves. Can we do less?

Fraternally,

Faculty Advisory Committee
For the Faculty,
Concordia Seminary In Exile

Copies: To other parties mentioned in this letter.

