

# Beitz's Paper and the *Gutachten*

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Both writings have their history, which in many places has been described and interpreted differently. The history, however, should remain outside of consideration here, so that the discussion remains objective. The question that actually must be answered is this: How should we deal with the controversies that exist among us? This was and is my opinion: On the one hand, one should not exaggerate every slip as false doctrine or godless conduct; on the other hand, one should not fall into the same errors that he finds fault with. But Paul's admonition in Galatians 6:1 and Ephesians 4:3 must remain the guiding principle for both sides: Dear brothers, if a man perchance is overcome by an error, then help him back up, you who are spiritual. And be careful yourself, that you are not also tempted. And: Diligently hold the unity in spirit through the bond of peace.

Beitz's paper means to warn against an ever-spreading externalization of our Christian life, but he botches it through all sorts of confusion and through the tone of his presentation. The *Gutachten* means to preserve the purity and clarity of our doctrinal presentation in every direction. However, it didn't always keep in sight the warning mentioned above and therefore intensified the present conflicts. This paper of mine means to supply what has been lacking, and the useless discussions about it have occasioned the publication of this expanded treatment of my paper.

The controversial principle of interpretation: In the interpretation of a speech or a paper, the sense is brought out when one considers not only the bare words and sentences, but also the manner of illustration, the method of presentation, the intention of the writer, the occasion of the writing, the circumstance, the present controversy, the greater context, the audience, and so forth. And, in the case of a human writing, one also takes into account errors occurring in presentation.

In such a way one interprets every text, even a text in Holy Scripture. Scripture is infallible in every word, and by means of the method of interpretation mentioned, the excellence of the Holy Spirit's language, which far exceeds all merely human language, becomes apparent, that namely every sentence in its bare words exactly expresses the sense that the writer was supposed to transmit.

Human writings are not infallible. Therefore they are frequently unclear, even when they use clear words and sentences. Then, in addition to the bare text, the above-mentioned accompanying circumstances enter more strongly into the foreground, especially if one wants to put the best construction on the words. To pervert the clear text or to cite the accompanying circumstances in order to discredit the words is improper.

1. In his paper, Beitz laments the dead formalism in Christian life. If one wants to do that properly, he must recognize that all our life takes place in forms, in worship, in doctrine, in practical life and service among men. The Christian life, where it truly is, will manifest faith in the Savior in these forms. The forms will be fashioned from faith, that is, it will come freely to expression that all salvation stands alone in the work of our Savior, and that the love of Christ alone determines our life. Dead formalism is a life in which faith is not the source of life.

2. If one now speaks of the life of the Christian, his faith will manifest itself in all forms according to the measure of faith that is in him. Thus one could not speak at all about purely dead forms with the Christian. Now in the Christian is also the old Adam who prevents faith from determining exclusively the forms of our life, Romans 7. And so far as that is the case in the Christian life, dead formalism among Christians is spoken of plainly in Holy Scripture and also in Christian literature, Romans 7:14. In this sense one must seek to understand

Beitz. When he accuses us of dead formalism and thereby also passes a summary judgment, he doesn't, in so doing, deny faith.

3. Beitz makes that understanding very difficult, for he often speaks in exaggerations and generalities, especially when he deals with the manner of instruction among us. One cannot often defend it, unless he is also prepared to accept Beitz's explanation that he has not intended this and that as one would have to understand it in an individual case according to the bare text. Moreover, it bears repeating that Beitz meanwhile also makes the proper limitations and speaks only relatively, so that the possibility remains that one can understand all of his judgments as properly intended, namely in the interpretation: Beitz sees what he calls dead formalism abstractly in his spirit. Now he describes it according to the superficiality of its essence.<sup>1</sup> Thereby he is enflamed by his own speech. The speech becomes concrete, where it is still intended as abstract; and absolute where it is intended relatively; and thus general summary judgments head in a direction that the writer might not have intended. And then Beitz, for the most part, simply opposes it with the recurring formula, "Life by Faith," instead of showing how in the reprovéd instance the life would have acquired the right form, and doesn't notice that his speech might go too far. Added to that is the strange reading.<sup>2</sup> That can give the impression that pietistic views are present. However, just for that very reason the *Gutachten* should have given the author the benefit of the doubt.

4. The Beitz paper might, as it is, be acceptable as a conference paper from this standpoint, that the explanatory details should be established through discussion. However past discussions show that also here a still clearer presentation is necessary, lest the same formalism and dogmatism that he wants to condemn end up coming upon Beitz.<sup>3</sup> Beitz's paper lacks even the proper *inter-relation of facts*, the proper *exegetical, historical, expository method*, which he himself commends, and thus the paper cannot exist as a sound, doctrinal paper for the general public.

5. It's another question whether that's the right way to deal with Beitz, that one simply reproaches him summarily, that he has denied all faith to our Christians and preached false doctrine. The *Gutachten* actually speaks positively in places about Beitz's remarks, but the above-named reproaches do not give credit to the previous explanations of his speech, which have not been snatched from the air, but from the common life of literature, and which are presented in Beitz's paper.

6. The *Gutachten*, however, fails still further. It perverts Beitz's clear speech in more places, so that it gains support for its judgment that it otherwise wouldn't have had. Throughout the introductions of both parts of the *Gutachten*, the first paragraph of the Beitz paper is falsely presented. The first paragraph of the *Gutachten* maintains that Beitz, in the beginning of his paper, confuses justification and sanctification and thereupon in the course of his presentation, tests our course of action as on "the keynote of the harp of God." That is to say nothing other than this: Beitz gives this false confusion of justification and sanctification as the "keynote" of God. The reference to a "principal explanation of Beitz's" in paragraph 34 of the *Gutachten* corresponds to this exactly. There again the mentioned confusion is maintained through an erroneous understanding of Beitz's words and thus the sentence "a process that will work havoc in every case" is falsely employed.

7. Instead of Beitz's accurate thoughts in the beginning of his paper serving as the measure for the *Gutachten*, according to which one can put in order his later distorted statements, in the *Gutachten* his later speech will be placed in a false light out of a erroneous grasp of Beitz's words. In his comments about formalism, Beitz means to say: Christ alone is our salvation. That we have alone through faith. Everything lies on that. We should keep this faith pure, not only in its content, but also in its manner. Faith alone should determine our lives, not all kinds of other interests. Beitz says that very clearly throughout his paper. Instead, he is reproached, as if he wanted to say that we must secure our salvation and the welfare of the church through all kinds of forms of worship, of doctrine and of conduct, which amounts to individual work. Beitz means to reprove externalism,

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<sup>1</sup> "Nun beschreibt er das nach dieses Wesens Oberflächlichkeit."

<sup>2</sup> "Dazu kommt die fremde Lektüre."

<sup>3</sup> "Wenn nicht auch auf Beitz's Seite derselbe Formalismus and Dogmatismus herauskommen soll."

which is concerned with thankless action and with secondary considerations, because that is not the manner of faith. The *Gutachten* reproaches him, saying that he denies that the Christian has faith.

8. I'll grant the reproach of the *Gutachten*, that the criticism Beitz offers, according to the bare text, often goes too far. But the present assertion of the *Gutachten*, not only in regard to Beitz's expressions in his first paragraph, but also in regard to the course of his presentation, is, in spite of the inadequacy of Beitz's presentation, not only confusing, but also false. Beitz had expressly denied the first supposition concerning the special forms. In paragraph 57 and especially in the entire course of the final paragraphs 48-60, he shows that he knows what faith is and that he wants his readers to take hold of that. Beitz doesn't confuse justification and sanctification, but rather properly bases sanctification on justification. And, in addition, he didn't need to present justification first to the conference.

9. Such misunderstanding occurs now also in regard to Beitz's expressions upon which the charge of slander is based. Indeed, one must say that the following misunderstandings result from this first misunderstanding. The note in paragraph 7 of the *Gutachten* makes it easy to turn really all speech of the admonished man into slander, where he with his "we" includes also himself in his judgment. It is not only one place where the self-inclusion is the single right interpretation, but in most places one must understand that the writer includes himself with the congregation, that he doesn't mean to slander but rather to call for self-examination.

10. Similarly, in the following paragraph of the *Gutachten*, 8, and in the corresponding paragraph 19 one of Beitz's observations in paragraph 9, "How often do not we pastors etc.," is translated: "There are pastors among us and so forth." Where Beitz's paper thus doesn't report about others but calls for clear self-examination, through translation it is turned into a slap on others. The exposition in paragraph 19 then thereby constructs the reproach, because Beitz has ceased suitable admonition, while Beitz actually does nothing except note a manner that has been reproved often and for a long time and which nevertheless continues with a certain boldness. This slip of the *Gutachten* is an example of the proof of the immediately preceding note.

11. Beitz has most certainly judged generally and summarily. In paragraph 5: "We professed just Christians live no longer by faith," that is spoken concretely, generally, and summarily; and many will insist on it, that Beitz, according to the clear text, has plainly denied faith to us Lutheran synodical conference members. However, the words need not be understood in that way. According to completely proper understanding of speech, as this way in the teaching of style is criticized, as however many men also speak among us openly and particularly, without being misunderstood, the speech here can also mean to say that the excuses with pure doctrine, Synodical conference, Wisconsin Synod, Lutheran Church, have spread out far and wide with us, and that in itself is not living by faith.<sup>4</sup> The very next sentence shows that: "Our danger ever is to lose the spirit." Then certainly again follow the generalities in paragraph 7: "To the average professed Christian Christianity is a set of rules etc." In paragraph 8: "Christianity has become to most church members a sharp bargain with the Lord, etc." But in paragraph 9 he proceeds again: "How often do not we pastors etc." In paragraph 10: "When we can coax etc." In this paragraph, where ultimately the observation of Icabod and the woe of the Lord follows, he changes conditional and unconditional speech in such a way that many a reader will condemn Beitz. But that reader cannot cite proof positive that he has hit upon Beitz's meaning. It depends on whether one wants to judge someone according to his words (Matthew 12:24-37). Proper, measured judgment will say this: Beitz's speech is often careless, but one cannot make him out to be a judge of hearts from that, while, in this connection, the *Gutachten's* judgment has operated with entirely plain and repeated perversion of Beitz's clear words. One must also, on the other side, recognize the careless speech of the *Gutachten*.

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<sup>4</sup> "Sondern nach ganz richtigem Sprachverständnis, wie diese Art in der Lehre vom Stil zwar getadelt wird, wie aber viele Menschen auch unter uns öffentlich and sonderlich reden, ohne dass sie missverstanden werden, kann die Rede hier auch das sagen wollen, dass die Entschuldigungen mit refiner Lehre, Synodalkonferenz, Wisconsin Synode, *Lutheran Church*, sich stark bei uns breit machen, and das an sich sei nicht *living by faith*."

12. In the same connection belongs what Beitz, in paragraphs 27 and 29, says about the theological study of students and preachers. That is praised in paragraphs 11 and 23 of the *Gutachten*, so far as the speech is theoretical. The criticism is leveled against the historic, unconditional heart-condemning judgment. The study criticized in Beitz's paragraph 27 is always found more or less with students. In his paragraph 28 it is only warned. Thereupon one cannot yet speak of unconditional judging of hearts.

13. In this connection, the *Gutachten's* criticism (in paragraphs 12 and 24) of the method of preaching commended by Beitz also must appear as unjustified. There Beitz's sentence in paragraph 12, "Don't sit down etc.," is translated, "Don't sit down already on Monday and so forth." The translation according to its text thus suggests to Beitz a sense that nearly prompts laziness, against the clear words Beitz has spoken. The *Gutachten* naturally doesn't intend the laziness; but according to the false translation the criticism in paragraph 24 must follow, which ascribed to Beitz the corresponding Methodistical enthusiasm. On the contrary, Beitz has in this entire connection, as everywhere in his paper, this one interest: that the message of the love of God in Christ would be for us a living possession of the heart and the greatest treasure. Therefore he stresses the study of the Holy Scripture for the purpose of personal growth and doesn't commend an unprepared preaching, which carelessly relies on the assistance of the Holy Spirit.

14. When Beitz in paragraph 32 speaks of sermonizing according to homiletical rules, the contrast is not a non-homiletical method of preaching, but the need for the above-mentioned study of Scripture. Thereby it is to him, according to his clear text in the falsely-translated places, of no consequence whether the criticized sermon study lasts an entire week or only an hour on Saturday evening. It depends on the diligent study of Scripture, and the citation from Luther and the example of the Englander Mueller point at that same thing, even though in the first instance something else is meant, and with Mueller extemporaneous speaking is actually intimated.

15. In paragraphs 14, 15, and 26 of the *Gutachten* a new charge and a new error, supposedly found in paragraphs 36 and 37 of Beitz' paper, are mentioned. Beitz is said to deny power to the word of Holy Scripture and to deny faith to many of our preachers. "The contention that God works through the Word is only a half-truth," is not directed against the corresponding Scriptural truth concerning the power of the word of God, but against the false use of this truth in argumentation. Actually, the expression itself expressly confesses the Scriptural truth and also expressly prevents the misunderstanding of the last sentences of the paragraph: "That will not impart life, that is an empty form." These words mean to say that, so far as it hinges on the laziness of the preacher, the working of the word of God is hindered. Nowhere does Beitz maintain that the preacher, through his faith, may add something to the power of the divine word. But his words are aimed purely at routine preaching.

16. The difference between to preach Christ and to preach about Christ in paragraph 36 of Beitz's paper, and especially the remark about the *Kanzelton*<sup>5</sup> in paragraph 37, are supposed to highlight clearly the above. It is somewhat petty, that Beitz often mixes such unimportant things, which also under other circumstances can be understood in the very same way that he takes them, into the greater discussion; but he is not alone in doing that. Beitz doesn't deny our preachers' faith, individually or corporately. Rather he warns us all expressly not to fall into the rut of preparing our sermons in a careless way. And that is useful for all of us. The sermon should be *witnessship*. Every sermon should be so crafted that it issues from the conviction which drives both the preparation and the preaching, that it is a high, wonderful message that we proclaim and that it is a miracle of God and the highest privilege and honor, that we are permitted to do it. In keeping with this interpretation let the expressions in the beginning of paragraph 36: "Sad but true feature" and "palm off" and yet others be understood.

17. In paragraphs 10, 21, and 22 of the *Gutachten*, Beitz's comments in paragraphs 6, 24, 26, 30, 38, and 47 about catechism and dogmatics instruction and their results are listed and condemned. The accusation is that Beitz has slandered and mocked both subjects of instruction as means of passing off human thoughts as

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<sup>5</sup> Taken directly from Beitz's paper, where he gives this definition for *Kanzelton*: "plaintive pulpit whine."

God's thoughts and of taking the Savior and his gospel from us. He has supposedly, in connection with this reproof, slandered our preachers, teachers, and professors, and with it the teaching and the teaching method in our Synod. At the same time he has supposedly denied the faith of the teachers, their worthiness for ministry, and their general honor.

18. The *Gutachten* considers this charge the most severe, and not improperly, for our method of instruction is characteristic<sup>6</sup> for the understanding of the message of salvation that matters with us. With that stands and falls our call before God, whose kings and priests we are to be. Precisely here Beitz's bare speech is so concrete, so personal, that the correction is most severe. That must be decided on the basis of what, to begin with, can be said about the matter in general.

19. In paragraph 6 the topic first appears in the expressions 'preparatory, college, catechism-courses.' Then it continues: "dogmatical stress at our seminaries." About this dogmatical stress Beitz judges: "It bleeds the life of faith in Christ of the life-giving blood, till we finally have the skeleton, the forms, the dogmas, the doctrines, the shells, the husks left." Now it is yet at first glance not vigorous white-washing, when this speech is understood in this way, that Beitz does not want to condemn proper catechism instruction and the presentation of doctrine in that connection, nor the corresponding subjects in themselves and their use, but the instruction in which the *dogmatical stress* is present and in so far as that is the case; although the bare text often gives the impression at first that *catechism, course, and stress* have been lumped together.

20. That this interpretation of the questionable language is warranted arises from this, that Beitz throughout, also in connection with the other forms, which he rejects, again and again comes back to the *stressing* (14), here especially in connection with the method of instruction. And the description of this *stressing* shows that he wants to distinguish it from the courses themselves: "as most of us have learnt to know them (24) as usually taught, so stressed in our schools (25), our FORMAL studies of our courses, dogmatics (26). "Certainly he speaks also about Dogmatics without this limitation: "Let us approach the bible etc. (30)." However, over all, it is the dogmatical stress that he emphasizes. It is the skeleton, the forms and so forth (6), that may bring about a head repentance (24), we have listened to man's ideas (25), it cups up for the Intellect (26), we are pressing a form upon that life giving word, we come with pre-conceived ideas and so forth "we do not trust the gospel and so forth" (30), we copy and ply studiously methodology, the dogmatics of the teaching profession (27). Here then in paragraph 26 he expressly takes the word Dogmatics not in the sense of the course so named, but in the sense of *stressing*, as he in the same way in paragraph 27 indicates the methodology and against it places the historical, the exegetical, the expository method (26) and says, "all appeal in all studies must be to the heart, not head (46), teaching is not the imparting of cold, unrelated facts, it is not gathering *knowledge* (42).

21. What then does Beitz mean by *dogmatical stress*? I find that he again and again stresses these four things: Intellectualism, formalism, superficiality, lack of proper scriptural study. Those are things that are actually present with us and are always asserting themselves. Over against those things he places intensive study of Scripture, study for the individual soul, appeal to the heart of the listener, emphasis on the love of Christ and on faith. These things are proper *Desiderata*, which have to be emphasized. Others understand Beitz in this way that he considers the abstract treatment of doctrine in itself as something superfluous and, taken for itself alone, as something dangerous. One would then also have to believe that he generally condemns language in itself, for it is also a human form of communication and deals chiefly with concepts.<sup>7</sup> That may be the case, but that goes too far. It is better, in contrast, to stick to the description, in which he pronounces his rebuke. Thereafter Beitz has rightly listed the errors that one designates with the name dogmatism. He could also have added legalism.

22. It's another question, whether Beitz has always expressed his rebuke in the proper way. In that matter it is important to realize how the spirit works with him and produces the language of his writing. He has

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<sup>6</sup> charakteristisch

<sup>7</sup> Man müsste ihm dann auch zutrauen, dass er die Sprache überhaupt an sich verurteilt, denn die ist auch eine menschliche Verkehrsform and geht auch vornehmlich mit Begriffen um.

proper views, but they are not always expressed clearly. The reproved subject is for him always abstract and isolated and he forgets that in spite of most formal deficiencies such instruction and such preaching can still be determined<sup>8</sup> through believing faithfulness and that they are then not without blessing. With the living introduction of error the language becomes concrete in presentation as well as in judgment, so that in individual cases, both presentation as well as judgment improperly generalize.<sup>9</sup> If he had troubled himself to present the above details, in which he could have shown that, for example, proper dogmatics is nothing more than *exegetical, historical, expository method*, then his presentation would have been clearer and he would have kept it from the often personal judgments. Whatever the case may be, his lack of clarity still isn't Schwärmerei and much less false doctrine.

23. There are other details in the *Gutachten* which, in a misleading way, assist in condemning Beitz's paper. For example, there is the reproof that he mocks the field of study we call Dogmatics. In this reproof the explanation sounds as if the single truth of Scripture or its confessional stamp are disdained by Beitz.<sup>10</sup> When Beitz says that Christ and the saints of Scripture would not have produced treatises on dogmatics, and would not have treated the Trinity or the active and passive obedience of Christ and so forth, he attacks actual improper exegetical exposition which, from Adam, Abraham, Christ and the Apostles and their preaching have an incorrect dogmatical point, so that also in this case the conclusion that he mocks Dogmatics or indeed the individual presentation of doctrine is due to a mistake or to dogmatical stress.

24. If I can get past all details and come to the so-called essential points, as they were mentioned in the defense of the *Gutachten*, then this was and is my criticism, that Beitz's expressions mentioned in paragraphs 16 and 27 of the *Gutachten* are not only actually erroneous, but also in form remain extremely puzzling, in spite of his explanation that he is not especially talking about our schools, but Christian and theological schools in general. That explanation is indeed plausible because Beitz did his first work in such circles and thus read the corresponding literature, as one can tell in his writing. However even then his speech wouldn't have needed to be spoken so summarily and assuredly. And if he were to hear how his speech was applied especially to our schools, then he must remove this impression through entirely clear expressions. But in spite of all of that, I cannot let the succinct judgment of the *Gutachten* stand, that Beitz has denied saving faith and so forth to our Christians and teachers, as in point one. That appears to me to be spoken as summarily and assuredly as Beitz's speech, especially when it originally was erroneously traced back to a principal false presentation of doctrine.

25. It is irritating that the Beitz paper, which has its own history, became the starting point for a theological dispute. The dispute also has its own history, although others get involved as pure theological interest, as it always was and still is today. If someone contends that the majority of our Christians and also the outsiders do not know this history, and that one therefore would have to judge the writing to be sharp according to the bare text, then it must also be said on the other side, that the *Gutachten* must grant to the author the considerations indicated here. One preserves the unity of the spirit not with the sharp logic of criticism, but through the bond of peace. That brings out also the proper logic, which goes further than mere words: the logic of love.

26. The second part of the *Gutachten* charges Beitz with false doctrine concerning repentance. In paragraphs 28-33 the individual thoughts about repentance are properly presented. In paragraphs 34 and 35, as shown above in paragraph 6 of this paper, the confusion of justification and sanctification is presented as Beitz's position and is illustrated by a false interpretation of two sentences from the first paragraph of Beitz's paper. Beitz's entire presentation is further judged upon the supposition that he has unconditionally denied the Christianity of the Christians in our circles. That also rests upon the first and pervasive error of the *Gutachten*, that Beitz has confused justification and sanctification.

<sup>8</sup> Solcher Unterricht and solche Predigt doch bestimmt sein können.

<sup>9</sup> Bei der lebendigen Vorstellung der Fehler wird die Sprache konkret in Darstellung sowohl wie im Urteil, so dass in einzelnen Fällen beides, Darstellung wie Urteil, unrichtig verallgemeinern.

<sup>10</sup> Als ob von Beitz auch die einzelne Wahrheit der Schrift oder ihre bekenntnismäßige Prägung missachtet werde.

27. Beitz's individual expressions, as they are named in paragraphs 12, 36, and 37 of the *Gutachten*, have been torn from their individual context. Actually, the details are as follows: the miry valley and the narrow gates of repentance are properly named by Beitz as the way to life in faith. In paragraph 16 he contrasts proper repentance with superficial observation of repentance and says: Proper repentance is heart-felt and he says that to the Christian. Harsh dogmatic judgment in the interest of momentary orthodoxy in close relationship with frivolous speech about serious things is, for the one who knows history, a well-known type that returns periodically. Beitz attacks that. The observation in paragraph 19: "He says to us, Ye generation of vipers etc." is not meant to say that we Christians are vipers. Instead it means to say: The truth in John's speech applies also to us, that we should test our Christian repentance by the characteristics of repentance noted by John. If in this case Beitz has an improper exegesis of John's speech—which isn't the case—that still wouldn't be grounds for misconstruing his actual intent in the use of the quotation. Paragraphs 21 and 22 specifically show how he speaks to Christians and not to unbelievers. When, in paragraph 23, he then asks the question, "How shall I get such consciousness of sin?" it indeed sounds from the *Gutachten's* improper understanding of Beitz's principal explanation as if Beitz wanted to compel unbelievers to produce a proper repentance on their own with good works. It can also sound as if Beitz also wanted to compel Christians mainly to concern themselves with a tearful mood of repentance. But this is the proper understanding: Beitz wants to call to the attention of the theologians of the conference that we, who know through faith what true sanctification is, should test the lack of depth of our faith and the corresponding life, as well as our lack of recognition of sins, because even recognition of sin and the faith-life of the Christian is always in flux, as Beitz accurately says in paragraph 17.

28. When Beitz in paragraphs 18 and 22 describes contrition by examples, it's not meant to say that we Christians should seek, for example, to produce thoughts of suicide within. But it does describe, by examples, the depth and inwardness of true contrition, which also with the Christian is first turned back through faith. What is said then in paragraph 24 about the working of the law, where the instruction in the individual commandments is compared with the introduction of the law and the preaching of Peter, Paul, John, and Christ, it stands in connection with a similar comparison concerning the recognition of sin itself, that it might basically be unbelief and the recognition of individual sins, as the world has it also from its false morals. That is an entirely accurate observation, which only should have been explained more clearly. With that Beitz mentions the expression "at the foot of the cross," or "the love puts the edge on the Law." Those are expressions that sound to many like a contradiction of the doctrine of the distinction between law and gospel that is recognized among us. With careful reflection one can find in both expressions a very fine sense, and one should not think, with the discussion of the distinction between law and gospel, that we have all the details clear which enter into the discussion. Great patience and effort is needed to grasp the sense of another. The speech is here about the working of the word of God in the soul of the Christian, where the old and new man stand in conflict, just as in the doctrine of conversion, where the passage from the state of death into the state of life is the issue, and thereby synergism comes into question. There one may not be rebuked for single expressions, as long as the clear, great distinctions of Scripture stand firm among us. With mere logic we still don't discover the meaning of another, where it deals with marvels, as is the case here. Beitz's statements above can be properly understood, that he wants to impress this, that with our Christian instruction the gospel should be added immediately to the preaching of the law, as it says in the Smalcald Articles and as Luther's explanation of the commandments always suggests.

29. When Beitz then says in paragraph 25, "Show me where you find law preached etc." there he doesn't maintain that the Bible knows of no law-preaching for the recognition of sin. Indeed, he says the opposite in the next sentence with the strongest words. Beitz's words are rather a strong misunderstanding of what he learned in the Seminary, but they are still not therefore a slander of the Seminary, and still less are they false doctrine, as it was charged against him in the *Gutachten*.

30. In paragraph 39 of the *Gutachten* one can recognize from the understanding of "brood of vipers" and its treatment, that the judgment about Beitz's slander is improper, or at least greatly exaggerated, and was born out of individual train of thought. That goes so far that the *Gutachten* falsely attributes to Beitz the erroneous judgments that the *Gutachten* itself articulated in the first part. Not Beitz but the *Gutachten* in

paragraph 5 sharply condemns the Galatians as intentional, fundamental, confession-like false teachers.<sup>11</sup> Thus Beitz does not consider the judgment of Paul as an absolute the way the *Gutachten* does. If one also considers that the *Gutachten's* harmony of the Gospels is this paragraph 39 is doubtful, then one can notice how the judgment about Beitz is unintentionally driven in a false direction, as previously happened with the confusion of justification and sanctification.

31. In paragraphs 41 through 44 of the *Gutachten*, the judgment clearly proceeds from the false assumption in regard to 1) Beitz's supposed confusion of justification and sanctification and 2) his unconditional denial of faith to our Christians. Here he is said to exchange the repentance of the penitent with the repentance of the godless, to overemphasize the feelings of repentance and make a virtue out of it. That Beitz's corresponding expressions can and should be understood differently has already been said. However here the following must be said about the manner of the *Gutachten*: Law and gospel maintain their specific manner and working, whether they are spoken before believers or unbelievers. The practical application and the judgment about it is more difficult in the case of the believers than in the other cases. The logic of this judgment is not the main issue, but the love. The doctrinal presentation in paragraphs 41-44 of the *Gutachten* is correct, but the judgment of Beitz is misguided throughout, even though Beitz's uneven comments lead the critics into the strongest temptation. The improper conclusions that are drawn from Beitz's comments, he has however not said.

32. The entire commentary in paragraphs 45-51 of the *Gutachten* is worthwhile and necessary for all of our time, especially in the present dispute. But the judgment of Beitz is improper. It is not true that Beitz has taught in intentional contrast to the doctrine prevailing among us, 45, that he directly denies a clear word of God, 46, that he makes himself guilty of direct denial and dissolution of Scriptural doctrine, 50, that he doesn't recognize what law-and-gospel preaching is, that he imagines that a law sermon becomes gospel through this, that Christ or grace or the Holy Spirit is somewhere mentioned in it, 51. But indeed the fact of the matter is that Beitz perhaps did not properly understand many thoughts that he heard in the Seminary, such as the distinction between the driving of the individual commandments and the doctrine of sin itself. In any case, here he has not clearly explained it. Meanwhile, on the other hand, his actual interest is to reject an instruction that deals with the commandments as mere objects of knowledge, without at the same time seeking to strengthen faith in our Christian schools by pointing to the gospel and with it to deepen the recognition of sin and thus to promote sanctification, which consists in the fight against sin.

33. That's also exactly what "such consciousness of sin" and "you will become sensitive of your sinfulness, as you learn to walk with Jesus" mean to signify. Not that through it the fear and need, which are produced through the hammer of the law and the sword of the Spirit, should arise in the Christian and be increased, but the thought should become deeper, how little we can accomplish without the Savior, so that the salvation in Christ becomes all the more glorious in our understanding. This understanding neither contradicts the understanding of Luther nor the understanding of the Lutheran Confessions. Above all, it agrees with the Holy Scriptures throughout.

34. The doctrinal presentation in the *Gutachten* is indisputable and must become deeper with all of us, as it also often comes to expression in Beitz's paper. But Beitz has not said the false things that are charged to him in paragraph 52 of the *Gutachten*. Whoever thinks he recognizes in Beitz's paper the beginnings of false teachings or a leaning in that direction ought not simply represent him as a false teacher and thereby heighten the present controversies, which on the side of Beitz's opponents also have their questionable prejudices. Rather, the word of Paul in Galatians 6:1, which was spoken for both sides in a similar dispute, must remain the guiding principle for criticism. If Beitz were to confess agreement with the doctrinal presentation of the *Gutachten*, and thereby would explain that he has been falsely understood in many places and in individual cases did not mean to say what his bare text seems to supply, then one would have to be content with his own critical errors, instead of

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<sup>11</sup> bekenntnismäßige falsche Lehrer.

dealing with him as if he were an ignorant man or impure. Thus the *Gutachten*, in spite of its otherwise proper speech, in the end is not the right instruction about how one should deal with the matter.

### **The General Situation and its Cure**

With the *Gutachten* and its acceptance, the dispute in our synod, which has existed in its present form for five years, has developed a firm character, which should shake all of us up. What I am saying here matters to all who have shared in the dispute, to all who are within and without.

It's a mess. No inner unity rules in respect to the *Gutachten*, neither between the two parties nor within the parties themselves. And unity will never be attained on the agreed-upon way, on no side. It even lacks unity in respect to the practical events and circumstances that cluster around the *Gutachten* and end in the mass suspension. It lacks the clarity, which, humanly speaking, would be necessary in any case, not only about what happened but also about how one is to judge the matter. This clarity will be attained through neither examination nor discussion, given the prevailing mess and separatistic tendencies.

So all mutual trust must dwindle, and with complaints and demands it won't be achieved again. Nor will it be achieved by this, that one agrees to the proper teaching without the inner recognition of where and how one has contributed to the trouble himself. Therefore all devices are not only in vain, but only lead further into suicidal activity.

Therefore we must stop here and think about it, not only individually, but the Synod as a whole. The entire synod can make a mistake and the Synod ought never think that it can do what it wants. It's my opinion that we should omit all dispute and all celebration, that we in humility should silently do the positive work commended to each of us and trust the goodness of God, that it will bring all to recognition with more even temper and will again bring together the divided. If we would agree in these thoughts, then the first step to the cure would have already happened.

### **Postscript**

The justification of the publication of this writing should be understood by itself as the free expression of a conviction of conscience, which wants to help clarify and cure. The writing should have been published two years ago. At that time it did not exist in the present form, and the general circumstances were such that I was afraid to intensify the opening dispute. At the same time I acted in agreement with my governing body.

Now, as the mess pushes to a powerful conclusion, I consider it my obligation to come before the public, so that at least the pastors and teachers have learned to know this position, so that they do not judge on the basis of hearsay. However this case is decided, this testimony should be preserved in our Synod.

May God, who tests hearts and desires and at the same time leads them as streams of water, allow our Synod to be found again and may he, for the sake of his name, further the work of our hands that we still want to do for his honor.