

THE DEVIL HAS LURED SOME OUT
OUT OF THE CLC BY DECEIVING
THEM ON THE THIRD USE OF THE LAW

BY

TOM SPEIDEL

PROF. FREDRICH
SR. CHURCH HISTORY
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Wisconsin Lutheran Seminary Library
11831 N. Seminary Drive. 65W
Mequon, Wisconsin

Often we talk about the many tricks that the Devil has in his magical bag to create strife and dissent in the Church Militant. One of his tricks is to raise the same misunderstanding of the Word every now and then. In Luther's day the church had to contend with the error of antinomianism as Agricola presented it. Article VI of the Formula of Concord dealt with this issue. In the 1960's and 1970's the Devil hit the Church with the same controversy, quite noticeably the part of the Church that is the Church of the Lutheran Confession. The Third Use of the Law has been under discussion for many years now in this church body. How long it will be a part of their concern remains to be seen.

The first discussion^{in the CLC} that had obvious results arose in St. James congregation of Golden, Colorado. The pastor of this congregation, Herold Schultz, and a member, Mr. Hartmeiser, requested an interview with the Board of Doctrine of the CLC. On April 24, 1968 the Board of Doctrine composed of Professors C.M.Gellerud and E. Schaller, Pastor Paul Nolting, President Paul Albrecht and in advisory Professor E. Reim met with St. James congregation to discuss the Third Use of the Law and the purpose it is to serve. "Exploration of this question yielded the firm impression that agreement existed."¹ After a discussion "concerning Church Fellowship" the Board of Doctrine found no divergences. Therefore, "judgment was mutually expressed that we could properly consider ourselves confessionally united."² Ending on this note it is a bit surprising to read in the May 1968 THE LUTHERAN SPOKESMAN an official notice that St. James was no longer in fellowship (p.12). The reason given for non-fellowship was disagreement over the doctrine of Church Fellowship.

Discussions on the Third Use of the Law had existed for ten years in some conferences prior to 1974 when a dispute

arose in the West Central Conference. At the 1974 Convention President Robert Reim suggested that the pastors meet in a special conference to resolve the matter. At this time Pastor Paul Nolting was asked to prepare an essay on the Third Use of the Law.

A special pastoral conference was held at Immanuel Lutheran Church in Mankato, MN, on January 7-9, 1975. It was here that Pastor Nolting presented his paper, "The Third Use of the Law". It appears that he was quite thorough in writing his paper. He wrote in the "PREFACE" that he read all the papers that had been written by the leading protagonists of the conflicting views. He then submitted tentative theses and leading questions to these same men and also the Board of Doctrine. After making sure that he was on the right track, he sent his findings to all the clergy members of the CLC to prepare for the up-coming conference. Shortly after the conference the paper was sent to all pastors of the CLC. It was formally accepted at the regular pastoral conference in Okabena, MN, on July 8-10, 1975, with the request that it be summarized in theses and antitheses form.

The Board of Doctrine reviewed Noltings' summary and then sent it to all the pastors for evaluation and comment. The five responses that were received were used in conjunction with an outline of Article VI of the Formula of Concord which Pastor Robert Reim had prepared as discussion points at a special meeting. Eight men met on February 23-24, 1976, in Eau Claire, WI, at Midway Motor Lodge to deal with the dispute.

As a settlement of the controversy the following three points were presented:

1. The law, which instructs us as to what works are God-pleasing, in no way whatever is a power or force for the doing of those works.
2. The law in its third use instructs the Christian, because of his flesh, as to what works are truly pleasing to the Lord, while simultaneously reproving the Christian for failing to do those works.
3. In all areas of the discussion the monergism of grace by the power of the Holy Spirit was upheld in both the doctrines of justification and sanctification.

It was agreed that overstatements are frequently made when theological issues are intensely debated, imprecise expressions are often used, and that even false statements are made. It was the confidence of the men present that the Spirit of God would give everyone in our Church of the Lutheran Confession who might have been guilty³ of any of these to make the proper corrections.

After the report was sent out to be evaluated and clarifications explained, the president:

urged that no editing of the three points be made, since they represented a correct and Scriptural agreement on the points of controversy that had existed among us in regard to the Third Use of the Law.

Now that the controversy among us has been settled on the basis of the three points adopted at the Midway Motor Lodge, we believe that these three points constitute a rejection of all statements made in the course of the controversy that were in any way contradictory to the truths expressed in these three points.⁴

The 1976 convention followed the recommendations set by their doctrine committee. The convention supported the "Three Points" and resolved "that these three points are a settlement of the matters in controversy and that they constitute our rejection of all prior statements made in the

course of the controversy in any way contradictory to the truths expressed in them."⁵

The end. Right? Wrong! The major doctrinal work of the 1978 convention of July 10-14 in Eau Claire again centered on the Third Use of the Law. This time the body adopted a two-section report on the issue.

The first section supported the "Three Points" of the 1976 convention. It also:

specified that the term "law" in points #1 and #2 (from the Three Points) is to be understood in the sense of Article VI of the Formula of Concord: "When we speak of good works which are in accordance with God's Law, then the word Law has only one sense, namely, the immutable will of God, according to which men are to conduct themselves in their lives."

In Section II it was resolved that "we acknowledge the following teaching to be divisive, namely, that the law instructs the regenerate regarding good works only to condemn him; and "that such teaching in our church body cannot be tolerated but must be removed."⁶

As a result of the convention's actions, Pastor Victor Tiefel and his congregation, St Lukes of Denver, Colorado, withdrew from confessional fellowship with the CLC. Also, the Japan mission announced its withdrawal from fellowship in December 1978.⁷ The pastor in Japan was Fred Tiefel.

The author wrote Pastor Victor Teifel and asked him, "where you disagree with the CLC's doctrinal position on the issue (the Third Use of the Law) and what you set forth as the basis for your position?" (April 10, 1979). He responded (April 25, 1979), "The Lutheran Confessions teach that the Law always and only condemns. The CLC coined a new phrase: the Law always, but not only, condemns."

The heart of the disagreement as to what the Bible says concerning the use of the Law seems to center on an insert in Pastor P. Nolting's paper "The Third Use of the Law!" of 1974.⁷ The heading of this insert reads "The Law Accuses." He then proceeds to explain the phrase "Always, but not only" as follows:

In the foregoing presentation the fact that the law always accuses was demonstrated. However, the question has arisen as to whether the law only accuses, that is, whether its exclusive function is to accuse. Both Scripture and the Confessions say "Yes" to the always, but "No" to the only.⁸

The essay verifies this truth from the Bible and from the Confessions. The Scriptural proof is I Tim 1:9-10 where the Law serves as a curb to coarse outbursts of sin whether it be lawless or the Christian, inasmuch as he is flesh. Rm 3:20 and 7:7 reveal to each sinner that he is a sinner. Here the Law is a mirror. Ps 119:9 presents the Law as a road map. The Christian's Old Adam must constantly be accused of deviating from the law. Here it serves as a guide to the Christian, which The Confessions, are cited are the Smalcald Articles, Part III, Article II "Of the Law," and The Formula of Concord Epitome--Article VI.

Nolting then summarized the point:

When you combine the three uses of the Law, as taught in the passages cited and as confessed in Article VI of the Formula of Concord with Melancthon's "The Law always accuses" in the Apology, Article IV, as Scripture consistently teaches, you arrive at the truth that the law always, but not only accuses.⁹

As I examine the materials I have on this particular subject, I can't help but conclude that the Devil has clouded the understanding of those who have severed

fellowship with the CLC over the Third Use of the law.

Such ^{persons} have not a proper understanding of the Bible and the Confessions on the doctrines of Justification and Sanctification.

ENDNOTES

¹Church of the Lutheran Confession Proceedings, Eighth Convention, August 8-13, 1968, p.25

²ibid p.26

³CLC Proceedings, Twelfth Convention, July 12-16, 1976;
p.16

⁴ibid

⁵ibid. p.26

⁶THE LUTHERAN SPOKESMAN, Vol 21 #2, August 1978. p.8

⁷ibid Vol. 21 #6, December 1978, p.13.

⁸Nolting, Paul, "The Third Use of the Law", 1974,
p. 26 (Essay on file)

⁹ibid p. 27

APPENDIX

by
Tom Speidel

May 13, 1979

Prof. Fredrich
Sr. Ch Hist B

As it was stated in the original essay, the 1976 convention of the CLC adopted the resolution of the Three Points by a unanimous standing vote as the settlement for the controversy of the Third Use of the Law. The 1978 convention stated, "This settlement stands!"¹ Therefore the question naturally arises "Why bring the matter of the Third Use of the Law before the 1978 convention?" In answer the Japan CLC supported the false position that had raised its head in the West Central Conference prior to the 1976 convention. This false position was "that the law with respect to good works instructs the Christian only to condemn him."²

Pastor Fred Tiefel informed the president of the CLC in the summer of 1977 that the Three Points were unacceptable to the Japan Church of the Lutheran Confession (JCLC). On August 16 and 17, 1977, at the Holiday Inn in Eau Claire, WI, the Board of Doctrine responded to an invitation which was extended to hear the objections which the brothers in Japan had. Pastor Tiefel presented an essay, "The Word of the Holy Spirit in the Christian Life with Special Reference to Law and Gospel." In the essay there was no mention made to the "what" or "why" the objections to the Three Points the JCLC held. There was also an outline presented to study Article VI of the FC.

The conclusion of the meeting brought the statement from the Board of Doctrine that the JCLC still held the "Only to condemn" idea of the Law along with a faulty understanding of Article VI. At the close of the meeting several men

of the CLC said that they could no longer agree with the Three Points adopted. The president informed them "that if they could no longer agree to the points of the settlement, they should in an orderly manner put into writing by way of a memorial, their objections to the Three Points."³

The Board of Doctrine also prepared an evaluation of the meeting. They said:

Scripture and the Lutheran Confessions both teach that the Holy Spirit uses the Law not only to condemn the Christian for his failure to keep the law, but also for instructing him as to what works are truly God-pleasing.⁴

The Board was compelled to condemn as heresy the "Only to condemn" idea of the Law as the JCLC viewed the Law with respect to good works. The Board declared that a devisive teaching had arisen in their midst. Those with weak understanding who desired instruction will be patiently instructed. But those who intend to promote the heresy the CLC must "act now and remove this devisive doctrine."⁵

Our dealings with the JCLC will continue in the orderly manner prescribed by our Constitution, until there is a God-pleasing resolution of the differences that have arisen between us over the Third Use of the Law.⁶

Another outcome of the meeting with the JCLC was a document prepared by the Doctrine Board on the Third Use of the Law and sent to the JCLC as a reaction to the discussions. The following is this report as recorded in the PROCEEDINGS OF THE THIRTEENTH ANNUAL CONVENTION, page 27 and following:

As a contribution to the discussion of the present controversy the Board of Doctrine presents the following summary of differences on the Third Use of the Law.

1. One side says that the law teaches the Christian what truly good works are but only for the purpose of condemning and passing judgment on him for his failure to perform them.

The other side says that the law teaches the Christian what truly good works are. These works a Christian can perform only by the grace of God and the power of the Holy Spirit. This didactic function of the law is necessary only because the Christian still has his flesh. This is a distinctive, but not independent function of the law, for as it instructs in the nature of good works (third use), it also judges the Christian for failure to fulfill its provisions (second use).

2. The one side says that Article VI of the Formula of Concord supports the doctrine that the Third Use of the Law in the life of the Christian is only to accuse, rebuke, and condemn but never to teach what truly good works are that he might perform them in the power of the Spirit. The latter function they say is not necessary for the reborn child of God.

The other side says that Article VI of the Formula of Concord supports the doctrine that the Third Use of the Law in the life of the Christian is necessary for instruction regarding good works in order that he may not engage in self-chosen worship and works. The law then performs a didactic function in the life of the Christian which is not restricted to accusing and rebuking and condemning, but also has the purpose of instructing the Christian concerning what is a good and

acceptable work pleasing to God. Both sides agree that the law in no way gives the power or the will to perform what it teaches.

3. The one side expresses fear that those who hold that the law teaches a Christian what truly good works are for any other purpose than judging and condemning involve themselves in a form of synergism.

The other side maintains that those, who teach that the law in its Third Use only accuses and condemns, thereby equate the Third Use with the Second Use and in effect teach no Third Use at all and thereby nullify the imperative exhortations of the epistles which are addressed to the children of God for instruction in sanctification. Children of God need this instruction because they are still burdened with their flesh. The monergism of grace (grace alone) is maintained throughout. Only through the power of the Holy Ghost working through the gospel can any good work be begun and carried to completion.

4. The one side teaches that it is the Holy Ghost alone who performs the good work through the Christian as His instrument or organ and that the will of the Christian does not in any way cooperate in its performance.

The other side says that the Christian by virtue of his liberated will, given in conversion by grace alone, does indeed delight in the law of God and by the power of the Holy Ghost does indeed perform good works, although in great weakness, and does indeed by the grace of God work together with Him in the closest fellowship, as our confessions clearly teach in accordance with II Cor. 6:1. (Trig. pp 907, #75-68 and 791, #17, 18.)

The Board of Doctrine presents the following statements:

1. We have examined all materials placed into our hands concerning the Third Use of the Law and from them have concluded that there is a divisive teaching being fostered in our midst on this point.

2. We have re-examined our writing "Reactions....." in connection with the questions and criticisms that have been received. Although we do not claim perfection and do not consider our writing to be above editorial correction, we believe that in context and in keeping with the doctrinal premises under which we are operating, the document says in substance what we want to say.
3. We firmly believe that we are teaching and upholding what the Lutheran Confessions (Art. VI of the Formula of Concord and related confessional statements) present on this matter. If there is to be discussion, we propose that it be limited to Art. VI of the Formula of Concord and related confessional statements of the Lutheran Confessions to which we are all committed, and that this be done in the light of the four stated points of difference as outlined above.

C. M. Gullerud, Chairman

The pre-Mankato Conference (January, 1975) study resulted in the following formulation of the truth at issue. THE LAW IN ALL ITS USES--AS CURB, MIRROR, AND RULE--APPLIES TO THE CHRISTIAN ONLY INASMUCH AS HE IS FLESH INASMUCH AS THE CHRISTIAN IS NEW MAN, THE LAW IN ALL ITS USES--AS CURB, MIRROR, AND RULE--DOES NOT APPLY. As far as it is possible to discern, this thesis remains unchallenged and so unanimously accepted in our midst.

In the period following the Mankato Conference the following points were discussed:

1. The paradoxical manner in which the Scriptures speak when applying the law/gospel message to spirit/flesh persons.
2. The purpose of the didactic or teaching (rule) function of the law.
3. The inability of the law to enable what it commands.
4. The characteristic of the law--that it always, BUT NOT ONLY, condemns.
5. The nature and characteristics of the new man.
6. A common understanding of Article VI of the Formula of Concord.
7. The rejection of all synergism and the preservation of the monergism of grace both in justification and sanctification.

These points were unanimously resolved at a meeting of eight of the principal participants of the controversy, held at the Midway Motor Lodge in Eau Claire, Wis. in February of 1976.

The three points of agreement, adopted at the Midway Motor Lodge meeting, were submitted to the 1976 convention of the CLC and were adopted by a unanimous standing vote, as follows.

1. The law, which instructs us as to what works are God-pleasing, in no way whatever is a power or force for the doing of those works.
2. The law in its third use instructs the Christian, because of his flesh, as to what works are truly pleasing to the Lord, while simultaneously reproving the Christian for failing to do those works.
3. In all areas of discussion the monergism of grace by the power of the Holy Spirit was upheld in both the doctrines of justification and sanctification.

The convention also unanimously adopted the following resolutions:

"Whereas all three points are correct on the basis of Scripture, and

"Whereas no points of controversy were raised that were not covered by these three points,

"Therefore be it resolved that these three points are a settlement of the matters in controversy and that they constitute our rejection of all prior statements made in the course of the controversy in any way contradictory to the truths expressed in them,

"And be it further resolved that we join in praising and thanking the Lord for the grace granted us in maintaining the precious gift of unity that the Holy Spirit has created among us."

Part II: Observations of Board of Doctrine

A. Third Use of the Law

The law has a distinct teaching function; its didactic function is necessary for the Christian because indwelling sin perpetually corrupts the Christian's understanding of what works are good and acceptable in the sight of God. The Formula of Concord puts it thus:

"So, too, this doctrine of the law is needful for believers, in order that they may not hit upon a holiness and devotion of their own, and under the pretext of the Spirit of God set up a self-chosen worship, without God's Word and command, as it is written in Dt 12:8.28.32..."

We reject the contention that the law never instructs the Christian for the purpose of imparting information as to what works are pleasing in the sight of God. We also reject the contention that the law instructs the Christian regarding good works solely to convict and condemn him for failing to do those works. The law does indeed instruct both the regenerate as to what God requires of them for the purpose of condemning them for not meeting those requirements. This is the second use of the law. The law in its third use does not instruct the unregenerate, but only the regenerate; it instructs the Christian not for the purpose of condemning him, but for the purpose of imparting information to him so that he out of sincere love for God generated by the gospel, without any thought of merit, may ever strive to live according to God's will and not according to self-chosen, works. The heresy that the Law only condemns denies the fact that the Christian, because of his flesh, also needs and has been given the law to supply him with information as to what works are good and acceptable in the sight of his God.

F. Summary

The three points adopted unanimously by the convention still stand. They confess:

1. That the law has a teaching, that is, information-imparting function.
2. That this function of the law is necessary because the flesh causes the Christian to devise his own good works.

3. That all functions of the law--curb, mirror, rule---function interdependently; thus the law while instructing what good works are also condemns the Christian for not doing those works.

4. That the law cannot enable or effect that which it commands, Ga 3:21.

5. That the Spirit of God regenerates solely, Eph 1:19.

6. That the Spirit of God solely enables the regenerate to do good works, Phil w:12-13.

7. That the Spirit of God regenerates by liberating the bound will through the creation of the new man who wills according to the will of God and delights in that will, Rm 7:19-22 (cf American Ed'n, Luther's Works, Vol 33, p.242-3 "The Bondage of the Will").

We Reject the following Statements or Concepts as False:

1. The law always and only condemns. Should be: The law always, but not only condemns.

2. The Christian does not need the Ten Commandments. Should be: In as far as the Christian is new man, he does not need the Ten Commandments.

3. The new man finds his completion in the law. Should be: The new man lives fully according to the law.

4. The Christian needs no exhortations to godly living. This falsely assumes that the Christian is 100% new man or has already been translated to heaven.

5. The Christian cannot do good works. This either assumes that the Holy Spirit does the good works for the Christian or denies the regenerative power of the gospel by the Spirit in the Christian.

6. The Christian can do nothing to please God. This again denies the regenerative power of the Holy Spirit and denies that God is pleased with that which He himself produces in and through the Christian. Cf Ph 4:18.

Board of Doctrine
November, 1977 7

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In response to the president's recommendation that any further comments and /or discussion should come in the form of memorials, the 1978 convention had a number of memorials concerning the Third Use. They are as follows:

MEMORIALS

A. Re Third Use of the Law

1. WHEREAS there is a contradiction between the Board of Doctrine Report of November 1977 and the RESOLUTIONS regarding the Third Use of the Law adopted by the 1976 CLC Convention:

Board of Doctrine Report November 1977

"The law does indeed instruct both the regenerate and the unregenerate as to what God requires of them for the purpose of condemning them for not meeting those requirements. This is the second use of the law. The law in its third use does not instruct the unregenerated, but only the regenerate; it instructs the Christian not for the purpose of condemning him, but for the purpose of imparting information to him so that he out of sincere love for God generated by the gospel, without any thought of merit, may ever strive to live according to God's will and not according to self-chosen works."

1976 Resolutions

"The law in its third use instructs the Christian, because of his flesh, as to what works are truly pleasing to the Lord, while simultaneously reproving the Christian for failing to do those works."

WHEREAS many questions have been raised within the CLC since the RESOLUTIONS of 1976;

WHEREAS our beloved brethren in Japan have raised questions concerning our position on the Third Use of the Law;

WHEREAS the Board of Doctrine Report has brought up important doctrines relevant to the Third Use of the Law not specifically covered by the 1976 RESOLUTIONS;

WHEREAS the existence of the CLC and the essence of its preaching depends on a correct understanding of Law and Gospel;

RESOLVED, that we continue our study of the Third Use of the Law, and to that end

FURTHER RESOLVED, that this study be led by a standing committee of two pastors, two laymen and one teacher from each conference of the CLC and two professors from ILC; said members to be appointed at this Convention by the Praesidium and the conference visitors; said committee not to include past essayists or members of the Board of Doctrine;

FURTHER RESOLVED, that this committee study all papers relevant to the past controversy; all papers, reports, and memorials from the 1976 to 1978 Biennium; and study any additional material addressed to this committee;

FURTHER RESOLVED, that this committee prepare reports for the 1979 CLC Pastoral Conference, the 1979 CLC Teachers Conference and the 1980 CLC Convention;

FINALLY RESOLVED, that we implore the Holy Spirit to be with us continuously in our study of His Word.

Mr. and Mrs. Paul Tiefel, Sr.

2. WHEREAS the three points adopted by the 1976 Convention as a "settlement" of the controversy on the Third Use of the Law have not, in fact, settled the matter; and

WHEREAS the Japan CLC on August 16-17, 1977, delivered to the Board of Doctrine and some visitors a Scriptural presentation on "The Work of the Holy Spirit in the Christian Life with special reference to the Law and the Gospel;" and

WHEREAS a presentation such as that of our Japanese brethren deserves public dissemination and in-depth study by the entire constituency of the CLC; and

WHEREAS the Board of Doctrine's "Reactions..." to the above-mentioned essay, dated November 1977, confuses the issue - on the one hand by making assertions which were never in dispute among us, and on the other hand by containing statements inconsistent with, and contradictory to, its own Scripturally-based formulation of the truth: THE LAW IN ALL ITS USES - AS CURB, MIRROR, AND RULE - APPLIES TO THE CHRISTIAN ONLY INASMUCH AS HE IS FLESH. INASMUCH AS THE CHRISTIAN IS NEW MAN, THE LAW IN ALL ITS USES - AS CURB, MIRROR, AND RULE - DOES NOT APPLY. (REACTIONS. Page 1, Part 1. A.)

WHEREAS a study paper on Jeremiah 31:31-34 was placed on the agenda of the last General Pastoral Conference specifically because of its vital bearing on the proper understanding of the Third Use of the Law doctrine, but has not yet been delivered for study;

RESOLVED, that the 1978 Convention declare the matter of the Third Use of the Law not yet settled, but open for further study in our midst, with the prayer that God would lead us to unanimity on the Scriptural teaching regarding the Third Use of the Law and the spiritual life of the Christian.

Pastor Paul Fleischer

Paul M. Tiefel, Sr.

Donald Wilke

Victor Tiefel

St. Luke's - Denver

3. WHEREAS I have asked the president in time past to have all papers involved in the Third Use of the Law distributed to all pastors and professors of the CLC so that all could know the issue involved from the beginning; and

WHEREAS it is impossible for the pastors and professors to make proper judgment without such material; and

WHEREAS it is evident that the so-called Eau Claire agreement has not settled the matter of the Third use of the Law;

RESOLVED that all papers be printed and distributed to CLC clergy; and

FURTHER RESOLVED that Pastor Fred Tiefel of Japan be invited to attend whenever the CLC decides to meet in order to deal with the issue before it.

Rev. Herbert Witt⁸

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As a closing note to this chapter of the CLC and the Third Use of the Law the standings are that the CLC holds with its 1976 decision as explained in that convention and as summarized in the 1978 convention. Pages v and vi of this

report record the proposed summary by the Board of Doctrine. This summary was adopted with a bit more explanation. A few notes were added to the final report. Some of the important ones which have not been previously reported are:

1. One member of the floor committee, Ron Blackwelder, dissented from the report because the "divisive teaching" has not been shown to be unscriptural.

2. Another member of the floor committee, M. J. Witt, recorded the following statement: "In spite of what has been written and said, I do not share the judgment that there is 'divisive teaching in our midst.' It is my opinion at this time that the turmoil is due to lack of definition and clarity in wording."

3. ...Pastor Victor Tiefel and lay delegate Fred Brethauer, representing Saint Luke Lutheran Church, Denver, Col., stated...:

"The position of the CLC on the Third Use of the Law is unsupported by Scripture and at variance with the true interpretation of Article VI of the Formula of Concord. ... (Note #3 is an announcement by President Albrecht.) 9

The conclusion I come to is that those who disagree with the CLC, and the Bible as a result, refuse to acknowledge that the Third Use of the Law is the Law as teacher to the Christian. A teacher condemns what is wrong and instructs as to what is right. The Law does show us our sins, condemns us, but it also shows us what is pleasing to God. This second function is the Third Use. It reveals to the new man in us when God is at work strengthening the new man to overpower the Old Adam. This is the law showing us what is God-pleasing and is not condemning us for doing these actions.

ENDNOTES

¹ PROCEEDINGS OF THE THIRTEENTH ANNUAL CONVENTION OF THE CHURCH OF THE LUTHERAN CONFESSION, July 10-14, 1978, p. 13.

² ibid

³ ibid p. 14

⁴ ibid

⁵ ibid

⁶ ibid p. 15

⁷ ibid pp. 27-36

⁸ ibid pp. 37-8

⁹ ibid p. 44