LAW, GOSPEL, AND LIFE IN THE WORLD:

AN EXPLORATION OF THE PRACTICAL EFFECTS OF LUTHERAN HERMENEUTICS IN THE LCMS AND ELCA REGARDING ISSUES OF HUMAN SEXUALITY

by

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A thesis submitted to
The University of Birmingham
for the degree of
DOCTOR OF PHILOSOPHY

School of Philosophy, Theology and Religion
College of Arts and Law
University of Birmingham
December 31, 2022

For my family; for the Church.

ABSTRACT

Although the two largest Lutheran church bodies in the United States, The Lutheran Church—Missouri Synod (LCMS) and the Evangelical Lutheran Church in America (ELCA), identify as Lutheran, they do not approach issues relating to human sexuality in the same way. To address a lacuna in the current literature, I explain comparatively both why and how the LCMS and ELCA have come to the conclusions they have regarding human sexuality and the place of gay and lesbian people in the church and society. In order to explore this, I begin this thesis by grounding both the LCMS and ELCA in the broader cultural and ecclesiastical context of Lutherans in the United States. It then moves to explore how Lutherans—historically, globally, and specifically the LCMS and ELCA—understand the nature and function of the scriptures. I then consider the significance of the Lutheran hermeneutic of distinguishing between Law and Gospel for both the LCMS and ELCA before showing how that hermeneutic has been applied to the scriptural texts often cited in discussions of human sexuality. The exploration of the practical effect of scriptural hermeneutics in the form of exegesis yields that both the LCMS and ELCA embody the hermeneutic, albeit in contrasting ways. The thesis moves beyond the scriptural exegesis to consider also the theoretical framework and practical effect of Lutheran approaches to cultural exegesis. The final piece of the investigation explores how that theoretical and theological framework for cultural exegesis is applied to issues of human sexuality. In addition to the how and why Lutherans in the United States come to drastically different conclusions on the place and identity of gay and lesbian people in the church and in the world, this study demonstrates that both the LCMS and ELCA can claim their positions as an outworking of their understanding of Lutheran identity and practice.

ACKNOWLEDGEMENTS

A work of this sort is never solely the product of the author—even more so in the case of this particular thesis. First, thanks is due to Andrew Davies, my supervisor. I doubt he will ever know how much he contributed. His willingness to read, re-read, and read again may have been part of his duty, but was indispensable in shaping my thought and the final product. More than the conversations and the revisions, though, I want to extend my deepest gratitude to him for believing that I could make it this far and produce a work of this quality. Any deficiencies therein are my own and not a reflection on his supervisory skill or technique.

Thanks is also due to my secondary supervisors, Deryn Guest and Wolfgang Vondey. In their own ways they have broaden my horizons and I am thankful that I was able to dialog with them in some capacity throughout this time. The examiners of this thesis, Amy Daughton and Robin Steinke, deserve more than mere gratitude for both the rigorous conversation and their suggestions meant to strengthen my work.

Several other people deserved to be mentioned for their support, especially those who read, or attempted to read, part or all of this thesis, including Ken Chitwood. It is right that I also acknowledge Redeemer Evangelical Lutheran Church in Parkton, Maryland and Trinity Lutheran Church in Lexington Park, Maryland. Their support, financially and otherwise, allowed me to be both a student and a pastor. Without the financial support of United Lutheran Seminary's Graduate Fellowship, and the work of Gilson Waldkoenig and Allison deForest, my tenure as a student would not have been feasible. In that same regard I want to also thank Joseph Carlin, Maria Erling, and Jon Diefenthaler who contributed toward my education in a variety of ways. Joe's generosity will never be forgotten. Maria has been a voice of continual support and also a willing reader. I remain grateful to her for how she has shaped me as a scholar and for her friendship. Jon most of all worked not only to help me

secure funding, but also served as a dialog partner and mentor. His friendship is one I cherish deeply.

The same should be said of Warren Lattimore, Harrison Parker, and Matthew Gerzevske, my brothers. Through the ebb and flow of graduate study, as well as life, they have walked together with me. Not only did they serve as a sounding board, but as the voice of encouragement I needed when I could not find it within myself.

Finally, my family. My in-laws, Mark and Bonnie Hughes helped in more ways than can be enumerated. My wife, Holly, and my children Enzo, Anastasia(+), Theo, Lola, and Cora, supported and inspired me every single day. I hope this thesis makes their sacrifice and support worth it.

When Jaroslav Pelikan received an honorary doctorate from Concordia Seminary in St. Louis, an alma mater we share, he said the following: “Some seem to be able to carry on theological research quite apart from the church. Some manage to serve the church very well with what appears to be a minimum of scholarship. But for me, the altar and the study are part of the same building and that is where I must live and work.” While everyone listed, and some who are not, have helped me to be able to live and work in the building with an altar and a study, no one has done more than my beloved wife. Thank you Holly. Words are not enough to express just how grateful for you I am.

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ABBREVIATIONS

AELC	Association of Evangelical Lutheran Churches
ALC	American Lutheran Church
CETRL	Committee on English Theological and Religious Literature
CTCR	Commission on Theology and Church Relations
ELCA	Evangelical Lutheran Church in America
ESV	English Standard Version
ILC	International Lutheran Council
LCA	Lutheran Church in America
LCMS	The Lutheran Church—Missouri Synod
LSB	Lutheran Study Bible
LWF	Lutheran World Federation
NRSV	New Revised Standard Version
TLSB	The Lutheran Study Bible
ULCA	United Lutheran Church in America

1.0 WHAT DOES IT MEAN TO BE A LUTHERAN?

1.1 Diversity in Global Lutheranism

In June of 2021, a worldwide affiliation of Lutheran church bodies known as the International Lutheran Council (ILC) produced a document protesting what they believed to be the unjust treatment of then Bishop Elect Juhana Pohjola and former Interior Minister of Finland Päivi Räsänen. Both of those individuals were under investigation for, and had been charged with, potential violations of hate speech laws in Finland.[1] The Prosecutor General of Finland, Raija Toiviainen, asserted that both Pohjola and Räsänen were liable for "criminal incitement against a minority group—hate speech."[2] The charges filed against Pohjola and Räsänen stemmed from a 2004 publication titled, *Male and Female He Created Them,* as well as statements made on Finnish public radio and a Tweet referencing Romans 1:24–27 as a way of chastising the national Lutheran church in Finland for supporting Helsinki Pride.[3] In January of 2022 the trial began and by March of the same year both Pohjola and Räsänen were acquitted.[4] Yet, it seems as though both Pohjola and Räsänen expect the acquittal to be appealed and the matter brought before a higher court.[5] Such a high court, it is assumed, will overturn the acquittal. The International Lutheran Council also believes that the international

[1] Matthew Block, "Finnish Bishop Elect Charged Over Historic Christian Teaching on Human Sexuality," International Lutheran Council, April 30, 2021, https://ilc-online.org/2021/04/30/finnish-bishop-elect-charged-over-historic-christian-teachings-on-human-sexuality/; Matthew Block, "A Protest and Call For Free Religious Speech in Finland," International Lutheran Council, June 29, 2021, https://ilc-online.org/2021/07/29/a-protest-and-call-for-free-religious-speech-in-finland/.

[2] Ken Chitwood, "Finnish Bishop and Politician Face Trial for LGBT Statements," Christianity Today, January 3, 2022, https://www.christianitytoday.com/news/2022/january/finland-lgbt-trial-pohjola-rasanen-elmdf.html.

[3] Chitwood, "Finnish Bishop Politician Face Trial;" Päivi Räsänen, *Male and Female He Created Them* (The Luther Foundation Finland, 2004), https://www.lhpk.fi/en/booklet-male-and-female-he-created-them-homosexual-relationships-challenge-the-christian-concept-of-humanity-paivi-rasanen/.

[4] Ken Chitwood, "Christian Condemnations of LGBT Not Hate Speech in Finland, Court Rules," Christianity Today, March 30, 2022, https://www.christianitytoday.com/news/2022/march/finland-hate-crime-lgbt-lutheran-pohjola-rasanen.html.

[5] Chitwood, "Christian Condemnations LGBT Not Hate Speech"

law should inform the situation in Finland and has done so even before the trial even began.[6] The difference, though, is that the ILC believed free religious expression laws protected Pohjola and Räsänen from any such investigation and charges and not that international courts should side against them.

The protest document produced by the ILC has several features to it worth noting including the aforementioned appeal to international law as a protective measure. The two most important aspects for this thesis, however, are the signatories and the date it was intentionally signed. First, the forty-eight signatories include representatives from a variety of Lutheran churches based in North and South America, Europe, Asia, and Africa including some that are not officially affiliated with the ILC.[7] This suggests at minimum that the document expresses a global concern of some Lutherans. The country that produced the most signatories was the United States with four of the seven signatories representing The Lutheran Church—Missouri Synod (LCMS). The LCMS, as part of the ILC, is seen as a conservative Lutheran church body and has been in existence since 1847.[8] Prominent in the protest document is the name of the current president of the LCMS, Matthew C. Harrison. Not only did he sign the protest document, his email is provided in the document as he is designated the point of contact for those interested in exploring what the LCMS has to say

[6] "A Protest and Call for Free Religious Speech in Finland: An International Lutheran Condemnation of the Unjust Criminal Prosecution of the Rev. Dr. Pohjola and Dr. Räsänen, and a Call for All People of Good Will to Support the Freedom of Religious Expression in Finland" (International Lutheran Council, June 25, 2021), 2, https://ilc-online.org/wp-content/uploads/2021/07/A-Protest-and-Call-for-Religious-Freedom-in-Finland-English.pdf. It should also be noted that as of September 14, 2022, Bishop Pohjola was elected as the chairman of the International Lutheran Council. Matthew Block, "2022 World Conference: Bishop Pohjola Elected as ILC Chairman," International Lutheran Council, September 14, 2022, https://ilc-online.org/2022/09/14/2022-world-conference-bishop-pohjola-elected-as-ilc-chairman/.

[7] Signatories include representatives from the United States, Canada, Mexico, Uruguay, Paraguay, Peru, Argentina, Bolivia, Brazil, England, Germany, France, Belgium, Portugal, Norway, Sweden, Finland, Ukraine, Russia, Albania, South Africa, South Sudan, Tanzania, Kenya, Congo, Nigeria, Ghana, Liberia, Rwanda, Burkina Faso, Uganda, Indonesia, the Philippines, and India. See: "A Protest and Call for Free Religious Speech in Finland: An International Lutheran Condemnation of the Unjust Criminal Prosecution of the Rev. Dr. Pohjola and Dr. Räsänen, and a Call for All People of Good Will to Support the Freedom of Religious Expression in Finland" (International Lutheran Council, June 25, 2021), 3–6, https://ilc-online.org/wp-content/uploads/2021/07/A-Protest-and-Call-for-Religious-Freedom-in-Finland-English.pdf.

[8] More about the LCMS will be explained in the thesis. For a quick overview see: https://www.lcms.org/about.

about issues related to human sexuality.[9] I would suggest this demonstrates that Harrison is not simply passively involved with the issues expressed in the document. It is one thing for a president to sign it, it is another for his email to be displayed as a point of contact, especially when the protest document was furnished to national and international groups, including the office of the General Prosecutor of Finland.[10] To put it mildly, not only are issues related to human sexuality globally relevant, including the ability to oppose the marriage of gay and lesbian people, they are also relevant to the current leadership of the LCMS, the second largest Lutheran church body in the United States.

While the LCMS has the most signatories from any church body in the United States, it is only one of the four church bodies represented in the protest document. The other three are smaller, but still conservative, church bodies—the Wisconsin Evangelical Lutheran Synod (WELS), the Evangelical Lutheran Synod (ELS), and The American Association of Lutheran Churches (AALC). These church bodies maintain close fellowship even if their relation to each other has vacillated throughout the years.[11] There is, however, one Lutheran church body that is noticeably absent from the contingent of signatories from the United States—The Evangelical Lutheran Church in America (ELCA). The ELCA is the largest Lutheran church body in the United States and it is often considered to be more theologically liberal than the LCMS, WELS, ELS, and AALC. The ELCA's absence from the letter, therefore, might not be surprising to anyone familiar with Lutheranism in the United States. Not only did the ELCA not sign the document, they did not seem, in any official publication,

[9] "A Protest and Call for Free Religious Speech in Finland," 3, 6.

[10] Copies of the protest document were provided to at least the following: Office of Prosecutor General of Finland, United Nations High Commissioner for Human Rights, United Nations Special Rapporteur on the Freedom of Religion or Belief, United Nations Special Rapporteur on the Promotion and Protection of Freedom of Opinion and Expression, and the United States Commission on International Religious Freedom.

[11] In point of fact these church bodies either currently do or used to share altar and pulpit space with one another. The LCMS is presently in fellowship with the AALC and used to be in fellowship with WELS and ELS. For a historical overview on the Evangelical Lutheran Synodical Conference of North America see: Armin W. Schuetze, *The Synodical Conference: Ecumenical Endeavor* (Milwaukee: Northwestern Publishing House, 2000); Mark Braun, *A Tale of Two Synods: Events that Led to the Split Between Wisconsin and Missouri* (Milwaukee: Northwestern Publishing House, 2003).

to address the charges and trial of Pohjola and Räsänen in any official publication. Nor did the international communion of Lutheran church the ELCA belongs to, which is known as the Lutheran World Federation (LWF).[12] Perhaps the reason for this is because the LWF allows churches within its communion, like the ELCA, to make diverse decisions regarding the rights and privileges of gay and lesbian people, (e.g., the right to marry,) and so did not see any affront to free religious expression in this context like the ILC did. Regardless, what is clear by the signatories of the document is that there are global and local concerns for Lutherans, including those in the United States, concerning issues related to human sexuality as well as the potential impact of such concerns on religious expression. Moreover, the discrepancies in who signed – and who did not – suggests Lutherans are also clearly not in agreement on these issues locally *or* globally.

There is another issue, however, that the protest document displays. It relates to how the Lutherans who signed it see themselves. As mentioned above, the two important pieces of the protest document for the purposes of this thesis are the signatories and the date the document was signed—June 25, 2021.[13] For Lutherans of many stripes this date is nearly sacrosanct because it is the date that the Augsburg Confession was signed in 1530.[14] Signing it on that day was not accidental or incidental; it was entirely intentional, as the document makes clear when it notes the date prior to the signatures, saying it was signed on "the

[12] Here it is worth noting two differences between the ILC and LWF. First, there is a significant size disparity between the ILC and the LWF. The ILC has over 50 participating church bodies accounting for roughly 7.5 million people across the globe (https://ilc-online.org/members/). By contrast the LWF has nearly 150 participating church bodies accounting for roughly 77 million people across the globe (https://www.lutheranworld.org/member-churches). Second, the ILC was formed in opposition to perceived theological issues within the LWF. This tension still exists today in a variety of ways. For more information on the formation of the ILC see: Albert B. Collver III, "Executive Secretary Report: 25 September 2018" (Fort Wayne, IN: International Lutheran Council, 2018), https://ilconline.wpenginepowered.com/wp-content/uploads/2019/02/ILC-History-Sept-2018.pdf. For more information on the formation of the LWF see: https://www.lutheranworld.org/who-we-are/history-lwf.

[13] "A Protest and Call for Free Religious Speech in Finland," 3.

[14] The Augsburg Confession is one of, if not the most important, foundational confessional documents for Lutherans historically and globally. See the "Editors' Introduction to the Augsburg Confession" for a brief explanation of the historical context and perpetual value of the document for Lutherans: "Augsburg Confession," in *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, edited by Robert Kolb and Timothy Wengert (Minneapolis: Fortress Press, 2000), 27–9.

Commemoration of the Presentation of the Augsburg Confession," a day that some Lutherans set aside on their liturgical calendars.[15] When the confessors at Augsburg made their public confession in 1530 about what was being taught among the Lutheran reformers they did so cognizant of their public witness.[16] The signers of the protest document were not only cognizant of their public witness, but also of the witness that went before them.

Moreover, the document begins and ends with an invocation of Lutheran identity rooted in what is remembered as the original Lutheran moment of public confession. After quoting the book of First John, the protest document begins saying, "As living heirs of the Lutheran reformation and leaders of our respective churches, we confess."[17] It then quotes the Augsburg Confession, specifically Article XVI, as a justification for their public statement.[18] From this perspective, the signatories of the statement seek to situate issues of human sexuality as part of expressing Lutheran identity. I would submit that the signers of the protest document, by invoking Augsburg, see what they are doing as akin to the stand the confessors at Augsburg made for the gospel in 1530.[19] By making that connection, they have tied issues of human sexuality to Lutheran self-expression. This invites the question, then, what does it mean to be Lutheran? Does it mean that one must uphold a specific view of human sexuality? It seems for one group of Lutherans that answer is an unequivocal yes.

1.2 Probing the Diversity

[15] "A Protest and Call for Free Religious Speech in Finland," 3.

[16] See "Augsburg Confession, Preface" *Book of Concord*, 30–5.

[17] "A Protest and Call for Free Religious Speech in Finland," 1.

[18] Article XVI of the Augsburg Confession is explored in chapter six: "Lutheran Frameworks for Cultural Exegesis and Engagement."

[19] Perhaps even more than this, the signers of the protest document are showing themselves to be in agreement with an understanding of the Augsburg Confession, namely, that it is a type of document akin to the *Declaration of Independence* in that it proscribes a formal line of demarcation. Other Lutherans have seen in the Augsburg Confession to be a broadly catholic document that shows how Lutherans are not separate from the wider church but rather, how they are deeply a part of it. This is not a small point to make but this thesis is not the place to explore it further. For further reading on the Augsburg Confession and the way Lutherans have understood a helpful place to begin is: Arthur Carl Piepkorn, "Suggested Principles for a Hermeneutics of the Lutheran Symbols," *Concordia Theological Monthly* 29, no. 1 (January 1958): 1–24.

Without question, Lutherans in the United States are divided. The existence of several different Lutheran denominations makes this point essentially self-evident. One cause of divisions, and the one I am interested for the purposes of this thesis, is that Lutherans in the United States are divided over issues related to human sexuality. In this thesis I explore how and why the two major Lutheran denominations disagree and what that means for how those denominations seek to shape their constituency. In sum, I seek to explore the scriptural and cultural hermeneutics, and practical effects thereof, that Lutherans use in approaching issues related to human sexuality.

When Ken Chitwood, a member of the clergy of LCMS, reported on the beginning of the Finnish trial, he interviewed a thirty-six year old pastor serving the congregation that Bishop Pohjola planted.[20] Samuli Siikavirta was concerned because,

> It's very clear from this case that people are estranged from Christian terminology… We are not trying to conform law to our beliefs, but now, even basic Christian language sounds a lot more hateful than it would if people understood the context… The church has a gift to offer the world… but we can't assume people will understand it.[21]

Here, Siikavirta laments what he sees to be a communication breakdown between what is said and what is heard. Chitwood summed up Siikavirta's sentiments: "Christians will need to become much more skilled at communication."[22] As a thirty-seven year old pastor serving a congregation that belongs to a church body that takes a more conservative view on issues related to human sexuality, Siikavirta's words, and Chitwood's summation, ring true to me. I, like Chitwood, am a rostered clergy member of the LCMS, but, that does not mean I have spent all of my spiritual or academic life in LCMS institutions alone. For a time, I served a congregation belonging to the ELCA and I have earned a graduate degree from an ELCA seminary. This alone does not make me an expert in either the LCMS or the ELCA, nor does

[20] Chitwood, "Finnish Bishop Politician Face Trial."
[21] Chitwood, "Finnish Bishop Politician Face Trial."
[22] Chitwood, "Finnish Bishop Politician Face Trial."

it mean I am an unbiased third-party observer. But, as one who has spent time in both institutional circles, I am one who is personally concerned with how Lutheran church bodies in the United States have sought to shape their constituency with regard to how people interact with society, specifically on how they understand and interpret issues of human sexuality. This thesis, though, does not simply address my personal concerns, it seeks to speak to an issue that is at present relevant at global and local scales.

1.3 Addressing the Aims, Literature, and Value

Lutherans in the United States, specifically the LCMS and ELCA, are in clear disagreement over issues related to human sexuality. The LCMS rejects same-sex marriage as a valid institution, the ELCA affirms it.[23] The LCMS does not allow gay and lesbian people to serve as clergy, the ELCA does.[24] The question around which this thesis orbits is why — why do these Lutherans disagree? What is it about the way they approach the scriptures and the way they approach life in the world that causes them to come out at diametrically opposed ends of the spectrum? Simplistic answers abound on social media, but to date no study has been undertaken to assess comparatively the LCMS and ELCA on their own terms hermeneutically and survey the practical application of those hermeneutics to scriptural texts and cultural situations. In this thesis, then, I aim first to explore this lacuna. This is not to say that there are no studies in Lutheran hermeneutics but rather that comparative studies, specifically on how Lutheran theological hermeneutics has influenced scriptural readings and cultural understandings of human sexuality, are lacking. A notable exception to the lack of

[23] See chapter 7, "Lutheran Approaches to Human Sexuality," for a more in depth discussion of the reasoning as to why there is a difference in the LCMS and ELCA with regard to positions on marriage. See also: LCMS, https://www.lcms.org/social-issues/marriage; ELCA, https://www.elca.org/lgbtq.

[24] See chapter 7, "Lutheran Approaches to Human Sexuality," for a more in depth discussion of the reasoning as to why there is a difference in the LCMS and ELCA with regard to who can serve as clergy. See also: LCMS, https://www.lcms.org/about/beliefs/faqs/lcms-views#homosexuality; ELCA," ELCA Assembly Opens Ministry to Partnered Gay and Lesbian Lutherans" https://www.elca.org/News-and-Events/6587. It should also be noted that the LCMS only allows males to serve as clergy.

comparative studies on Lutheran hermeneutics is the Lutheran World Federation's 2014 conference on Lutheran hermeneutics and subsequent publication.[25] That conference, however, put theologians in dialog globally, not locally between the LCMS and ELCA. In that same vein, Craig Nessan developed three theses to contribute to a global Lutheran discussion on homosexuality but even his article is focused on the situation in the LWF.[26] Some work has been done to put ELCA theologians in dialog with each other on the issue of human sexuality but not necessarily with theologians of other church bodies.[27] Consider also that a fair number of studies on Lutheran hermeneutics exist but typically do not seek to analyze how the hermeneutics shape a response to a particular issue like human sexuality.[28] While studies like Christian Balden Scharen's work analyzing ELCA responses to homosexuality do so through the lens of social science, there are seemingly no corollary studies that analyze the LCMS.[29] All of this is to say that while material can and does exist within Lutheran circles on the theological hermeneutics involved in scriptural or cultural exegesis, no study appears to draw together resources from the different church bodies or put the church bodies in dialog on the basis of their official publications. As such, there is inherent value in the inquiry by addressing the void in knowledge. This does not mean, however, that the only aim of this investigation is to explore an unexplored area. Nor does it mean that the only value of the investigation is the accumulation of knowledge about how the

[25] Kenneth Mtata and Craig Koester, eds., *To All the Nations: Lutheran Hermeneutics and the Gospel of Matthew* (Geneva: Lutheran World Federation, 2015).

[26] Craig L. Nessan, "Three Theses on the Theological Discussion of Homosexuality in the Global Lutheran Communion" *Currents in Theology and Mission* 37, no. 3 (June 2010): 191–7

[27] James R. Childs Jr., ed., *Faithful Conversations: Christians Perspectives on Homosexuality* (Minneapolis, MN: Fortress Press, 2003).

[28] Two examples are: James W. Voelz, *What Does This Mean: Principles of Biblical Interpretation in the Post-Modern World* (St. Louis, MO: Concordia Publishing House, 1997); Edward H. Schroeder, "Is There a Lutheran Hermeneutics?" in *The Lively Function of the Gospel: Essays in Honor of Richard R. Caemmerer*, edited by Robert Bertram (St. Louis, MO: Concordia Publishing House, 1966), 81–97. Moreover, in later chapters I will address the work of Erik Heen who has published work addressing the hermeneutical streams evident in the ELCA.

[29] Christian Balden Scharen, *Married in the Sight of God: Theology, Ethics, and Church* Debate (Lanham, MD: University Press of America, 2000).

LCMS and ELCA approach issues of human sexuality. In the remainder of this section I explore the additional aims and value of this inquiry beyond what has been briefly stated.

In 1979, *Studies in Lutheran Hermeneutics*, the primary comparative book on Lutheran hermeneutics in the United States, was published.[30] In sum, this book was a collection of essays that had been delivered at a series of conferences in 1976 and 1977. The presenters represented the major Lutheran church bodies at the time and the essays themselves explored various areas of inquiry from liturgical concern to exegetical methodology, e.g., whether or not to embrace historical-critical methods. This book captured in time the concerns of various Lutheran practitioners, who to a greater or lesser extent are representative of the mainstream thought in those church bodies. One of its limitations today, though, is that three of the four church bodies no longer exist. While the LCMS has been in continual existence since April 26, 1847, the ELCA was officially formed on January 1, 1988. The ELCA is the result of a merger of three Lutheran church bodies, the Association of Evangelical Lutheran Churches (AELC), the American Lutheran Church (ALC), and the Lutheran Church in America (LCA).[31] Despite its roots reaching back to the pre-colonial era of the United States, the church body is relatively young. Moreover, the merger that resulted in the ELCA was spurred on by the departure of congregations from the LCMS who formed the AELC.[32] One of the reasons for their departure from the LCMS revolved around how the scriptures were to be approached, understood, and exegeted. This means, then, that from the start the ELCA and LCMS have been on different hermeneutical trajectories. These trajectories were informed, in part, by the disagreements of those predecessor church bodies. Thus, while *Studies in Lutheran Hermeneutics* provides a tremendous amount of historical

[30] *Studies in Lutheran Hermeneutics*, edited by John Reumann in collaboration with Samuel H. Nafzger and Harold H. Ditmanson (Philadelphia: Fortress Press, 1979).

[31] Relevant aspects of this history are explored throughout the thesis. For now it is enough to know that the merger happened.

[32] This history is also explored throughout the thesis.

context, it does not speak adequately to the hermeneutical divides evidenced today in the scriptural and cultural exegesis of the LCMS and ELCA.

One of the major aims of this thesis is to hear the LCMS and ELCA on their own terms and not simply on the terms furnished by older struggles between the predecessor church bodies. Anecdotal or simplistic answers may be uttered by any number of clergy or laity within either denomination as a way of giving voice to the practical difference in the hermeneutics of the ELCA and LCMS, but that does not make those utterances true. Nor do those utterances take into account how the ELCA and LCMS describe and delineate their own perspectives. This thesis aims to take the ELCA and LCMS on their own terms, using their language, and their official publications, to craft a genuine understanding of both church bodies with regard to how they approach textual and cultural issues of human sexuality.[33] In doing so, I hope to avoid the tendency expressed by Anthony Thiselton that, "too often we attack or defend before we have genuinely understood."[34] It is far too easy, especially in the present political climate in the United States, to attack and defend without any genuine understanding of the opposing side. In actuality, Thiselton's adage frames this entire thesis because it sets forth not only good scholarly practice but also good ecclesiological practice as well. Seeking to understand the LCMS and ELCA on their own terms means that any attack or defense, any critique or analysis, proceeds from their own self-definition.[35] By this I mean

[33] Here it is necessary to note that complete genuine understanding is elusive. To borrow from one of the more ecumenically minded Lutheran scholars of the twentieth century, Arthur Carl Piepkorn, "We cannot crawl into one another's skins. We can subscribe to one another's literature, we can read one another's magazines, we can study one another's textbooks—and we can still comprehensively misunderstand one another. Part of the problem is that we use different words for the same spiritual realities and that we use the same words with different denominational nuances or even different denominational meanings" (Arthur Carl Piepkorn, "Living with the Brothers in the Lord," *Concordia Theological Monthly* 39, no. 3 [March 1968]: 167). That does not mean, however, that any movement toward genuine understanding is impossible or implausible.

[34] Anthony Thiselton, "Address and Understanding: Some Goals and Models of Biblical Interpretation as Principles of Vocational Training," *Anvil* 3, no. 2 (1986): 111–112.

[35] Here again I am borrowing from Arthur Carl Piepkorn who, when addressing a group of Roman Catholics in an ecumenical setting, said "it would be unbecoming, presumptuous, and superfluous for me to try to instruct you in either the doctrine or the canons of your church." (Piepkorn, "Living with the Brothers in the Lord," 164.) This is the kind of humility I aim to reflect not only in the choice of source material but also in how that material is treated. I do not aim to instruct either the ELCA or the LCMS in what they believe as much as I am to discover what the ELCA and LCMS say concerning their own belief.

that I do not intend to judge the ECLA by the standards of the LCMS or vice versa. Rather, \ critique and analysis involve asking whether the LCMS and ELCA are being consistent with their own self-expressed theological presuppositions.

My reason for adopting this approach is at least two-fold. First, in framing the investigation along the lines of Thiselton's adage, I want to make clear that the goal is not necessarily to pass a value judgement on either the LCMS or the ELCA but rather to contribute to a genuine understanding of both. Why? Because one of my aspirations is to contribute, in part, to ecumenical endeavors between the two church bodies. The two church bodies cannot dialog with one another effectively without making more serious efforts at mutual understanding. Communication is not simply what is said but also what is heard. This listening requires, in part, a suspension of the self. Without hearing on their terms, there is no genuine understanding, and without genuine understanding, there can be no effective dialog. While this thesis cannot address all the issues between the LCMS and ELCA, it can, and does, address how the hermeneutics of both evidence themselves in the scriptural and cultural exegesis relevant to issues of human sexuality.

It may seem apparent at this stage that this thesis contributes to a narrowly Lutheran conversation, deeply contested as it is. It might be right to ask what this thesis contributes to the broader theological and academic world. Simply put, I contribute to at least three different areas of academic discourse in this thesis. The first area is in the realm of ecumenical theology. By modeling close reading of texts and an attempt to take people at their own terms, I offer a model for ecumenical dialog not simply between Lutherans, or between Lutherans and other Christians, but between any denominations or religious groups. Secondly, I contribute to biblical studies by highlighting that methodological concerns are not the only ones that can or should be factored into why someone arrives at a particular exegetical reading. Hermeneutics reveal not simply the interpretive approaches but also the

culture and values of an organization. Thirdly, I contribute to discussions of political theology by demonstrating clearly how Lutheran cultural exegesis is shaped. In doing so, I give an example—and perhaps even a helpful model—to any scholar or theologian who is wrestling with the questions of not only how Christians can inhabit political space but also where those spaces come from and the value those spaces have for society as a whole.

At this point, though, it is important also to consider again Chitwood's summation, namely that, "Christians will need to become much more skilled at communication."[36] The aim and value of this thesis goes beyond the scholarly and ecumenical concerns because it involves what sits behind the shaping of people in the pews. That is to say, one of the aims of this thesis is to help translate the theological opinions and concerns of the LCMS and ELCA to those both inside and outside of the respective traditions. While it is beyond the scope of this work to demonstrate how effect the LCMS and ELCA are in inculcating their beliefs among their constituency, understanding what they are trying to do is valuable to those who belong to those denominations and to those who interact with people who belong to those denominations. I may not be under any illusion that someone completely disconnected from Lutheran circles will be interested in reading this thesis, but one of my aims nevertheless is to investigate and write in such a way that anyone could read this thesis and have a genuine understanding of the LCMS and ELCA on the issues under consideration. The study also models — scholarly, ecclesiastically, and interpersonally — what it means to listen to and hear someone on their own terms. Thus, its aims and objectives are not simply scholarly; it fills a gap in scholarly knowledge but does not seek to acquire knowledge simply for its own sake. Nor are my aims only ecumenical; I do aim to help Lutherans belonging to the LCMS and ELCA dialog effectively with one another, but on the whole I aim to help facilitate communication by first modeling what it means to hear someone on their own terms. This is

[36] Chitwood, "Finnish Bishop Politician Face Trial."

important because, at base, the issues discussed in this thesis are not merely theoretical issues, they are ongoing concerns that touch and effect real people in the world.

There is, however, one final aim of this thesis that is personal, and thus perhaps only valuable to me. Thiselton's adage is not simply about hearing the other person. He writes further, "We can live out of the convictions of our own understandings and traditions without dismissively failing to respect judgments which may in turn cause us to modify, develop, correct, or deepen our own."[37] Exploring the LCMS and ELCA comparatively does more for me than fill a gap or answer a question, it allows me to see where I sit in relation to their theological convictions, to affirm or reject them, and to refine my own thinking. As much as this thesis aims to be scholarly and to provide scholarship, as much as it seeks to be ecumenical and provide ecclesiastical value, as much as it seeks to help foster communication and contribute something to interpersonal understandings, it also is an opportunity for me to reflect. Much of that reflection may not be seen within the thesis itself as the other aims take precedence, but that does not mean I am unaware or unconcerned with what it means to hold an opinion different than someone or to use the occasion of investigating another's thoughts to refine my own. In the end, not only will this lead me and others toward genuine understanding of the LCMS and ELCA on the issues discussed, it will, I hope, lead me to a genuine understanding of myself.

1.4 Defining the Path Forward

Before considering the structure of the thesis, it is helpful to qualify what I mean when I speak about assessing the scriptural and cultural hermeneutics of the LCMS and ELCA. Scriptural hermeneutics is perhaps easier to define. As will be apparent in the pages

[37] Thiselton, "Address and Understanding," 112.

ahead, it is necessary for this investigation to begin with a discussion of how the LCMS and ELCA understand the nature and function of the scriptures and how that understanding shapes their exegetical approach. That does not mean, though, that this thesis seeks to assess the methodological approaches employed by various practitioners. This will not be an investigation into the differences between, for example, historical-grammatical and literary-critical approaches to the text. I do not intend to grapple with methodological concerns except where those concerns are necessary. Rather, by hermeneutics I intend to identify the theological perspectives that shape the approaches, exegesis, and application of scriptures to life in the world – to explore what makes Lutheran readings distinctively and genuinely Lutheran. I want to ask, what is it that makes Lutheran approaches to the scriptures and to societal engagement Lutheran in the eyes of the LCMS and ELCA? And furthermore, how do those theological commitments shape the reading of texts and culture? These questions are important since the goal of this thesis is to explore how and why the LCMS and ELCA seek to shape their constituencies concerning issues of human sexuality. These movements do not operate in a theological vacuum. They hold theological positions which have shaped and continue to shape their official positions, exegetical pronouncements, and attempts at societal engagement.

It is also important, at this point, to qualify what I mean by Lutheran. In defining what makes something Lutheran I am not seeking to unilaterally declare what it means to be Lutheran for all Lutherans across time and space. Rather, throughout this investigation I endeavor to delineate what is specifically unique about the LCMS and the ELCA within the historical and global context of Lutheranism. This means that, at times, I will be engaging Lutheran confessional documents not because they are "Lutheran confessions" but because both the LCMS and ELCA uphold those confessions contained in the Book of Concord as

correct expositions of the faith they claim to hold.[38] This is the first step in taking the ELCA and LCMS on their own terms; it means allowing them to define what is authoritative and to define what, to them, it means be Lutheran. With these qualifications in mind, the remainder of this section will outline the chapters that follow and posit the relevant questions therein.

1.4.1 A Lutheran Doctrine of the Scriptures?[39]

Because Lutherans in the LCMS and ELCA both claim the scriptures to be the only rule and norm of faith and practice, this investigation begins by exploring of what such a claim means to them. The chapter title is phrased as a question because indeed there is no singular, unilateral, or universally accepted Lutheran doctrine of the scriptures, whether historically, globally, or locally, in the LCMS and ELCA. The exploration of how the LCMS and ELCA understand the nature, authority, and function of the scriptures begins with an analysis of how the confessional documents Lutherans in the LCMS and ELCA adhere to discuss the scriptures. This is the starting point, and not an ending point, because those documents do not give unequivocal doctrinal statements. Moreover, the LCMS and ELCA are part of global networks of churches, the ILC and LWF respectively, which also make statements about the nature, authority, and function of the scriptures. This chapter necessarily addresses questions of inerrancy, infallibility, and historicity, but it also contextualizes those areas of inquiry to the history of the LCMS and ELCA and their broader relationships.

As has been intimated, one of the relevant questions this chapter explores is, how do Lutherans in the LCMS and ELCA understand the nature, authority, and function of the scriptures? This question must be asked before any question about a unique Lutheran hermeneutic because the scriptures are where, officially speaking, the LCMS and ELCA

[38] See: "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America" (Chicago: The Evangelical Lutheran Church in America, 2019), 2.03; "2019 Constitution, Bylaws, and Articles of Incorporation as amended by the 2019 LCMS Convention 20–25 July 2019" (St. Louis: The Lutheran Church—Missouri Synod, 2019), II.1.

[39] "A Lutheran Doctrine of the Scriptures?" is chapter two of this thesis.

center their doctrinal authority. It is not possible to understand the practical effect of a Lutheran hermeneutic of the scriptures, much less understand the hermeneutic itself, without gaining a genuine understanding of how Lutherans in the LCMS and ELCA approach the text as a whole. This chapter aims to do that while also beginning to ask the question about what a Lutheran hermeneutic of the scriptures might look like.

1.4.2 The Law/Gospel Distinction as the Lutheran Hermeneutic[40]

Having explored how Lutherans approach the scriptures, then, the subsequent chapter is dedicated to exploring what is rightly understood as the Lutheran hermeneutic. This investigation considers the question of what a Christological emphasis might yield for Lutherans. It also seeks to understand what Lutherans mean when they speak about experiencing the text, not just generally but also specifically as Law and as Gospel. That exploration will necessarily address what Lutherans mean when they use terms like Law and Gospel and how those concepts stand in relation to one another. Moreover, the question concerning what might be understood as a distinctively Lutheran approach to the scriptures will require this investigation to determine if the LCMS and ELCA show evidence of the adoption of that hermeneutic. Do both the LCMS and ELCA hold to a distinction of Law and Gospel? If so, do both the LCMS and ELCA understand and hold that hermeneutic in the same way? To address these questions the chapter considers not only the 16th century confessional documents of Lutherans but also the more recent material relevant to the LCMS and ELCA on this topic.

1.4.3 Lutheran Hermeneutics in Practice: Old Testament Texts[41]

[40] "The Law/Gospel Distinction as the Lutheran Hermeneutic" is chapter three of this thesis.
[41] "Lutheran Hermeneutics in Practice: Old Testament Texts" is chapter four of this thesis.

The fourth chapter of this thesis attempts to answer the question, what does it look like for Lutherans in the LCMS and ELCA to apply their hermeneutic to scriptural texts? Of course, this inquiry is not nearly that open-ended as the selected texts are ones often invoked in discussions relating to human sexuality. As such, the three texts under consideration are Leviticus 18:22, Leviticus 20:13, and Genesis 19:1–29. While the bulk of the chapter revolves around exegesis of the story of Sodom and Gomorrah, the appraisals of the Levitical texts serve as an attempt to ascertain possible patterns in the exegesis of the LCMS and ELCA. Questions under consideration in this chapter are first related to what material produced by the LCMS and ELCA constitute official exegesis of a text. Does the analysis of an individual exegete within the LCMS or ELCA represent only that exegete or the church body as a whole? Moreover, the chapter considers what it means to have an authoritative exegesis of a text. Such questions are of necessity because of the goal to allows the LCMS and ELCA to define their own views. Additionally if it is possible to detect a pattern within exegesis, one must first ask the question of how that pattern is established. By the exegete? By the church body? How do you know the difference between the two? If it is the church body, and not the theologian, that applies the hermeneutic, then the application of the hermeneutic could be predictable. If, then, the exegesis follows the predicted path, does it proves to be consistent with its hermeneutic? If, though, it does not, then what might account for the variation between the exegete and the church body? The chapter addresses the questions above through a comparative examination of relevant material from the LCMS and ELCA.

1.4.4 Lutheran Hermeneutics in Practice: New Testament Texts[42]

[42] "Lutheran Hermeneutics in Practice: New Testament Texts" is the fifth chapter of this thesis.

Like the chapter preceding it, the fifth chapter of this thesis explores the question of how Lutherans in the LCMS and ELCA seek to apply their hermeneutic to scriptural texts. The focus of this chapter, however, is on the relevant New Testament texts, namely, 1 Corinthians 6:9–11, 1 Timothy 1:9–10, and Romans 1:26–27. Again, the questions this chapter addresses revolve around material selected for consideration and if that material reflects the exegesis that is emblematic of the LCMS and ELCA or not. Moreover, it asks if there is a demonstrable pattern in how the LCMS and ELCA apply the hermeneutic of the distinction between Law and Gospel to the reading of the aforementioned texts. In sum, the chapter further investigates not simply the texts, but if the ELCA and LCMS consistently apply their hermeneutic. And if they do, why is that that the ELCA and LCMS differ on their reading of texts. Is it because they hold to different hermeneutics, is it because they hold the same hermeneutic differently, or is it some combination thereof? Furthermore, can methodological approaches alone account for the differences that arise between the LCMS and ELCA? This chapter is inextricably connected to the three preceding chapters because it serves in part to test the earlier conclusions against the backdrop of relevant exegetical material.

1.4.5 Lutheran Frameworks of Cultural Exegesis and Engagement[43]

With the thesis having addressed the scriptural hermeneutic and the practical effects thereof, the focus shifts to cultural exegesis and engagement of the LCMS and ELCA. By cultural exegesis I mean to suggest an investigation into the ways the LCMS and ELCA understand and interpret the world in which they live. The relevant question for this chapter is not, what does the LCMS and ELCA have to say about issues of human sexuality. Rather, the question around which this chapter orbits is, how does the LCMS and ELCA conceive of

[43] "Lutheran Frameworks of Cultural Exegesis and Engagement" is the sixth chapter of this thesis.

itself in relation to society. In order to explore this question, I begin with a brief discussion of two kingdom theology so as to determine if that theological perspective is relevant to the LCMS and ELCA and if so, in what way. I ask whether or not two kingdom theology is well established Lutheran theology or if it belongs to the realm of Luther studies. I also ask how the LCMS and ELCA receive and apply this theological perspective? Put differently, I ask whether two kingdoms is the best framework to use for understanding how the LCMS and ELCA read and interpret society. If it is not the best framework, what might be offered in its place? I ask these questions and seek to answer them from both the 16th century confessional documents as well as the later theological developments of Lutherans both in Europe and America. Additionally, I ask how any sort of established framework might be evidenced in the life of the LCMS and ELCA by exploring how both the LCMS and ELCA actually seek to inhabit life in society conceptually, and how they do it with specific regard to the issue of abortion. Can the ways the LCMS and ELCA respond to the issue of abortion be used as a way to establish a pattern for engagement within the ELCA and LCMS? The investigation of this chapter not only answers the above questions but does so necessarily because without the broad conceptualization of how Lutherans approach cultural engagement broadly speaking, it would be difficult, if not impossible, to understand how and why they approach specific cultural issues.

1.4.6 Lutheran Approaches to Human Sexuality[44]

As previously noted in this introductory chapter, the LCMS and ELCA differ on the ways in which gay and lesbian people belong in the church and in the world. What accounts for this difference? This is one of the overarching questions not only of the thesis but of the penultimate chapter in particular. Why does the LCMS and ELCA arrive at the conclusions

[44] "Lutheran Approaches to Human Sexuality" is the seventh chapter of this thesis.

they do on whether or not gay and lesbian people are sinning by marrying. If they should not enter into marriage, what are the terms by which the LCMS or ELCA think that gay and lesbian people should live under? Moreover, do the ELCA and LCMS agree on societal protections for gay and lesbian people? These questions lead, in turn, to questions about how the LCMS and ELCA approach issues of human sexuality within ecclesiastical settings. Can gay and lesbian people belong to congregations? Can they serve as clergy? This chapter does not merely answer these questions but seeks to explore how and why the LCMS and ELCA answer these questions the way that they do. Again, the question of what accounts for the difference between the ELCA and LCMS comes to the forefront. In order to ascertain the answers to these questions I analyze a variety of material including official social statements and actions of the assembly of church bodies. The comparative approach of this chapter amplifies the difference so that the LCMS and ELCA can be better understood individually and collectively.

1.4.7 What Does It Mean to Listen?[45]

The concluding chapter of this thesis reviews the aims and value of the investigation in addition to revisiting the findings therein. It is helpful, though, to keep the concluding chapter in mind throughout the thesis not simply because that is where the thesis is leading, but also because this thesis seeks to provide the academy with potential avenues for further study. Thus, as each of the main chapters discussed above questioned whether or not a pattern was discernable with regard to how the LCMS and ELCA apply their scriptural and cultural hermeneutics, those patterns might have further applicability to how the LCMS and ELCA approach other culturally relevant issues. The conclusion suggests a few of those areas in light of the foregoing discussion.

[45] "What Does It Mean to Listen?" is the final chapter of this thesis.

1.5 Toward Genuine Understanding

This introductory chapter began by addressing the present relevance, globally, locally, and personally, of this investigation into how the hermeneutics of the LCMS and ELCA shape the way those church bodies interact with the scriptures and with society. This investigation is personal, but it is not only personal. The LCMS and ELCA collectively represent nearly five million people in the United States. That percentage compared to the three hundred and thirty-three million people living in the United States may be small, but it is not insignificant. While it may be that Lutherans do not influence society as much as Christian denominations have or seek to at present, that does not mean they have no influence. Ultimately, this thesis is concerned not just with how I understand myself or even how the LCMS and ELCA might achieve better dialog with each other. This thesis is concerned with how people living in the world, either shaped by the LCMS and ELCA or interacting with people shaped by the LCMS and ELCA, understand why someone might hold a position on issues of human sexuality differently than they do. This thesis is, at base, concerned with genuine understanding because such a thing actually matters when it comes to how people relate to one another.

The investigation proceeds as it does as a way of modeling what it means to ask questions about theological presuppositions, about how those presuppositions inform the reading of texts, about how a shared perspective could conceivably be held differently, and considers how that difference evidences itself practically. It dwells upon potential points of convergence and divergence not just from opposing parties but also within a broader theological tradition. This thesis seeks to gain a genuine understanding and in doing so demonstrates just how difficult, and at time tedious, it is to achieve a genuine understanding. This thesis is relevant because it speaks to issues that are at present discussed globally and locally. This thesis is valuable because it brings into focus the current state of the theological

hermeneutics of the LCMS and ELCA and shows how that hermeneutic evidences itself in scriptural and cultural exegesis. This thesis is necessary because at this point in the life of the United States there is far too much attack and defense and not enough genuine understanding.

2.0 A LUTHERAN DOCTRINE OF THE SCRIPTURES?

2.1 Introduction: The Lutheran Confessions and the Doctrine of Scripture

It is impossible to consider how Lutheran hermeneutics shape the church's interaction with society without first addressing how Lutherans understand the scriptures they purport to exegete. Interestingly enough, there is not a single universal Lutheran statement on the doctrine of scripture.[1] Although the various documents contained in the Book of Concord treated by Lutherans as authoritative and confessional cite and expound the scriptures at length, there is no one statement contained therein that has been regarded as the official doctrine of scripture of the Lutheran tradition. Some suggest that the reason no statement exists is because there was no controversy over the nature and function of the scriptures during the era in which the various confessions took shape.[2] Indeed, a lack of statement in any of the confessional writings does suggest, at least in part, that the nature and function of the scriptures is not a contested matter. Such a suggestion ignores, however, the arguments of Luther and others during the Reformation era concerning *sola scriptura.*[3] A major battle between Lutherans, Protestants, and Roman

[1] Stephen Hultgren, while noting this, has attempted in part to demonstrate that this reality "is both a bane and a blessing." Stephen Hultgren, "The Word of God in Human Words" *Lutheran Quarterly* 30 (2016), 125.

[2] Two examples of this from the middle of the twentieth century are F. E. Mayer and Fred Kramer. In an essay published in 1953, Mayer noted, "The Lutheran Confessions have no specific article dealing with the Holy Scriptures for three reasons. 1. The Roman Catholic Church has never questioned the divine inspiration and authority of the canonical writings of the Old and the New Testament. In their conflict with Rome the Lutherans could take for granted that they and their opponents accepted the Bible as God's Word." F. E. Mayer, "The Formal and Material Principles of Lutheran Confessional Theology" *Concordia Theological Monthly* XXIV no. 8, (August, 1953): 545. The second and third points offered by Mayer are worth engagement as they deal with Lutheran approaches to symbolics and the Christocentricity of the scriptures but are not relevant to the point made above. In 1954, Kramer addressed international conferences of Lutherans in Oberursel, Germany and Göteborg, Sweden saying, "It has often been noted that the Lutheran Confessions have no article concerning Holy Scripture or the inspiration of scripture. The Lutheran Confessions did not need such an article at the time of their composition. There was then no dispute concerning the inspiration of the Scripture. Also the most ardent Roman Catholics accepted Scripture as divinely inspired and as of binding force for the doctrines of the church." Fred Kramer, "*Sacra Scriptura* and *Verbum Dei* in the Lutheran Confessions" *Concordia Theological Monthly* XXVI no. 2 (February, 1955): 85.

[3] Kathryn Kleinhans has highlighted the relevance of this point for how Lutherans debated Roman Catholics on the relative authoritative value of the scriptures and tradition. Kathryn Kleinhans, "The Word Made

Catholics centered around the authoritativeness of the scriptures vis-à-vis papal authority.[4] To suggest that there was no, or even little, controversy over the nature and function of the scriptures ignores the broader context of the Reformation era.[5]

While it certainly would be possible to examine every instance where the Book of Concord mentions the scriptures and thereby deduce a doctrine of the scriptures, such an investigation would be fraught with difficulty. The scope of such an inquiry would be too broad and too exhausting to be useful for the present inquiry. It would also not be necessary, since many of the key messages are immediately evident at just a cursory glance. A brief examination of the Book of Concord demonstrates that for Lutherans the ultimate source of authority in matters of doctrine are the scriptures. When Lutherans confess at Augsburg in 1530 they confess what they believe the scriptures teach concerning matters of both agreement and dispute with Roman Catholic authorities, e.g., the affirmation of the trinity in Article I and the dispute concerning justification in Article IV. The German text of the Preface to the Augsburg Confession makes this clear:

> uberreichen und ubergeben wir unser Pfarner, Prediger, und ihere leren, auch unsers glaubens bekentnus, was und welcher gestalt sie aus grunde Göttlicher heliger schrift in unsern Landen, Fürstenthumen, Herschafften, Stetten, und gebieten predigen, leren und halten.[6]

Words: A Lutheran Perspective on the Authority and Use of the Scriptures," *Word & World* 26 no. 4, (Fall 2006): 404.

[4] For a fuller exploration see Charles P. Arand, Robert Kolb, and James A. Nestingen, *The Lutheran Confessions: History and Theology of the Book of Concord* (Minneapolis: Fortress Press, 2012); F. Bente, *Historical Introductions to the Book of Concord* (St. Louis: Concordia Publishing House, 1921); Günther Gassmann and Scott Hendrix, *Fortress Introduction to the Lutheran Confessions* (Minneapolis: Fortress Press, 1999); Edmund Schlink, *Theology of the Lutheran Confessions*, trans. Paul F. Koehneke and Herbert J. A. Bouman (Philadelphia: Muhlenberg Press, 1961); Robert D. Preus, *The Theology of Post-Reformation Lutheranism: A Study of Theological Prolegomena,* 2 vols., (St. Louis: Concordia Publishing House, 1970).

[5] As Robert Preus has aptly noted, "The Lutheran Confessions were not written in a vacuum." Robert Preus, *Getting into the Theology of Concord* (St. Louis: Concordia Publishing House, 1977), 7.

[6] "Die Confessio Augustana," *Die Bekenntnisschriften der Evangelisch-Lutherischen Kirche,* edited by Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2014), 88. The current standard English translation in the United States of the Book of Concord renders this as: "We offer and present a confession of our pastors' and preachers' teachings as well as of our faith, setting forth on the basis of the divine Holy Scriptures what and in what manner they preach, teach, believe, and give instruction in our lands, principalities, dominions, cities, and

The key phrase is, “sie aus grunde Göttlicher heliger schrift,” or, “on the basis of the divine Holy Scriptures.” The confessors at Augsburg characterize their teaching and belief as being rooted in and shaped by the scriptures. It is also clear that the confessors recognize and affirm the scriptures as “Göttlicher” or “divine.” That is to say, they believe the scriptures originate from God. This divine origin gives the scriptures their authoritative status. As will be demonstrated below through an assessment of various official Lutheran statements, not all Lutherans agree on the meaning of the divine nature of the scriptures apart from those scriptures having their origin in God.

The Latin text of the Preface reveals a slight variation from the German text discussed above.

> offerimus in hac religionis causa nostrorum Contionatorum et nostrum confessionem, cuiusmodi doctrinam ex scripturis sanctis et puro verbo dei hactenus illi.[7]

Similarly the argument being made is that the scriptures are the basis of the confession concerning what is taught and believed among Lutherans. As before, those scriptures are identified as “scripturis sanctis” or “Holy Scriptures.” This phraseology may just be the common way to refer to the scriptures but it also affirms the scriptures to be something unique. They are not the “common scriptures” they are the “Holy Scriptures.” It is at the very least a continued sign of reverence for the texts elsewhere seen as having a divine origin. Although not further defined in the Preface, the remainder of the Augsburg Confession, and indeed the whole of the

territories.” “Augsburg Confession,” in *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, edited by Robert Kolb and Timothy Wengert (Minneapolis: Fortress Press, 2000), 32.

[7] “Die Confessio Augustana,” *Die Bekenntnisschriften*, 89. The current standard English translation in the United States of the Book of Concord renders this as: “We submit in this case concerning religion our preachers’ and our own confession of the manner in which up until now they have taught this doctrine among us based on the Holy Scriptures and the pure Word of God.” “Augsburg Confession,” *Book of Concord*, 33.

Book of Concord, makes clear that the phrase “Holy Scriptures” refers at least to the canonical books of the Old and New Testaments.[8]

One notable difference in the Latin Preface is the inclusion of the phrase, “puro verbo dei” or, “the pure Word of God.” Again, the Preface does not further define the phrase. An examination of the use of the phrase “Word of God” in the remainder of the *Augsburg Confession* demonstrates that its meaning is multifaceted. At times it is synonymous with Jesus Christ and at other times it refers to the oral, written, and sacramental instantiations of the word which pronounce the gospel, that is, the forgiveness of sins on account of Christ.[9] The phrase is important for Lutheran theology beyond the Augsburg Confession and is used, at times, to refer directly to the scriptures.[10] For the purposes our present inquiry, however, it is not necessary to

[8] The following quote from Kramer is helpful here: “As the Lutheran Confessions do not contain an article on the inspiration of the Scripture, so also they do not fix the Canon of Scripture. True, the Formula of Concord seems to have in mind the Canon of Scripture as it has been accepted in Protestantism, when it says: "First [then, we receive and embrace with our whole heart] the Prophetic and Apostolic Scriptures of the Old and New Testaments as the pure, clear fountain of Israel," etc. (Trigl. p. 851.) Yet it is not possible, on the basis of the quotations from Scripture in the Lutheran Confessions, to define with certainty what the Lutheran Confessors regarded as canonical. On the one hand the Lutheran Confessions quote from most of the books of the Old and New Testament Canon as received by Protestants. There are, however, no quotations from Joshua, Judges, Ruth, 2 Kings, 1 and 2 Chronicles, Ezra, Nehemiah, Esther, Canticles, Joel, Amos, Obadiah, Micah, Nahum, Zephaniah, and Haggai. On the other hand passages are quoted and discussed from Tobit and 2 Maccabees, with no doubt expressed as to their canonicity. With regard to the passage from 2 Maccabees, Melanchthon says in the Apology that the prayer of the saints in heaven for the church has no testimony in Scripture "except the dream taken from the Second Book of Maccabees, 15,14" (Trigl. p. 345). It may be worth noting that both these passages from the Apocrypha are found in the Apology, which may indicate that Melanchthon, in line with his well-known tendency, may have used them to avoid what he considered an unnecessary argument without implying that in his own mind he considered these two passages canonical. Of the New Testament books we find the following not quoted in the Lutheran Confessions: Third John and Jude. The much disputed Epistle of James is frequently quoted by Melanchthon, and even Luther quotes it once in the Large Catechism. It is possible that the Lutheran Confessions quote also books which were rejected by Luther as being not Apostolic and therefore not canonical because some of the Reformers were more inclined to accept these books as canonical than was Luther and sought to lessen the offense which many earnest Roman Catholics had taken at Luther's expressions concerning these books, especially concerning the Epistle of James. It is certain that outstanding teachers of the Lutheran Church spoke more favorably of these books after Luther's death than did Luther himself and that by John Gerhard's time they were considered canonical by some Lutherans, even if only deuterocanonical. We have seen on the basis of many quotations from the symbolical books of the Lutheran Church that the Lutheran Confessors regarded Holy Scripture as the Word of God and that they used it as "the pure, clear fountain of Israel," from which alone they wished to draw their doctrine. On it, as the only true touchstone, they wished to test every doctrine.” Kramer, “*Sacra Scriptura* and *Verbum Dei,*” 91–2.

[9] For examples of various usage see: Article I, Article II, Article V, Article VIII, Article XVIII, Article XX, and Article XXVIII of the Augsburg Confession.

[10] For a fuller exploration see: Mayer, “The Formal and Material Principles of Lutheran Confessional Theology,” 547–8; Lewis W. Spitz Sr., “Luther’s Sola Scriptura,” Concordia Theological Monthly XXXI no. 12,

dwell too long on the phrase because it encompasses a variety of concepts and is applicable to a plethora of scenarios.

It is clear that Lutherans ascribe authority in matters of doctrine and practice to the Holy Scriptures regardless of the use of the phrase "Word of God." Those scriptures are what shape the preaching, teaching, and faith of the confessors at Augsburg.[11] The scriptures are trusted to do this because of their divine origin. In matters of what is believed, the scriptures are said to have the final authority. In matters of practice too, the scriptures are authoritative. This includes not only the kinds of practice allowable within a Lutheran setting, e.g., the elements of a worship service, but also as tools for education, e.g., sermons are preached on specific texts or doctrines are expounded upon using the scriptures as the basis for instruction. Put together, the belief itself and how that belief is communicated are both shaped by the scriptures. This is true for the confessors at Augsburg who first set the framework and for subsequent generations of Lutherans.[12]

(December, 1960): 743; Arand, Kolb and Nestingen, *The Lutheran Confessions*, 62–64, 69, 82–84; Kramer, "*Sacra Scriptura* and *Verbum Dei*," 81–95.

[11] Consider, by way of example, the Small and Large Catechisms of Martin Luther written in 1529 after the Saxon visitations, both of which predate the Augsburg Confession in 1530. They were written in an effort to help clergy and laity understand by way of preaching and teaching the chief parts, or basic components, of the faith as Luther and other Lutherans saw them. The Small Catechism is structured via questions and answers, the answers of which either allude to or directly quote the scriptures. The Large Catechism is sermonic material that draws on scriptural passages and imagery. Not only are both of those documents rife with scriptural reference, together with the Augsburg Confession they comprise a portion of the Book of Concord. In point of fact, by 1580, both the Small and Large Catechisms were referred to as "a Bible of the Laity." "Formula of Concord: Epitome," *Book of Concord*, 487. See also: Robert Kolb, "The Layman's Bible: The Use of Luther's Catechisms in the German Late Reformation" in *Luther's Catechisms – 450 Years: Essays Commemorating the Small and Large Catechisms of Dr. Martin Luther*, edited by David P. Scaer and Robert D. Preus (Fort Wayne, Indiana: Concordia Theological Seminary Press, 1979), 16–26.

[12] A cursory examination of present Lutheran materials connected to the two largest church bodies in the United States a continued dependence on and reverence for the Small Catechism especially. Both the *Lutheran Service Book* and *Evangelical Lutheran Worship*, hymnals of The Lutheran Church—Missouri Synod (LCMS) and the Evangelical Lutheran Church in America (ELCA) respectively, contain Luther's Small Catechism. Additionally, the two most recent study bibles of the LCMS and ELCA, *The Lutheran Study Bible* (St. Louis: Concordia Publishing House, 2009) and *Lutheran Study Bible* (Minneapolis: Augsburg Fortress, 2009) contain the Small Catechism as well. For more information on the enduring legacy of the framework confessed at Augsburg in 1530 see: Scaer and Preus, *Luther's Catechisms – 450 Years.*

The brief investigation above demonstrates that Lutherans appear to be united on the authoritative function of the scriptures, namely, that the scriptures shape the doctrine and practice of the church and the faith of the believer. The same cannot be said, however, for how Lutherans today understand the nature of the scriptures. What follows is an exploration of present Lutheran conceptions of the nature of the scriptures. This exploration will engage first with the two major global Lutheran bodies and second with the two largest Lutheran bodies within the United States. To demonstrate the official shared perspective of these bodies clearly I will engage only with official statements, including but not limited to, the constitution and bylaws of these bodies under consideration.

As argued above, the Book of Concord, and specifically the Augsburg Confession, provides a general framework for understanding the nature of scriptural authority but those confessions cannot be the basis for evaluating what current Lutherans believe about the nature of the Scriptures. The value of an exploration into what specific Lutheran bodies have said in an official capacity is not merely that it simplifies a vast array of groups into digestible portions but that it provides the clearest and most direct examples of statements which members of the various groups must uphold. It is one thing to disagree with certain theologians or documents produced within church bodies and another to reject the very basis upon which an organization is constructed. Thus, the inquiry into the constitution and bylaw statements reveals the bare minimum of theological agreement and exposition. This is their value for the following investigation, they are concise, clear, statements which will demonstrate that among two major groupings of Lutherans in the world and their constituent bodies in the United States there is no agreement on the nature of the scriptures.

2.2 Lutheran Variety Worldwide

Today, various Lutheran groups approach the scriptures in ways that sound similar when described theoretically, but are not identical when implemented practically. Take, for example, the difference between the Lutheran World Federation (LWF), a more inclusive communion of churches, and the International Lutheran Council (ILC), a more exclusive association of churches.[13] Both are global organizations of church bodies with doctrinal standards of admittance. Below are statements made by each group concerning the scriptures.

Lutheran World Federation	International Lutheran Council
"The Lutheran World Federation confesses the Holy Scriptures of the Old and New Testaments to be the only source and norm of its doctrine, life and service."[14]	"Consisting of the canonical books of the Old and New Testaments, the Holy Scriptures are the inspired and infallible Word of God and are the source and norm of doctrine and practice."[15]

At first glance these statements share many similarities. To begin with, both statements define the Holy Scriptures as the Old and New Testaments. This means that in some sense both have a shared understanding of the canon which excludes the deuterocanonical texts. Furthermore, both groups affirm those Holy Scriptures to be the only source and norm of doctrine and practice. The phrase "source and norm" deserves further attention. In saying that the scriptures are the source, both groups are echoing the preface to the Augsburg Confession discussed above. The basis for teaching and the life of faith is the scriptures. More than that, however, the scriptures are also confessed by both groups to be the norm. That is to say, the scriptures are not only the place

[13] For more information on these groups visit their websites: Lutheran World Federation, https://www.lutheranworld.org; International Lutheran Council, https://ilc-online.org

[14] "The Constitution of the Lutheran World Federation," (Geneva: The Lutheran World Federation, 2017), II. https://www.lutheranworld.org/sites/default/files/2018/documents/lwf_constitution_en.pdf. Accessed August 15, 2020.

[15] "Bylaws of the International Lutheran Council, Inc." (Fort Wayne: International Lutheran Council, Inc., 2017) II.1.A. https://ilc-online.org/wp-content/uploads/2018/04/ILC-Bylaws-Final.11-7-17.pdf. Accessed on August 15, 2020.

from which doctrine or practice arises but also that which shapes doctrine and practice. In this way, the scriptures serve as the basis and boundary for the life of faith.

There is a slight nuance, however, between the LWF and ILC at the end of each statement. The LWF states that the scriptures are "to be the only source and norm of its doctrine, life and service."[16] Doctrine should be understood as the teaching of the church. Life and service should be understood as the church's practice. It is curious that the LWF decided to use the phrase, "life and service" as opposed to simply saying practice. In doing so, however, they highlight the internal and external foci of practice. By slight contrast, the ILC uses the more traditional Lutheran phraseology, "doctrine and practice." It is likely that the ILC would agree on the internal and external foci of practice as life and service.

The clearest difference between the two statements is evident in the ILC's assertion that, "the Holy Scriptures are the inspired and infallible Word of God." [17] Although the ILC does not further define inspired or infallible it could be argued that those terms are first referring to the origin of the scriptures.[18] In stating that the scriptures are the inspired and infallible Word of God the ILC is showing that they believe them to have come from a divine origin. Secondly, that origin also affirms the reliability of the scriptures. They are inspired, meaning, they have come from God, and are infallible, meaning they are free from error. That is to say, the scriptures can be trusted because of their origin and nature.

The LWF has no corresponding statement concerning inspiration and infallibility but that does not mean Lutheranism, broadly speaking, is devoid of a perspective on infallibility. In his

[16] "The Constitution of the Lutheran World Federation."
[17] "Bylaws of the International Lutheran Council, Inc."
[18] Although the focus of the ILC is different, *The Chicago Statement on Biblical Inerrancy* is worth considering in comparison. It not only declares the scriptures to be divinely inspired (Article VI) but also discusses what that means and how that happened (Articles VII through X). Moreover, it also explicates that infallibility and inerrancy flow from inspiration (Articles XI through XVI).

Large Catechism*,* which is contained in the Lutheran Book of Concord*,* Luther wrote: "Darumb das wir wissen, das Gott nicht leugt, ich und mein Nehester und summa alle menschen mügen feilen und triegen, aber gottes wort kann nicht feilen."[19] The key phrase here is "gottes wort kann nich feilen." Luther is asserting that although every other person, including himself, might be found to be a liar, God's word could not deceive. Rightly, ELCA theologian Kathryn Kleinhans said Luther's assertion is, "the closest thing to a claim of inerrancy in the Lutheran Confessions."[20] Although inerrancy and infallibility are not identical in scope, Luther's words suggest that a Lutheran perspective on inerrancy and infallibility, shaped by their own confessional writings, should begin with the notion of God not deceiving. This by no means settles the debate, but it does show that Lutheran thought accounts for infallibility in its own way.[21]

When comparing the statements of the ILC and LWF above, the LWF produces a statement that is fairly inclusive. By leaving the statement intentionally vague concerning the nature of the scriptures themselves the LWF allows room for a variety of perspectives. In theory a church body that does not use terms like inspiration or infallibility could agree with the LWF and thereby join the federation. The same is also true of those church bodies that do use terms

[19] "Der Große Katechismus, " in *Die Bekenntnisschriften*, 1126. The current standard English translation in the United States of the Book of Concord renders this as: "We know that God does not lie. My neighbor and I—in short, all people—may deceive and mislead, but God's Word cannot deceive." "Large Catechism," *Book of Concord*, 464.

[20] Kleinhans, "The Word Made Words," 409.

[21] Again *The Chicago Statement on Biblical Inerrancy* is worth comparing: "Holy Scripture, as the inspired Word of God witnessing authoritatively to Jesus Christ, may properly be called *infallible* and *inerrant.* These negative terms have a special value, for they explicitly safeguard crucial positive truths. *Infallible* signifies the quality of neither misleading nor being misled and so safeguards in categorical terms the truth that Holy Scripture is a sure, safe, and reliable rule and guide in all matters. Similarly, *inerrant* signifies the quality of being free from all falsehood or mistake and so safeguards the truth that Holy Scripture is entirely true and trustworthy in all its assertions." "Exposition," *The Chicago Statement on Biblical Inerrancy,* 6. Note not only the close relationship between the terms infallible and inerrant but also the idea that both speak to the truthfulness of the scriptures as Luther, and Lutherans who hold to their confessions, confess.

like inspiration or infallibility. Without a detailed explanation of the nature of the scriptures various groups can join together. In contrast the ILC produces a statement that is fairly exclusive in that for a church body to align with the ILC it must confess the same things concerning the nature of the scriptures—inspired, infallible, and the Word of God. While these statements certainly contribute to the stated purposes of the groups they also serve the present investigation. The two statements which are similar but not identical demonstrate that Lutherans around the world are not agreed on the nature of the scriptures. They are agreed, however, on the idea that the scriptures are authoritative. Both statements look to the Holy Scriptures as the origin of and measure against which the teaching and life of the church are measured. This means then that an investigation into the doctrine of the scriptures among Lutherans has to take into account the different perspectives expressed across the world.

2.3 Lutheran Variety in the United States

The brief exploration of the two major groupings of Lutherans worldwide above shows that today Lutherans are agreed that the scriptures are authoritative but are not agreed on the nature of the scriptures. It is beyond the scope of this work to analyze every single Lutheran position on the nature of the scriptures. There are, however, two Lutheran traditions within the United States that correspond in some ways with the aforementioned international Lutheran bodies. Those bodies within the United States are the Evangelical Lutheran Church in America (ELCA) and The Lutheran Church—Missouri Synod (LCMS). Statements from those bodies will be engaged with similarly below.

Evangelical Lutheran Church in America	The Lutheran Church—Missouri Synod
"This church accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life."[22]	"The Synod, and every member of the Synod, accepts without reservation: The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and of practice."[23]

The statements share some similarities. First, both define and affirm the scriptures as the Old and New Testaments, excluding deuterocanonical texts. This means that the ELCA and LCMS have a shared understanding of the texts that comprise the scriptures. This is no small point. Officially they agree on the texts that are authoritative even if there might be places of disagreement about the nature and function of those texts. These Lutheran bodies do not share that agreement with, e.g., the Roman Catholic or Eastern Orthodox churches, which adhere to slightly different canons of scripture. Second, both the ELCA and LCMS agree that those scriptures are the norm, or boundary, that shapes Christian life and thought. Not only, then do they agree on the texts that comprise the scriptures, they also agree that those scriptures function to shape the life of faith.

There are slight nuances, however, also apparent. The ELCA describes the scriptures as, "the authoritative source and norm of its proclamation, faith, and life."[24] In saying this the ELCA is highlighting that the scriptures function as more than just a boundary marker or norm. They are also the source of the church's preaching, belief, and life in the world. It is also interesting to note the delineation of proclamation, faith, and life. In specifically naming proclamation the ELCA is drawing attention to one of the functions of the church in the world, namely that it

[22] "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America" (Chicago: The Evangelical Lutheran Church in America, 2019), 2.03.

[23] "2019 Constitution, Bylaws, and Articles of Incorporation as amended by the 2019 LCMS Convention 20–25 July 2019" (St. Louis: The Lutheran Church—Missouri Synod, 2019), II.1.

[24] "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America," 2.03.

preaches. What it preaches, in both the act and the content, is derived from and shaped by the scriptures. The ELCA also separates out faith and life. In doing so it is highlighting similar internal and external foci mentioned above with the LWF. All aspects of the church's work, belief, and way of being in the world find their source in, are shaped by, the scriptures.

The LCMS statement is more terse. The scriptures are, "the only rule and norm of faith and of practice."[25] Certainly the LCMS means something similar to the ELCA both in terms of norm and in terms of "faith and practice." The scriptures shape what is believed and lived by the church and its members. The use of the word "rule," however, is unique. Certainly speaking of the scriptures as the rule highlights their authority. They are the authority, and thus source, of the thoughts and actions of the church. Here there are echoes to both the Augsburg Confession's preface and the ILC's statement which state that the scriptures are to be the basis and source of all doctrine and practice.

At first glance there appears to be a glaring contradiction between the two statements. The ELCA refers to the scriptures as "the inspired Word of God"[26] and the LCMS as "the written Word of God."[27] Both see the scriptures as bearing a connection to God. The LCMS statement is not further defined, it stands on its own. As such, it is thought to be a clear statement about the nature of the scriptures. They are the "written Word of God." Plainly, the LCMS is drawing an explicit connection between the texts that comprise the Old and New Testaments and the conception of the Word of God. This may seem obvious, but it needs to be stated because in the LCMS conception as it stands the "scriptures" and "Word of God" could become

[25] "2019 Constitution, Bylaws, and Articles of Incorporation as amended by the 2019 LCMS Convention 20–25 July 2019," II.1.

[26] "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America,"), 2.03.

[27] "2019 Constitution, Bylaws, and Articles of Incorporation as amended by the 2019 LCMS Convention 20–25 July 2019," II.1.

interchangeable synonyms with no distinctions or delineations between the two. The ELCA, by contrast, further defines what they mean by "inspired."

> The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.[28]

Their description is far more detailed than the LCMS's. The ELCA begins by reaffirming the textual content of the scriptures, namely that they are the Old and New Testaments, but also affirms the scriptures to be the written Word of God. On that phraseology they are in agreement with the LCMS. What the statement then does, however, is further define what the ELCA believes by saying the scriptures are the written word. They are, "inspired by God's spirit… they record and announce God's revelation centering in Jesus… through them God speaks They speak to [believers in order] to create and sustain" the life of faith.[29] In other words, the scriptures have their source in God's spirit, they communicate what God wanted known concerning Jesus Christ, and their goal is to produce and assist a life of faith and service in the world. This is a far more expansive and clear statement than the one produced by the LCMS. And yet, that does not mean the LCMS would disagree that the scriptures, as the written word of God, were inspired by God, serve to reveal to Jesus and create and sustain the life of faith. In point of fact the LCMS affirms each of those things even if that is not as clearly stated in their own document.[30]

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[28] "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America," 2.03.C.

[29] "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America," 2.03.C.

[30] It is questionable why the LCMS has not updated the language to reflect their position more accurately and precisely. The first constitution of The Lutheran Church—Missouri Synod contains similar phraseology to the current constitution. "Conditions under which a congregation may join Synod and remain a member. 1. Acceptance of Holy Scripture, both the Old and the New Testament, as the written word of God and as the only rule and norm of faith and life." "Our First Synodical Constitution," *Concordia Historical Institute Quarterly* 16 no. 1 (April, 1943):3. The lack of language regarding inspiration, infallibility, or even inerrancy in the first constitution is not nearly as important for the present inquiry as it is the language in the current constitution. The comparison, though, demonstrates a continuity from 1847 to the present despite prominent disagreements and divisions that took place within the LCMS over the very nature of the scriptures in the mid twentieth century. For more information on those

What is most intriguing about each statement is, in actuality, a similarity. Neither statement uses the word "infallible." This is comparable, in part, to the statement made by the LWF. It stands, however, in stark comparison to the statement made by the ILC which explicitly uses the term "infallible."[31] The lack of the term could suggest in either instance that the question of infallibility is an open one. Because the LWF makes no statement concerning infallibility, the ELCA's participation in that federation is not dependent upon the acceptance or denial of scriptural infallibility. In theory the ELCA could affirm or deny scriptural infallibility and still maintain membership in the LWF. The same cannot be said for the LCMS. The lack of a statement about infallibility within the LCMS's own self-description does not necessarily mean the church body disregards infallibility. Their status within the ILC suggests precisely the opposite. Moreover, the Missouri Synod has produced at least two statements of extreme import that state the infallibility of the scriptures.[32] All of this is to say that discerning a doctrine of the scriptures within Lutheran circles, whether today or during the Reformation era, is easier said than done. A far more thorough appraisal of the LCMS and the ELCA is necessary, then, in order to further delineate what those church bodies believe concerning the doctrine of the scriptures. To that endeavor we now turn.

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divisions see: Frederick W. Danker, *No Room in the Brotherhood: The Preus-Otten Purge of Missouri* (Clayton: Clayton Publishing House, Inc., 1977); James C Burkee, *Power, Politics, and the Missouri Synod: A Conflict That Changed American Christianity* (Minneapolis: Fortress Press, 2011); John H. Tietjen, *Memoirs in Exile: Confessional Hope and Institutional Conflict* (Minneapolis: Fortress Press, 1990); Kurt Marquart, *Anatomy of An Explosion* (Fort Wayne, IN: Concordia Theological Seminary Press, 1977); Paul Zimmerman, *A Seminary in Crisis: The Inside Story of the Preus Fact Finding* (St. Louis: Concordia Publishing House, 2007); The Board of Control of Concordia Seminary, St. Louis, *Exodus From Concordia: A Report on the 1974 Walkout* (St. Louis: Concordia College, 1977).

[31] "Bylaws of the International Lutheran Council, Inc."

[32] See *A Brief Statement of the Doctrinal Position of the Missouri Synod (1932)* and *A Statement of Scriptural and Confessional Principles (1972).*

2.4 Missouri Synod Statements

Throughout the history of the LCMS it has produced two statements of pivotal importance that help delineate the Missouri Synod's perspective on the doctrine of the scriptures. The first statement, known colloquially as *A Brief Statement*, was created in 1932 as an ecumenical document.[33] That is to say, the document was designed to be used in official discussions with other church bodies, both Lutheran and non-Lutheran, to state the doctrinal position of the Missouri Synod. As such, the document was used as a point of comparison to highlight points of agreement and disagreement between the LCMS and other bodies. The document was adopted as an official statement of the LCMS in 1932 and has since served as an authoritative document internally as well as externally.[34] Broadly speaking the document covers a variety of doctrinal positions including God, creation, redemption, sin, and conversion. It begins, however, with a three points of articulation concerning the doctrine of the scriptures. Each point deserves to be explored in detail so that the position of the Missouri Synod might be clearly ascertained. For the purposes of clearly outlining both the content and argumentation of the points will be assessed in the order of 1, 3, then 2.

The first point in *A Brief Statement* under the heading "Of the Holy Scriptures" reads as follows:

> 1. We teach that the Holy Scriptures differ from all other books in the world in that they are the Word of God. They are the Word of God because the holy men of God who wrote the Scriptures wrote only that which the Holy Ghost communicated to them by inspiration, 2 Tim. 3:16; 2 Pet. 1:21. We teach also that the verbal inspiration of the

[33] *A Brief Statement of the Doctrinal Position of the Missouri Synod* (St. Louis: Concordia Publishing House, 1932).

[34] At one point in the life of the Missouri Synod *A Brief Statement* was adopted by a convention to be a document to which all members of synod, that is all church workers and congregations, must pledge to be in agreement with. The next convention repealed that adoption as it was said to violate the constitution which binds members of synod only to the scriptures and the confessions. Regardless, the document has featured as an authoritative voice throughout the years, most recently during a dispute regarding the days of creation. See *Proceedings of the 67th Regular Convention of The Lutheran Church—Missouri Synod. Tampa, Florida. July 20–25, 2019.* (St. Louis: The Lutheran Church—Missouri Synod, 2019), 154.

> Scriptures is not a so-called "theological deduction," but that it is taught by direct statements of the Scriptures, 2 Tim. 3:16, John 10:35, Rom. 3:2; 1 Cor. 2:13. Since the Holy Scriptures are the Word of God, it goes without saying that they contain no errors or contradictions, but that they are in all their parts and words the infallible truth, also in those parts which treat of historical, geographical, and other secular matters, John 10:35.[35]

That is to say that the LCMS believes the scriptures are a wholly different book than any other produced. The words contained therein were given to authors from God and this inspiration is attested to within the scriptures themselves. As God is the source of their inspiration, they are true in every single matter, including those not directly related to religious concerns. The first thing to note is that the LCMS sees the scriptures to be a completely different set of texts than any that have ever been produced. In framing the discussion this way, the LCMS is giving supreme authoritative status to the scriptures. No other book could be as authoritative because no other book is on the same level. In stating it this way, the LCMS is attempting to put forth a strong emphasis on the authority of the scriptures.

This emphasis is further strengthened by the LCMS in using the designation "Word of God." If the scriptures are different, their difference is in their source, namely that God communicated to the authors precisely what was to be recorded. In short, this is the Missouri Synod understanding of inspiration. The paragraph above also shows that the LCMS believes its position is in direct accord with the scriptures themselves. The numerous citations of the scriptures not only serve to buttress an argument, they demonstrate that the LCMS in practice believes the scriptures to be the source and norm. Among other things, the above point is an example of the practical application of the scriptures in theological discourse within the LCMS.

This argument is necessarily tightly bound. If one is going to argue that the scriptures are wholly different they must state precisely why this is the case. The argument goes so far as to

[35] *A Brief Statement*, 1.

downplay the role of humans in the process. As the document says, "the holy men of God who wrote the Scriptures wrote only that which the Holy Ghost communicated to them by inspiration."[36] This means, then, that every line recorded in the scriptures is the direct result of the work of God and not human beings. It is as if the LCMS is saying, yes, human beings were used, but they were not conscious participators in the process. And because the human element has been reduced the LCMS is able to state flatly that the book contains no errors in any category. This speaks directly to the question of whether or not the LCMS believes in the infallibility of the scriptures. Clearly, they do. Only, their understanding of inspiration and infallibility completely eliminates the human element.

It also begs the question of why matters of historical, geographical, or other secular matters must also be free from error. The argument is presented forcefully, declaring the scriptures to be different and then delineating why that is so. It ultimately rests, though, on the final assertion, specifically that, "they are in all their parts and words the infallible truth, also in those parts which treat of historical, geographical, and other secular matters."[37] If the scriptures were wrong on even one point of historical, geographical, or secular matters the argument as a whole begins to collapse. If it is wrong in those matters, it could conceivably be wrong somewhere else. What, then, might account for the inclusion of the error? It would mean either that God is fallible or that humans were involved to a greater extent than conceived. Either way the message and the God who sits behind the message are exposed to be at best incompetent or at worst fraudulent. The major premise of the argument, namely that "the Holy Scriptures differ from all other books in the world," rests on the minor premise that "they are in all their parts and

[36] *A Brief Statement*, 1.
[37] *A Brief Statement*, 1.

words the infallible truth."[38] If the minor premise is found to be wrong, so too is the major premise.

Moreover, the writers of *A Brief Statement* appear to understand just how fragile the argument actually might be from an outside perspective. The third point makes this clear:

> 3. We reject the doctrine which under the name of science has gained wide popularity in the Church of our day that Holy Scripture is not in all its parts the Word of God, but in part the Word of God and in part the word of man and hence does, or at least, might contain error. We reject this erroneous doctrine as horrible and blasphemous, since it flatly contradicts Christ and His holy apostles, set up men as judges over the Word of God, and thus overthrows the foundation of the Christian Church and its faith.[39]

The LCMS rejects the idea that the scriptures only contain the Word of God, are partly the work of man, or contain any errors whatsoever. In that rejection they are asserting that the scriptures are wholly the Word of God and without error. Indeed, they make it clear as to why this must be true, namely, because to suggest otherwise is injurious to faith. For the LCMS, arguing to the contrary of their position stated in point one above is not only to contradict Christ and the Apostles, but also sets man up as arbiter over the Word of God. For the LCMS, to do so is to destroy the foundation of faith.

Here one begins to see a distrust in scientific inquiry as far as that inquiry contradicts what is in the scriptures. It may be popular to do so, but the LCMS does not want to give even a modicum of authority to something other than the scriptures because it sees them as the foundation of life and faith. The point above also gives a reason as to why someone might believe the scriptures contain error, namely, that they have become judge over the scriptures. For the LCMS, the scriptures are the only rule and norm for doctrine and practice. To speak of error is akin to replacing the scriptures as rule and norm with oneself. The terms "erroneous,"

[38] *A Brief Statement*, 1.
[39] *A Brief Statement*, 3.

"horrible," and "blasphemous" serve to pass a value judgement on the action of suggesting even a slight possibility of error. The whole argument of point 1 rests on the idea that the scriptures contain no errors. If that domino were to fall, the rest would follow. In adding the final point the LCMS is attempting to buttress its argument and, therein, shape the mindset of those inside and outside of the synod. In other words, point 3 above is a safety valve. If someone even attempts to challenge the infallibility of the scriptures that one should be thought of as outside of the faith, teaching an erroneous, horrible, and blasphemous doctrine of scripture which negates the foundation of faith.

One final point remains to be discussed from *A Brief Statement*. Point 2 makes clear why the scriptures must be conceived of as books that "differ from all other books… [and] contain no errors or contradictions."[40] It reads:

> 2. We furthermore teach regarding the Holy Scriptures that they are given by God to the Christian Church for the foundation of faith, Eph. 2:20. Hence the Holy Scriptures are the sole source from which all doctrines proclaimed in the Christian Church must be taken and therefore, too, the sole rule and norm by which all teachers and doctrines must be examined and judged. -- With the Confessions of our Church we teach also that the "rule of faith" (analogia fidei) according to which the Holy Scriptures are to be understood are the clear passages of the Scriptures themselves which set forth the individual doctrines. (Apology. Triglot, p. 441, Paragraph 60; Mueller, p. 684). The rule of faith is not the man-made so-called "totality of Scripture" ("Ganzes der Schrift").[41]

For the LCMS the scriptures are the basis upon which faith is built. They are, as we have seen previously, the only source from which proclamation arises and by which that proclamation is judged. Not only proclamation, the scriptures appraise, guide, and instruct every teacher and teaching. Additionally, this paragraph shows that the LCMS affirms also the documents contained in the Book of Concord, especially the ones that teach concerning how the scriptures are to be understood, namely that unclear passages are to be read in light of clear ones. In other

[40] *A Brief Statement*, 1.
[41] *A Brief Statement*, 3.

words, the Missouri Synod is arguing that doctrines should be established on the basis of direct and explicit texts rather than convoluted ones.

The LCMS understands the scriptures to be the only authority for doctrine and practice. The scriptures stand in judgement not only of the teaching, but also the teachers. This is an important point not just because of how it relates to point 3 above. The church, that is the believers, and the teachers of the church, are held to the same standard, i.e., the scriptures sit in supreme authority as source and norm of all doctrine and practice. If a teacher begins teaching that the scriptures contain errors then that teacher is not standing under the authority and judgement of the scriptures but over it. The foundation is what matters most. If the foundation is firm, the teachers and believers will be able to teach and believe securely on account of God's inspiration. This is also what sits behind the idea of clear passages being the foundation for doctrine. If the scriptures are the Word of God and free of error, and if there is a clear passage of scripture that teaches a specific doctrine, then that doctrine must be taught and to do otherwise violates the authority of the scriptures.

The integrity of the entire argument of *A Brief Statement*'s position on the scriptures necessitates infallibility. If the scriptures are fallible then they cannot be authoritative. Forty years after *A Brief Statement* was adopted the LCMS was embroiled in a controversy over the nature and function of the scriptures. In the context of that controversy *A Statement of Scriptural and Confessional Principles* was created and adopted by the synod in convention.[42] That document not only affirms the positions outlined above in *A Brief Statement* it also amplifies them.[43] It does so in order to challenge seminary faculty members, the teachers of the church, who were arguing that the scriptures might contain errors. Rather than walk back any jot or tittle

[42] Colloquially it is known as *A Statement.*
[43] The content of this document will be discussed in detail below.

of *A Brief Statement*, the document produced in 1973 known as *A Statement,* increases the intensity of the argument. Where *A Brief Statement* had three paragraphs, no fewer than six of the ten pages of *A Statement* contain a discussion of the nature and purpose of the scriptures. Section titles include: The Inspiration of Scripture, The Purpose of Scripture, The Gospel and Holy Scripture, The Authority of Scripture, The Canonical Texts of Scripture, The Infallibility of Scripture, The Unity of Scripture, Old Testament Prophecy, and Historical Methods of Biblical Interpretation. *A Statement* doubles down on the argument made in *A Brief Statement.*

Clearly, then, for the LCMS, the canonical scriptures of the Old and New Testaments are inspired, infallible, and the very written word of God. Those scriptures are the source and norm of the life and faith of the church, not only its official doctrine and practice but also in the lives of teachers and individual believers. This holds true today. When LCMS pastors are ordained their ordination vow concerning the scriptures reads, "Yes, I believe and confess the canonical Scriptures to be the inspired word of God and the only infallible rule of faith and practice."[44] And yet, while so much of what the LCMS understands to mean by the word infallible could also be termed as inerrant, that word does not appear in the vows. It seems as though inerrancy and infallible in the conception of the LCMS are interchangeable terms. In point of fact, this can be demonstrated by a closer examination of *A Statement* mentioned above.[45]

2.5 Lutherans in Dialog

In order to explore further present Lutheran conceptions in United States of the nature of the scriptures it is helpful to proceed by once again putting the LCMS in dialog with the ELCA.

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[44] *Lutheran Service Book: Agenda* (St. Louis: Concordia Publishing House, 2006), 165.

[45] *A Statement of Scriptural and Confessional Principles* (St. Louis: The Lutheran Church—Missouri Synod, 1972), 5.

Immediately, however, the problem arises that the ELCA has no comparable statement of import to the LCMS statements mentioned above. This is due in part to the fact that the ELCA is a relatively new church body in the United States. Prior to its formation on January 1, 1988, the ELCA was in actuality three different church bodies: the American Lutheran Church (ALC), the Lutheran Church in America (LCA), and the Association of Evangelical Lutheran Churches (AELC).[46] These church bodies were themselves the results of various agreement and disagreements among Lutherans in the twentieth century, including agreements and disagreements concerning the nature of the scriptures.[47] By the time the ELCA is formed, questions regarding the nature of the scriptures had already been dealt with to some degree by the constituent bodies.[48] Erik Heen has aptly noted a "hermeneutical plurality that exists in the ELCA."[49] By this he means that there are various trajectories present within the ELCA on account of the various mergers that eventuated in the formation of the body. In contradistinction, the LCMS was established in 1847 and is not the product of mergers.[50] While there may have been moments where the status quo within the LCMS is challenged, by and large the LCMS has

[46] This reality has led Kenneth W. Inskeep to surmise that, ''For better or worse, ELCA Lutheranism is made up of several distinct faith practice groups, each with its own way of believing and relating to the church.'' Kenneth W. Inskeep, ''Religious Commitment in the Evangelical Lutheran Church in America: Findings from the Faith Practices Survey, 2001,'' (Department for Research and Evaluation, Evangelical Lutheran Church in America, July 23, 2001), 2.

[47] In point of fact the AELC is a group that left the LCMS during the 1970s due to doctrinal disputes concerned primarily, though not exclusively with the scriptures. See footnote 28. For a full account of the history of Lutheranism in the United States, including the mergers, see: Mark Granquist, *Lutherans in North America: A New History* (Minneapolis: Fortress Press, 2016); E. Clifford Nelson, *Lutheranism in North America 1914–1970* (Minneapolis: Augsburg Publishing House, 1972).

[48] See E. Clifford Nelson, *Documents of Lutheran Unity in America* (Philadelphia: Fortress Press, 1966), 328–378, 462–573.

[49] Erik M. Heen, "The Bible Among Lutherans: The ELCA as a Test Case," *Dialog: A Journal of Theology* 45, no. 1 (Spring 2006): 10.

[50] For a complete accounting of the formation of the LCMS see: Walter O. Forester, *Zion on the Mississippi: The Settlement of Saxon Lutherans in Missouri 1839–1841* (St. Louis: Concordia Publishing House, 1990); Carl S. Meyer, ed., *Moving Frontiers: Readings in the History of The Lutheran Church—Missouri Synod* (St. Louis: Concordia Publishing House, 1964); August R. Suelflow, ed., *Heritage in Motion: Readings in the History of the Lutheran Church—Missouri Synod, 1962–1965* (St. Louis: Concordia Publishing House, 1998); Mary Todd, *Authority Vested: A Story of Identity and Change in the Lutheran Church—Missouri Synod* (Grand Rapids: W. B. Eerdmans Publishing Company, 2000).

maintained a consistent position throughout its history. Thus, *A Brief Statement,* explored above, is a statement of enduring significance for the church body. Moreover, it has no clear counterpart in the ELCA. This does not mean that the ELCA has been silent on the subject of the nature of the scriptures, it is only to point out a major difference between the bodies.

Although it is difficult to find statements that are comparable between the LCMS and ELCA it is not impossible to put the two bodies in dialog. This is not done in an attempt to produce a harmony between the two bodies, but rather to highlight further the differences between the two largest Lutheran bodies in the United States. As has been shown above, Lutherans are agreed that the scriptures are authoritative but they differ, sometimes profoundly, on the nature of the scriptures. What follows is a survey of two concepts related to the nature of the scriptures: purpose and the relationship between the Gospel and the scriptures. These concepts are derived in part from the *A Statement of Scriptural and Confessional Principles* produced by the LCMS in 1972.[51] That does not mean, however, that they are uniquely Lutheran. The *Chicago Statement on Biblical Inerrancy* contains exposition on revelation, inspiration, authority of Christ and the bible, infallibility, inerrancy, and interpretation.[52] For this investigation the LCMS material will be limited to *A Statement*. The ELCA material, however, will consist of two documents, "Scriptural Theology and the ELCA: Challenges and Resources" by Erik Heen and "About the Initiative" by Diane Jacobson.[53] Both of these documents were created in order to support what the ELCA called the "Book of Faith Initiative."[54] That initiative,

[51] As noted above, section titles include: The Inspiration of Scripture, The Purpose of Scripture, The Gospel and Holy Scripture, The Authority of Scripture, The Canonical Texts of Scripture, The Infallibility of Scripture, The Unity of Scripture, Old Testament Prophecy, and Historical Methods of Biblical Interpretation. *A Statement*, 2–7.

[52] *Chicago Statement on Biblical Inerrancy*, 5–8.

[53] Erik M. Heen, "Scriptural Theology and the ELCA: Challenges and Resources" (Chicago: Evangelical Lutheran Church in America, 2007); Diane L. Jacobson, "About the Initiative" (Chicago: Evangelical Lutheran Church in America). Both are available: http://bookoffaith.org/about.html.

[54] http://bookoffaith.org/index.html

affirmed by the ELCA in assembly, was an attempt in 2007 to encourage as many congregations and individuals to commit to regular reading of the scriptures.[55] The documents named above are integral to the foundation of the initiative and are still recommended as official resources.[56] Thus, the documents do maintain a status of relative authority within the ELCA similarly, though not identically, to *A Statement* within the LCMS. More important than the documents themselves, however, is what they will reveal with regard to the aforementioned concepts. To the survey of those concepts we now turn.

2.5.1 Purpose

The question of purpose is different, though not necessarily unrelated, to the question of authority. Lutherans in the United States are generally agreed that the scriptures of the Old and New Testaments are the only rule and norm for faith and life. In that sense the scriptures are authoritative. The question is, though, for what purpose do the scriptures exist? Is it to teach all things, some things, or to teach one thing? Is it to reveal everything or a few things? Is it there to only create faith or to also create something else? The LCMS and the ELCA differ in answering these questions. Consider the following argument from the LCMS in *A Statement*:

> We believe that all Scripture bears witness to Jesus Christ and that its primary purpose is to make men wise unto salvation through faith in Jesus Christ. We therefore affirm that the Scriptures are rightly used only when they are read from the perspective of justification by faith and the proper distinction between Law and Gospel. Since the saving work of Jesus Christ was accomplished through His personal entrance into our history and His genuinely historical life, death and resurrection, we acknowledge that the recognition of the soteriological purpose of Scripture in no sense permits us to call into question or deny the historicity or factuality of matters recorded in the Bible.[57]

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[55] The entire June 2014 issue of *Currents in Theology and Mission* was dedicated to an appraisal of the history and present status of the initiative. See especially: S. D. Giere, "The Book of Faith Initiative: Reflecting, Engaging, Furthering" *Currents in Theology and Mission* 41 no. 3 (June 2014): 154–56; Diane L. Jacobson, "Book of Faith: Retrospective and Prospective" *Currents in Theology and Mission* 41 no. 3 (June 2014): 159–165.

[56] http://bookoffaith.org/about.html

[57] *A Statement*, 2–3.

What the LCMS is saying is that the purpose of the scriptures is to first reveal Christ's saving work. That revelation creates and sustains faith. Using the scriptures rightly necessitates using them toward that end.[58] The LCMS then goes on to argue that the work of Christ is tied to the historical reality spoken about in the scriptures. It is because of this connection that the LCMS then will not allow for a denial of historicity or facticity. Thus, for the LCMS, the purpose of the scriptures is to create and sustain faith but this means, then, that historicity and facticity are of the utmost importance. Even if the primary purpose of the scriptures is only to create faith, the historical aspects are more than simply ancillary, they are integral.

By way of contrast, Erik Heen highlights the ELCA's constitution when he speaks about the purpose of the scriptures.

> It is here also, in the ELCA Constitution (2.03.c.), that the *purpose* of Scripture is announced. The Old and the New Testaments are described as the "written Word of God" whose intent is: "to create and sustain Christian faith and fellowship for service in the world." Scripture, in other words, does something. Unless Scripture does something, however clever the interpreter, it is misunderstood.[59]

Heen is interpreting the ELCA constitution to argue for an explicit purpose of the scriptures, namely, that it is there to do something. In the words of the constitution, the purpose of the scriptures is, "to create and sustain Christian faith and fellowship for service in the world."[60] This means, then, that exegetical inquiry is valuable in so far as it aligns with this purpose. If the interpreter is "clever" but faith and fellowship are not created or sustained, then the scriptures are misunderstood.

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[58] A later chapter will discuss in detail Lutheran conceptions of "justification by faith and the proper distinction between Law and Gospel."

[59] Erik M. Heen, "Scriptural Theology and the ELCA," 6. Emphasis original.

[60] "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America," 2.03.C.

Neither Heen nor the ELCA constitution further define the purpose of the scriptures explicitly tied to historical facticity in the same way the LCMS does. For the LCMS scripture has a primary purpose, namely to bear witness to Christ and thus create faith, as well as a secondary one, to be truthful in all revelation contained therein not simply with the revelation about Jesus. For the ELCA there is only one purpose, to create and sustain faith and fellowship. Diane Jacobson explains it thusly: "We believe the Bible is the written word of God in so far as it speaks to us words of command and promise from God and births Christ in us."[61] By that she means that the Bible is the word of God only in as much as it fulfills its purpose. This stands in stark contradiction to the LCMS. The LCMS and ELCA are agreed in part concerning the purposes of the scriptures but not in whole.

2.5.2 The Relationship Between the Gospel and the Scriptures

As with other Christians, Lutherans confess the gospel as central to the Christian faith.[62] Consider this quote from the Smalcald Articles, a document penned by Luther and contained in the Book of Concord:

> Hier ist der erste und Hubtartikel. Das Jhesus Christus, unser Gott und Herr, sey „umb unser Sünde willen gestorben und umb unser Gerechtigkeit willen aufferstanden"… Von diesem Artikel kan man nichts weichen oder nachgeben, Es falle Himel und Erden oder was nicht bleiben will; Denn es ist kein ander Namen den Menschen gegeben, da durch wir können selig werden, spricht S. Petrus Act. 4. Und durch seine Wunden sind wir geheilet. Isaie 53. Und auff disem Artikel stehet alles, das wir wider den Bapst, Teufel und Welt leren und leben. Darümb müssen wir des gar gewis sein und nicht zweiveln. Sonst ists alles verloren, und behelt Bapst und Teufel und alles wider uns den Sieg und Recht.[63]

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[61] Diane L. Jacobson, "About the Initiative," 1.

[62] See Article IV of the Augsburg Confession as an expression of the gospel that is central to Lutheran thought. More pointedly, and anecdotally, Lutherans are fond of repeating the phrase that Article IV of the Augsburg Confession is "the article upon which the church stands or falls." For example see: Mayer, "The Formal and Material Principles," 548.

[63] "Die Schmalkaldischen Artikel," in *Die Bekenntnisschriften*, 726, 728. The current standard English translation in the United States of the Book of Concord renders this as: "Here is the first and chief article: That Jesus Christ, our God and Lord, 'was handed over to death for our trespasses and was raised for our justification'…

For Lutherans, the gospel that Christ died and rose again is not simply *a* central teaching, it is *the* central teaching. "Und auff disem Artikel stehet alles." Everything taught and practiced in opposition to the pope, the devil, and the world stands on it. "Von diesem Artikel kan man nichts welchen oder nachgeben." Nothing from it can be given up even if heaven and earth were to pass away. For the Lutherans, then, the gospel is not an ancillary doctrine, or even one among many. Es "ist der erste und Hubtartikel." It is the primary and central article of faith. The question is, though, how does the centrality of the gospel relate to the scriptural texts? As noted above, Lutherans disagree with one another as to the nature and purpose of the scriptures, some even going so far as to say that the Old and New Testament scriptures are the word of God only insofar as they fulfill their purpose of speaking God's command and promise.[64] It is necessary, then, also to investigate how various Lutherans navigate the relationship between the gospel and the scriptures.

The LCMS describes the relationship between the gospel and the scriptures in one of the subsections of *A Statement.*

> We believe, teach and confess that the Gospel of the gracious justification of the sinner through faith in Jesus Christ is not only the chief doctrine of Holy Scripture and a basic presupposition for the interpretation of Scripture, but is the heart and center of our Christian faith and theology (material principle).[65]

Nothing in this article can be conceded or given up, even if heaven and earth or whatever is transitory passed away. As St. Peter says in Acts 4[:12]: 'There is no other name… given among mortals by which we must be saved.' 'And by his bruises we are healed' (Isa. 53[:5]). On this article stands all that we teach and practice against the pope, the devil, and the world. Therefore we must be quite certain and have no doubt about it. Otherwise everything is lost, and the pope and the devil and whatever opposes us will gain victory and be proved right." "The Smalcald Articles," *Book of Concord*, 301.

[64] See the end of the section on *Purpose* above. Another way to phrase the idea that the scriptures speak God's commands and promises is the distinction between Law and Gospel. This will be explored in detail in a subsequent chapter.

[65] *A Brief Statement*, 3.

The LCMS makes three points in the statement above: first, that the gospel is "the chief doctrine" of the scriptures; second, that the gospel is "a basic presupposition for the interpretation" of the scriptures; and third, that the gospel is "the heart and center" of the faith of the LCMS. That is to say, the LCMS understands the gospel to be the central doctrine of the faith, recognizes the gospel as a hermeneutical lens, and, perhaps most importantly, centers the whole of Christian faith and theology in the gospel. The arrangement of the sentence suggests an emphasis on the final point. In doing so, the LCMS provides a kind of conspectus of Christian truth which they term the "material principle."[66] This material principle underscores the centrality of the gospel as the content of faith. By naming the gospel the material principle the LCMS is embracing the heritage expressed above in the Smalcald Articles.

The document continues to explicate the relationship between the gospel and the scriptures by also naming a "formal principle." By formal principle the LCMS means the source and authority in doctrinal matters.

> We also believe, teach, and confess that only "the Word of God shall establish articles of faith" (SA, II, ii, 15), and that "the prophetic and apostolic writings of the Old and New Testaments are the only rule and norm according to which all doctrines and teachers alike must be appraised and judged" (FC, Ep, Rule and Norm, 1) (formal principle).[67]

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[66] The terms "material principle," along with its counterpart "formal principle," have their origin in Aristotelian thought. F. E. Mayer, a professor at Concordia Seminary in St. Louis, popularized their use in the LCMS with his work *The Religious Bodies of America* (St. Louis: Concordia Publishing House, 1954). In that work, he categorized all major denominations in the United States by explicating their material and formal principles in addition to exploring their theological particularities. Prior to the publication of *The Religious Bodies of America*, Mayer had a portion of his chapter on Lutheranism published in *Concordia Theological Monthly.* The following quote from that article is instructive not just in understanding Lutheran material and formal principles, which help elucidate the relationship between the gospel and the scriptures in the LCMS, but also in understanding how Mayer uses those terms generally. "The source of doctrine, or the formal principle, of Lutheran theology is sola Scriptura, the Scriptures alone. It does seem strange that with its avowed emphasis on the sale authority of the Scriptures the Lutheran Church nowhere has a specific article setting forth its attitude toward the Holy Scriptures…. The material principle of Lutheran theology is in reality only a synopsis and summary of the Christian truth. When Lutheran theologians speak of justification by faith as the material principle of theology, they merely wish to indicate that all theological thinking must begin at this article, center in it, and culminate in it." Mayer, "The Formal and Material Principles," 545, 548.

[67] *A Brief Statement*, 3.

Here the LCMS states that the "Word of God," further defined as Old and New Testament scriptures, not only establishes what should be believed but also judges and shapes what is taught as doctrine. In this way the scriptures function as the supreme authority over what is believed and taught.

For the LCMS, then, the heart of the Christian faith, its material principle, is the gospel. The final authority over all doctrinal matters, or formal principle, are the scriptures. The LCMS sums it up this way: "The Gospel, which is the center of our theology, is the Gospel to which the Scriptures bear witness, while the Scriptures from which we derive our theology direct us steadfastly to the Gospel of Jesus Christ."[68] Put another way, the scriptures and the gospel work in concert with one another. As the formal principle, the scriptures norm and shape what is understood as gospel and direct the believer to the gospel. The gospel, as the material principle or central teaching, becomes a lens through which the scriptures are read. In other words, if one reads the scriptures and comes to a central teaching other than the gospel, the LCMS would argue that the scriptures have been misread. The scriptures not only shape the content of the gospel they also point to it as the heart of faith.

To safeguard this teaching, the LCMS also names four "distortions" of the relationship between the gospel and the scriptures, or material and formal principles.[69] Those distortions are:

1. That acceptance of the Bible as such, rather than the Gospel, is the heart and center of Christian faith and theology, and the way to eternal salvation.
2. That the Gospel, rather than Scripture, is the norm for appraising and judging all doctrines and teachers (as, for example, when a decision on the permissibility of ordaining women into the pastoral office is made on the basis of the "Gospel" rather than on the teaching of Scripture as such).
3. That the historicity or facticity of certain Biblical accounts (such as the Flood or the Fall) may be questioned, provided this does not distort the gospel.
4. That Christians need not accept matters taught in the Scriptures that are not a part of

[68] *A Brief Statement*, 3.
[69] *A Brief Statement*, 3.

the "Gospel."[70]

While each one of these aforementioned distortions could be explored in depth, there is no need to engage in that endeavor in order to understand the point the LCMS is attempting to make. The point is simply this, any exchange of the material principle for the formal principle or elevation of the material principle over the formal so as to render it inert, or vice-versa, results in error. As such, if the scriptures become the heart and center of the faith, then the faith has been distorted. Or, using the gospel as the standard against which to judge doctrine results in error. Ignoring the historicity or facticity of any scriptural narrative actually distorts the gospel. Whatever the scriptures teach, even if those matters are ancillary to the gospel, cannot be rejected. The relationship of the gospel of Jesus Christ and the scriptures, between the material and formal principles, within the LCMS cannot be changed without incurring error.

In contrast to the LCMS, the ELCA does not explicate the nature of the relationship between the gospel and the scriptures with the same rigidity. Diane Jacobson, in her address regarding the Book of Faith initiative, presents the manner in which Lutherans in the ELCA read and understand the purpose of the scriptures.[71] She writes, "a central Lutheran insight is that as we read and study and hear the Bible, what shows forth Christ (brings Christ to us and us to Christ) is central."[72] This is, unsurprisingly, strikingly similar to what the LCMS believes concerning the gospel as the center of faith. As Jacobsen notes, Lutherans have followed Luther on this point.[73] Yet, Jacobsen pushes this idea further in saying, "it is also not so much that the text talks about and teaches us about Jesus Christ (though it certainly does that) but that rather

[70] *A Brief Statement*, 3.
[71] Jacobson, "About the Initiative," 1–9.
[72] Jacobson, "About the Initiative," 8.
[73] Jacobson, "About the Initiative," 8. She quotes Luther directly when he says of the scriptures, "Here you will find the swaddling clothes and the manger in which Christ lies." Luther, "Prefaces to the Old Testament," in *Luther's Works,* AE 35:236.

that the text points us, drives us, leads us to Jesus Christ. What is important and true about the Bible is what births Christ in us."[74] By this she means that although the scriptures may teach some kind of content concerning the person and work of Jesus Christ, their primary function is to foster an encounter with Christ. For Jacobsen, the "important and true" aspects of the scriptures are those that create faith. Here we see a contrast between the ELCA and LCMS. The LCMS does not allow for gradations of truth or importance even if the primary purpose of the scriptures is to create faith via the gospel of Christ. The third and fourth distortions listed above make that clear. The ELCA, by contrast, sees the scriptures as mediating an experience with Christ. Put another way, the relationship between the scriptures and the gospel is that the scriptures create the context in which the gospel is encountered.

The understanding of the relationship between the scriptures and the gospel is further elucidated in the essay as Jacobsen speaks broadly about the four methods of reading the scriptures. Those methods are, "devotional reading, historical reading, literary reading, and Lutheran theological reading."[75] It is not necessary to analyze each method in order to see that the ELCA sees a variety of different and legitimate methods of engaging with the scriptures. If, as has been stated above, the scriptures create the context in which the gospel is experienced, then a variety of methods is unsurprising. The greater number of approaches allows for a broader number of opportunities in which to encounter Christ. Someone might be reading the scriptures intentionally devotionally so as to, "set aside our lack of knowledge or our expertise and let the passage from the Bible seep into our hearts, minds, and souls."[76] But that does not mean that

[74] Jacobson, "About the Initiative," 8. This quote sits within a section concerning the Christocentricity of the scriptures. She is intentionally borrowing phraseology from Luther, which she had just quoted, when she writes of the scriptures birthing Christ.

[75] Jacobson, "About the Initiative," 3.

[76] Jacobson, "About the Initiative," 3.

encounters with Christ are limited to devotional readings. In point of fact, the discussion above concerning the scriptures directing the reader to Christ sits within Jacobsen's discussion of Lutheran theological readings. Moreover, each of Jacobsen's descriptions allow for or point to an encounter between the divine and the reader regardless of the distinct purposes of the selected methodology.[77]

It is true that the LCMS also speaks of an encounter with the gospel as mediated by the scriptures. The difference, though, is that the LCMS sees the relationship between the gospel and the scriptures as fixed. The scriptures norm and shape all doctrine and teaching, including that of the gospel. The gospel is what the scriptures teach primarily but not exclusively. For the ELCA, the scriptures primary role is to create the context in which Christ can be experienced. They may indeed be read for other purposes but, even then, they are fostering that encounter with Christ. It should be noted, though, that this is only one of the means by which this experience can happen. For all Lutherans, regardless of affiliation, the administration of the sacraments, Baptism and the Eucharist, as well as preaching, foster an encounter with God, either for good or ill. Lutherans in the LCMS and ELCA approach the relationship between the scriptures and the gospel in similar and distinct ways. The difference noted above is not the only difference. To understand the differences more fully the Lutheran hermeneutic and distinction of Law and Gospel must be explored. That exploration is the subject of the subsequent chapter.

[77] In her discussion of devotional reading Jacobsen, as noted previously, sees the purpose as allowing for the bible to seep into the hearts of the readers ("About the Initiative," 3). When discussing historical reading, she notes that even if questions of historicity cannot be fully answered, e.g., did Jesus actually say this, those historical questions help a reader better understand or engage the scriptural texts with an eye toward how those texts actually shape a person today ("About the Initiative," 5). The discussion on literary texts offers suggestions on how personal "meaning can be found deeply within the text" ("About the Initiative," 6). Finally, the broad focus of the section concerning Lutheran theological reading is to utilize, "insights from our Lutheran heritage that can help us engage the Bible anew in each time and place" ("About the Initiative," 7).

2.6 Conclusion: Lutherans Differ

As has been explored above, there is not a single universal Lutheran statement on the doctrine of scripture. Although the Book of Concord points to the scriptures as the source and norm of all theology, that does not mean that Lutherans are agreed on the nature and function of the scriptures. Globally, and especially within the United States, Lutherans do not share an understanding of the inerrancy, infallibility, and purpose of the scriptures. Moreover, they do express the same relationship between the scriptures and the gospel. They do, however, agree that the scriptures point the reader to Christ. This Christological focus of the scriptures may not be unique to Lutherans, but Lutherans hold it as theologically central. Lutherans in the United States differ on many things, but the centrality of Christ is not one of them.

3.0 THE LAW/GOSPEL DISTINCTION AS THE LUTHERAN HERMENEUTIC

3.1 A Lutheran Hermeneutic?

Any inquiry into how Lutheran hermeneutics in the United States have shaped the church's interaction in society necessitates a discussion of the Lutheran hermeneutic known as the distinction between Law and Gospel. This distinction is rooted in an understanding of Christ as central to the scriptures. The chapter that follows is an attempt to understand what makes Lutheran readings of the scriptures uniquely Lutheran through an exploration of the hermeneutic of Law and Gospel. This investigation requires a historical inquiry of the key confessional texts common to Lutherans as well as, when appropriate, a brief examination of theologians who have unique perspectives on certain aspects of the distinction between Law and Gospel. It begins with an exploration of what Lutherans mean when they affirm Christ as central to the scriptures, before proceeding to a discussion of the necessity of the distinction as well as an examination of the nature and purpose of both Law and Gospel. Pursuing this present investigation will subsequently equip us to identify and assess distinctively Lutheran readings of any scriptural texts, and, perhaps more importantly, key scriptural texts relative to how Lutherans in the United States engage culturally.

3.2 The Distinction's Foundation: Christ at the Center

Lutheran hermeneutics are rooted in a conviction that Christ is central to any reading of the scriptures. After Lutherans presented their confession of faith at the Diet of Augsburg in 1530 Roman Catholic theologians responded by issuing the Confutatio Augustana.[1] It was the

[1] For an explanation see: Charles P. Arand, Robert Kolb, and James A. Nestingen, *The Lutheran Confessions: History and Theology of the Book of Concord* (Minneapolis: Fortress Press, 2012) 118–30, 135–8; F.

publishing of that confutation which led Philip Melanchthon to compose the Apology of the Augsburg Confession in his defense.[2] While there were several points of contention between Roman Catholics and Lutheran theologians, the doctrine of the person of Christ was not among them.[3] Article III of the Apology notes not only that the Roman Catholic and Lutheran theologians held the same Christological perspectives, but also explicates concisely how Lutherans understand Christ. The entire third article reads:

> *Tertium articulum probant adversarii, in quo confitemur duas in Christo naturas videlicet naturam humanam assumptam a verbo in unitatem personae suae. Et quod idem Christus passus sit ac mortuus, ut reconciliaret nobis patrem, et resuscitatus, ut regnet, iustificet et sanctificet credentes etc. iuxta Symbolum Apostolorum et Symbolum Nicenum.*[4]

Lutherans therefore see Christ as the Word within whom the divine and human natures are unified. For them, Christ is the one who suffered, died, and rose again in order that believers might be reconciled to God so that God might rule over, justify, and sanctify them. This, Lutherans argue, is in full accord with what is confessed in the Apostles' and Nicene creed. For the present inquiry, it is important to note this agreement between Lutherans and Roman Catholic theologians if only because the next article in the Apology, Article IV, focuses squarely on the Lutheran understanding of how Christ's justifying work is applied to the believer,

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Bente, *Historical Introductions to the Book of Concord* (St. Louis: Concordia Publishing House, 1921) 28–36; Günther Gassmann and Scott Hendrix, *Fortress Introduction to the Lutheran Confessions* (Minneapolis: Fortress Press, 1999), 40–1, 205. For an English translation see: *Sources and Contexts of the Book of Concord* (Minneapolis: Augsburg Fortress, 2001), 105–39.

[2] For the sake of brevity, this document will be referred to as the Apology hereafter.

[3] "Apology of the Augsburg *Confession*," in *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, edited by Robert Kolb and Timothy Wengert (Minneapolis: Fortress Press, 2000), 120. It is important to note that Articles I, XVI, XVII, XVIII, XIX, XX also were accepted by Roman Catholic theologians.

[4] "Die Apologia Confessionis Augustanae, " in *Die Bekenntnisschriften der Evangelisch-Lutherischen Kirche,* edited by Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2014), 267. The current standard English translation in the United States of the Book of Concord renders this as: "The opponents approve the third article, in which we confess that there are two natures in Christ, namely, that the human nature was assumed by the Word into the unity of his person; and that this same Christ suffered and died in order to reconcile the Father to us and rose from the dead in order to rule over, justify, and sanctify believers, etc., according to the Apostles' Creed and Nicene Creed." "Apology of the Augsburg Confession," *Book of Concord*, 120.

highlighting that while Roman Catholics agreed with Lutherans that Christ justifies and sanctifies, they disagreed on how that happened. It is within that disagreement that a distinctly Lutheran hermeneutic first really began to appear. Part of the reason why Lutherans and Roman Catholics could not agree on how Christ justifies is because they did not agree on how to read the scriptures.

A full accounting of the differences is beyond the scope of this work, but it is clear enough that Lutherans, in defense of their theological position on justification, argued for a specific scriptural hermeneutic, namely, the proper distinction between Law and Gospel.[5] This distinction, I suggest, must be explored in depth in order to understand the broad contours of what makes Lutheran exegesis explicitly Lutheran. As this thesis seeks to understand how Lutheran hermeneutics shape the church's interaction with society, it is important for me to begin the study by focusing on what makes Lutheran hermeneutics distinctively Lutheran. The distinction between Law and Gospel is at the heart of Lutheran hermeneutics, and at the heart of that distinction is the person and work of Christ.

Luther famously quipped that in the scriptures, "you will find the swaddling clothes and the manger in which Christ lies."[6] Lutherans, specifically The Lutheran Church—Missouri Synod (LCMS) and the Evangelical Lutheran Church in America (ELCA), follow Luther in seeing Christ as the center of the scriptures,[7] because together they see the primary purpose of scripture as communicating the gospel of Christ.[8] The question is, how does that communication

[5] Law and Gospel are capitalized to refer specifically to how Lutherans define and utilize these terms within the distinction between them. Both law and gospel can be spoken of generally, but, when capitalized they refer specifically to the demands and promises of God.

[6] Martin Luther, "Prefaces to the Old Testament," in *Luther's Works,* AE 35:236.

[7] See *A Statement of Scriptural and Confessional Principles* (St. Louis: The Lutheran Church—Missouri Synod, 1972), 3; "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America" (Chicago: The Evangelical Lutheran Church in America, 2019), 2.02.

[8] See chapter 2, specifically subsection 5.1 "Purpose."

happen? It could be argued that if the purpose of the scriptures is, for Lutherans, to deliver the gospel of Christ to people, then one must read the scriptures through a specific lens in order for that purpose to be fulfilled. That is precisely what Lutherans do indeed argue in Article IV of the Apology as well as the Formula of Concord. For Lutherans, the distinction between Law and Gospel ensures that the scriptures fulfill their purpose. What follows, then, is an exploration of the necessity and function of that distinction as explicated in Lutheran confessional writings, which will demonstrate what makes Lutheran exegesis uniquely Lutheran. It will also foster the ability to assess Lutheran readings of specific texts on their own terms.

3.3 Law and Gospel: A Necessary Distinction

3.3.1 The Necessity of the Distinction for the Scriptures

The first place within the Book of Concord that mentions the distinction between Law and Gospel is the Apology. It reads:

> *Universa scriptura in hos duos locos praecipuos distribui debet: in legem et promisiones. Alias enim legem tradit, alias tradit promissionem de Christo, videlicet cum aut promittit Christum venturum esse et pollicetur propter eum remissionem peccatorum, iustificationem et vitam aeternam aut in Evangelio Christus, postquam apparuit, promittit remissionem peccatorum, iustificationem et vitam aeternam. Vocamus autem legem in hac disputatione decalogi praecepta, ubicumque illa in scripturis leguntur. De ceremoniis et iudicialibus legibus Moisi in praesentia nihil loquimur.*[9]

[9] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 269. The current standard English translation in the United States of the Book of Concord renders this as: "All Scripture should be divided into these two main topics: the law and the promises. In some places it communicates the law. In other places it communicates the promise concerning Christ, either when it promises that Christ will come and on account of him offers the forgiveness of sins, justification, and eternal life, or when the gospel itself, Christ, after he appeared, promises the forgiveness of sins, justification, and eternal life. Now when we refer to the 'law' in this discussion we mean the commandments of the Decalogue, wherever they appear in the Scriptures. For the present we will say nothing about the ceremonial and civil laws of Moses." "Apology of the Augsburg Confession," *Book of Concord*, 121.

According to the Apology, therefore, all of the scriptures are to be divided into the law and promises.[10] There are places where the scriptures communicate the Law and places where it communicates Gospel. In this section of the Apology, the Law is limited only to the Ten Commandments. The Apology will say more concerning the function and content of the Law subsequently. For now it is enough to note that the Law is one side of a duality with Gospel on the other. It is interesting to note, however, that in this section of the Apology, the Law, although it is mentioned first in two separate sentences, is further defined only after a definition of the Gospel. In my reading of the Apology, the decision to further define the Gospel before further defining the Law is noticeable. It seems as though the Apology might be implicitly communicating the importance of the Gospel, or the importance of understanding what the Gospel is, over the need to understand the Law. That is not to say that a proper understanding of the Law is unnecessary or unimportant within the Apology, but the delay in offering a definition potentially communicates an asymmetrical relationship between Law and Gospel.

Two things are of import with regard to how the Apology further defines the Gospel. First, it defines the Gospel as Christ himself, *aut in Evangelio Christus*.[11] This again speaks to the centrality of Christ not only within Lutheran thought but also within the Law and Gospel distinction. Christ is always at the center of the Gospel in Lutheran thought. Moreover, and this is the second point of importance, the Gospel includes the promise of the forgiveness of sins, either when Christ first appeared or will appear. In stating it that way the Apology suggests that the promises have an enduring effect. Since the content and function of the Gospel will be explored in further detail below, for now it is enough to understand that within the Apology, and

[10] Promises is used interchangeably with Gospel.
[11] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 269.

seemingly for Lutherans, that the Gospel, in addition to being central to the distinction, is also unequivocally rooted in Christ.

In light of the above, I would argue that the distinction between Law and Gospel is, in part, a distinction between what Christ does for believers and what the scriptures call believers to do. In defining the Law in terms of the Ten Commandments, the Apology sets forth the idea that the Law is what God commands people to do. In defining the Gospel in terms of Christ and the promises of forgiveness, justification, and eternal life, the Apology sets forth the idea that the Gospel is something that God gives to people. Law and Gospel, then, are what form and shape the believer. They are also, however, more than simply a way to express how a Christian experiences God. The Apology is not speaking about this distinction in abstraction. The Law and Gospel distinction is tied directly to the reading of the scriptures. "*Universa scriptura in hos duos locos praecipuos distribui debet."*[12] It is the whole of the scriptures that are divided into the two main "topics" of Law and Gospel.[13] The Apology is unequivocal about the necessity of the distinction, not simply in general, but specifically for hermeneutical purposes.

The Formula of Concord, in its Epitome and Solid Declaration, also speaks to the necessity of the distinction in general and with regard to the reading of the scriptures.[14] It is important to remember that the Formula of Concord was composed in order to settle controversy and submit, ostensibly once and for all, how the Augsburg Confession was to be understood among those who claimed it as their confession.[15] The Epitome, which is a condensation of the

[12] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 269.

[13] "Apology of the Augsburg Confession," *Book of Concord*, 121.

[14] Rather than referring to the Formula of Concord as a whole, the two parts of it, namely the Epitome and Solid Declaration will be referred to specifically. This is done for the sake of brevity.

[15] See: Charles P. Arand, Robert Kolb, and James A. Nestingen, *The Lutheran Confessions: History and Theology of the Book of Concord* (Minneapolis: Fortress Press, 2012) 161–280; F. Bente, *Historical Introductions to the Book of Concord* (St. Louis: Concordia Publishing House, 1921) 102–256; Günther Gassmann and Scott Hendrix, *Fortress Introduction to the Lutheran Confessions* (Minneapolis: Fortress Press, 1999), 44–5. It is also important to note that historically not all Lutherans have understood the Formula of Concord to be equally as

various points of contention as well as the resolution, speaks clearly about the necessity of Law and Gospel distinction:

> *Credimus, docemus et confitemur discrimen Legis et Evangelii ut clarissimum quoddam lumen singulari diligentia in Ecclesia Dei retinedum esse, ut verbum Dei iuxta admonitionem D. Pauli recte secari queat.*[16]

The Epitome states clearly here that the Word of God, understood in this instance as the scriptures, is to be divided in terms of the distinction between Law and Gospel. Moreover, it calls this distinction, "*ut clarissimum quoddam lumen,"* or, "an especially glorious light."[17] In using that phraseology the Epitome highlights not simply the importance of the distinction but also the effect it has on the reading of the scriptures. The Formula's clear assertion that the distinction between Law and Gospel illuminates the scriptures outlines the necessity of the distinction for Lutheran readings of the scriptures. That is to say, the Lutheran confessional documents not only define the hermeneutic but also speak of its usefulness and importance.

The Solid Declaration also invokes the idea of the Law-Gospel distinction illuminating the scriptures, further explicating the necessity of the distinction, not just in terms of the scriptures but also in terms of what it does for the believer. It reads:

> *Cum discrimen Legis et Evangelii magnam et clarissimam lucem sacris literis adferat, cuius adminiculo verbum Dei recte secari et Prophetica atque Apostolica scripta dextre explicari atque intelligi possunt: accurata diligentia illud est in Ecclesia conservandum atque retinendum, ne haec duo doctrinarum genera inter se commisecantur, aut*

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authoritative as the Augsburg Confession. Chief among them are the Scandinavian church bodies. For the purposes of our inquiry, however, that internal Lutheran argument is of relatively little importance because the two church bodies in the United States ultimately under consideration, the LCMS and the ELCA, both receive the Formula as authoritative per their constitutional documents. Furthermore, even if a Lutheran were to reject the Formula, the necessity of the distinction between Law and Gospel is established in the Apology. For an overview the controversy see: Lewis Spitz, "The Formula of Concord Then and Now," *The Sixteenth Century Journal* 8, no. 4, (Dec., 1977): 8–22

[16] "Concordia: Epitome, " *Die Bekenntnisschriften*, 1249. The current standard English translation in the United States of the Book of Concord renders this as: "We believe, teach, and confess that the distinction between law and gospel is to be preserved with great diligence in the church as an especially glorious light, through which the Word of God, in accord with Paul's admonition, is properly divided." "Formula of Concord: Epitome," *Book of Concord*, 500.

[17] "Concordia: Epitome, " *Die Bekenntnisschriften*, 1249; "Formula of Concord: Epitome," *Book of Concord*, 500.

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> *Evangelion in Legem transformetur. Ea enim ratione meritum Christi obscuraretur, et conscientiis perturbates dulcissima consolatio (quam in Evangelio Christi, sincere praedicato, habent, qua etiam sese in gravissimis tentationibus adversus legis terrores sustentant) prorsus eriperetur.*[18]

That is to say, the Solid Declaration articulates the distinction between Law and Gospel not only as that which illuminates the scriptures but also as that which allows the scriptures to be understood intelligently and accurately. The key phrase here is, "*dextre explicari atque intelligi possunt*." For the Solid Declaration, a lack of distinction would mean that the scriptures would be unintelligible. With the Law-Gospel dichotomy in place, however, the Bible can be understood rightly. It seems to me that in one sense, this distinction bypasses some aspects of exegetical engagement. What matters is that text is rightly understood as Law or Gospel not necessarily that the finer points of historical or literary criticism are teased out. Any assessment of Lutheran readings of the text needs to take note of this as methodology does not seem to be as integral to Lutheran readings as much as the above theological perspective.

3.3.2 The Necessity of the Distinction for the Believer

The distinction between Law and Gospel is applied to the prophetic and apostolic scriptures of the Old and New Testaments. It is also tied to the experience of the believer. The Solid Declaration speaks directly to the notion that the Gospel assuages the conscience that the Law terrifies.[19] Here, as earlier when the Apology expounded upon the Gospel first despite twice

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[18] "Concordia: Solida Declaratio, " *Die Bekenntnisschriften*, 1431. The current standard English translation in the United States of the *Book of Concord* renders this as: "The distinction between law and gospel is a particularly glorious light. It serves to divide God's Word properly and to explain correctly and make understandable the writings of the holy prophets and apostles. Therefore, we must diligently preserve this distinction, so as not to mix these two teachings together and make the gospel into a law. For this obscures the merit of Christ and robs troubled consciences of the comfort that they otherwise have in the holy gospel when it is preached clearly and purely. With the help of this distinction these consciences can sustain themselves in their greatest spiritual struggles against the terror of the law." "Formula of Concord: Solid Declaration," *Book of Concord*, 581.

[19] The key phrase is, "*quam in Evangelio Christi, sincere praedicato, habent, qua etiam sese in gravissimis tentationibus adversus legis terrores sustentant.*" "Concordia: Solida Declaratio, " *Die Bekenntnisschriften*, 1431.

mentioning the Law first, one sees how the Gospel is meant to predominate in what seems to be an asymmetrical relationship between the Law and the Gospel. The scriptures are to be rightly divided so that the Gospel can provide comfort to the believer who is terrified by the Law. Both in terms of the reading of the scriptures, that they might be understood rightly, and in the experience of the believer, the distinction between Law and Gospel is a necessity according to the Lutheran confessional documents.

In assessing Lutheran readings of scriptural texts, and how those texts are applied to cultural engagement, it is crucial that we appreciate how the Lutheran confessional texts argue that the scriptural readings are not neutral, they are actually meant to do something. To the one terrified, they are, according the text, meant to assuage. Thus, one can judge a Lutheran reading by its use of the distinction not only in how it is applied to the scriptures but also how that text is applied to the life of a believer. This point will be explored later when assessing the practical application of the Lutheran hermeneutic in actual Lutheran exegesis.

3.3.3 The Necessity of the Distinction Endures

It would be one thing if Lutherans only spoke about the necessity of the distinction in the sixteenth century confessional texts, but the theme has continued into more recent history too. One of the more prominent voices in the United States who advocated the use of the distinction was C. F. W. Walther, the first president of The Lutheran Church—Missouri Synod (LCMS). In addition to serving as the synod's president, he also served as president and professor at Concordia Seminary in St. Louis, one of the two seminaries associated with the LCMS.[20] One of his enduring academic legacies is titled, *The Proper Distinction Between Law and Gospel:*

[20] For more information on C. F. W. Walther see: August R. Suelflow, *Servant of the Word: The Life and Ministry of C. F. W. Walther* (St. Louis: Concordia Publishing House, 2000).

Thirty-Nine Evening Lectures.[21] In that work, which was a series of thirty-nine evening lectures recorded for posterity by his students, Walther speaks about the continued importance of the distinction by outlining twenty-five theses on the necessity and methodology of distinguishing between Law and Gospel. It is not necessary to examine all twenty-five as much of the content discussed is related to the confessional texts discussed above as well as those texts which will be explored below. Yet, two theses, Thesis III and Thesis XXV, are worth consideration. What follows is brief analysis of those theses and their relevance to the present investigation. The analysis of these theses is important as it will show not only a unique contribution to understanding the distinction but will also show how the distinction continues to influence Lutherans in the United States.

In Thesis III Walther writes:

> Rightly distinguishing law and gospel is the most difficult and highest art of Christians in general and of theologians in particular. It is taught only by the Holy Spirit in the school of experience."[22]

For Walther, then, the distinguishing between Law and Gospel is not a simple matter but rather is a demanding and grand pursuit. In saying this it seems clear that Walther is expressing agreement with the Lutheran confessional texts as explored above.[23] Moreover, for Walther, the Holy Spirit is the one who teaches the distinction through "the school of experience." In using

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[21] Walther's work was originally published in German under the title *Die Rechte Unterscheidung von Gesetz und Evangelium: 39 Abendvorträge* in 1897 and subsequently republished in 1901 and 1946. The English translation of the book was published in 1929. It has also been republished in 1965 and 1986, the latter with an introduction by well-known church historian Jaroslav Pelikan. In 2010, Concordia Publishing House published a reader's edition of the work titled *Law and Gospel: How to Read and Apply the Bible*. This release offered a new translation in addition to other additional resources to aid the reader.

[22] C. F. Walther, *The Proper Distinction Between Law and Gospel,* translated by W. H. T. Dau (St. Louis, Concordia Publishing House, 1929), 1, 42.

[23] Walther own explication of this thesis includes various quotations from the scriptures, as well as Martin Luther, that establish the difficulty and loftiness of the endeavor relative to both scriptural interpretation and the effect of that interpretation in the life of the believer. Walther, *The Proper Distinction Between Law and Gospel*, 42–60. Moreover, Thesis III prefigures Thesis IV which parrots the language of the confessional texts in affirming the distinction between Law and Gospel as the glorious light. For Walther's discussion on that see: Walther, *The Proper Distinction Between Law and Gospel*, 60–69.

that phrase Walther means that the Spirit works through the scriptures to convict and acquit the believer.[24] Put another way, the Spirit helps the believer experience the terror of the Law and the comfort of the Gospel.[25] Walther follows Luther, whom he quotes at length, in arguing that the one who truly knows how to distinguish between Law and Gospel is the Holy Spirit.[26] Thus for Walther, to learn the art of distinguishing means that one must sit at the feet of the greatest teacher, namely the Holy Spirit. For the purposes of the present inquiry this is no small point. It seems as though Walther's inclination is to focus not only on the necessity or methodology of distinguishing Law and Gospel, but also on the experience of them for every believer. The Holy Spirit uses the scriptures to give the believer an experience of Law and Gospel and thus, teach the difference between the two.

This suggests to me that Walther sees the scriptures to have a function beyond, or a purpose beneath, communicating ideas or information. In point of fact, Walther argues this specifically at the end of his explication of Thesis III.

> However, while the historico-grammatical meaning of Scripture can readily be opened up by any one who understands its language, it is impossible without the Holy Spirit for anyone to understand the Holy Scriptures unto his salvation, no matter how great a linguist, how famous a philologist, how keen a logician he may be.[27]

Walther's point is that people are able to read and understand the texts as written, but that does not mean that such a person has grasped the deeper reality expressed in them. For Walther, being able to read a text from start to finish, understanding the grammar, syntax, and vocabulary, does not guarantee that a person has read the scriptures rightly. To read the Holy Scriptures and truly grasp them means being grasped by the Holy Spirit through them, it means being grasped by the

[24] Walther, *The Proper Distinction Between Law and Gospel*, 43–45.
[25] Walther, *The Proper Distinction Between Law and Gospel*, 47, 51
[26] Walther, *The Proper Distinction Between Law and Gospel*, 47.
[27] Walther, *The Proper Distinction Between Law and Gospel*, 60.

Law and the Gospel. This is an important point to grasp when considering how Lutherans in the United States apply the hermeneutic exegetically. It suggests that the underlying purpose of scripture, which can only be taught by the Holy Spirit, is the primary goal of reading the scriptures. Missouri Synod exegesis then, as will be shown in succeeding chapters, will work toward that perceived primary goal.

Thesis XXV from Walther makes another point that needs to be addressed in order that analysis of Lutheran exegesis might be assessed on its own terms, especially where the Missouri Synod is concerned. Thesis XXV reads:

> In the twenty-first place, the Word of God is not rightly divided when the person teaching it does not allow the Gospel to have a general predominance in his teaching.[28]

Walther's explanation of his thesis further makes the point that the relationship between Law and Gospel is not a balanced one.[29] The person teaching the scriptures utilizes the distinction correctly when the Gospel predominates. That is to say, for Walther, Law and Gospel exist in an asymmetrical relationship. The value of understanding this for the present inquiry rests in being able to assess the practical application of the distinction in the exegetical analysis that follows. For example, if exegesis that purports to be Lutheran on par with Walther, as Missouri Synod exegesis does, the Gospel should predominate. If it does not, then the Missouri Synod opens itself up for critique on its own terms.

It would be one thing if only C. F. W. Walther affirmed the necessity of the distinction within the context of Lutheranism in the United States. He is not alone, however. The twentieth century saw theologians in both the Missouri Synod and what became the Evangelical Lutheran

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[28] Walther, *The Proper Distinction Between Law and Gospel*, 4, 403.

[29] Walther's explanation comprises the bulk of his final evening lecture. It builds on previous theses concerning how the Law should not predominate and how the two should not be kept in balance. See: Walther, *The Proper Distinction Between Law and Gospel*, 403–413.

Church in America (ELCA) focus on the necessity of the distinction for exegesis and for preaching, both of which are related to the exegesis of scriptural texts and impacting the life of the believer. Richard R. Caemmerer, who spent the overwhelming majority of his career in the LCMS but retired in the ELCA, wrote his influential work *Preaching for the Church* as a way to structure the distinction within the context of sermon preparation and delivery.[30] While Caemmerer's work is a primary example of the continued use of the distinction in discussions of preaching, Gerhard Forde's *Theology is for Proclamation* is another important example.[31] Forde's work sought to apply the distinction's value to theology as a whole. As a theologian who spent his career in one of the church bodies that would eventuate in the formation of the ELCA, his work shows the continued influence of the hermeneutic on Lutherans broadly in the United States. *Theology is for Proclamation* was not Forde's first foray into the discussion of the enduring necessity and value of the distinction. His works *The Law-Gospel Debate: An Interpretation of Its Historical Development* and *Where God Meets Man: Luther's Down To Earth Approach to the Gospel* also seek to explicate the value of the distinction and its necessity in the theological enterprise as a whole—both exegetically and practically.[32] Another example of the enduring value of the hermeneutic is by the LCMS theologian, seminary president, and eventual synod president, Ralph C. Bohlmann in his work *Principles of Biblical Interpretation in the Lutheran Confessions.*[33] In that work Bohlmann demonstrates how the hermeneutic is explicated within the Lutheran confessions and how that work could apply to scriptural exegesis.

[30] Richard R. Caemmerer, *Preaching for the Church* (St. Louis: Concordia Publishing House, 1959). To understand the enduring influence of the work see: David R. Schmitt, "Richard Caemmerer's Goal, Malady, Means: A Retrospective Glance," *Concordia Theological Quarterly* 74 (2010): 23–28.

[31] Gerhard O. Forde, *Theology is for Proclamation* (Minneapolis: Fortress Press, 1990).

[32] Gerhard O. Forde, *The Law-Gospel Debate: An Interpretation of Its Historical Development* (Minneapolis: Fortress Press, 1969); Gerhard O. Forde, *Where God Meets Man: Luther's Down to Earth Approach to the Gospel* (Minneapolis: Fortress Press, 1972).

[33] Ralph C. Bohlmann, *Principles of Biblical Interpretation in the Lutheran Confessions* (St. Louis: Concordia Publishing House, 1968). It was republished in 1983.

More recently, in 2017, Concordia Publishing House released a collection of essays entitled, *The Necessary Distinction: A Continuing Conversation on Law and Gospel.* Theologians from various church bodies within the United States, including prominent names in the LCMS and ELCA, contributed to the work.[34] This brief accounting demonstrates that the sixteenth century confessional texts are not the only places Lutherans have, or continue, to speak about the enduring necessity and relevance of the distinction between Law and Gospel as a hermeneutic that guides scriptural exegesis and informs preaching of Lutherans in the United States.

3.4 The Function and Content of the Law and the Gospel

Having established that the distinction between Law and Gospel was, and remains, a necessary distinction, it is important to explore what Lutherans mean by those terms. Put another way, understanding the "glorious light" requires understanding both the function and content of the Law and the Gospel. What follows is an examination of the relevant Lutheran confessional texts. This investigation will not only deepen the understanding of the distinction but it will also serve to demonstrate how sixteenth century Lutherans conceived of the Law and the Gospel, to again aid us in analyzing Lutheran exegesis on the basis of its own terms. To that end, what follows will explore how the Apology and the Formula of Concord speak about the function and content of the Law and the Gospel.

Within the Lutheran confessional writings contained in the Book of Concord, the Smalcald Articles and Luther's Small and Large Catechisms also employ the distinction between

[34] Those names include John Pless (LCMS), Mark Seifrid (LCMS), William Cwirla (LCMS), Peter Brock (LCMS), Larry Vogel (LCMS), Mark Mattes (ELCA), Naomichi Masaki (LCMS), James Nestingen (Ordained ELCA, now North American Lutheran Church), Stephen Hultgren (Australian Lutheran College), Steven Paulson (Ordained ELCA), Albert Collver (LCMS), and Roland Ziegler (LCMS).

Law and Gospel in various ways.[35] While it would be possible to engage their content in addition to the consideration given to the Apology and the Formula of Concord, such an exploration is not necessary. Not only do the Apology and the Formula of Concord similarly seek to resolve controversy related to the Augsburg Confession, they also provide a clear explanation of the content and function of Law and Gospel. That is to say, nothing is gained by considering the Smalcald Articles or Luther's Small and Large Catechisms that is not comprehensively expressed in the Apology and the Formula of Concord.[36] What follows, then, is the exploration of relevant passages within the Apology and Formula of Concord, beginning with the Law then moving to the Gospel.

3.4.1 The Function and Content of the Law

The Apology of the Augsburg Confession speaks succinctly about the function of the Law in Article IV. "*Lex enim semper accusat conscientias et perterrefacit*."[37] That is to say, the Law is always accusing and terrifying consciences. Within the context of Article IV, the *Apology* is arguing that the opponents of the Augsburg Confession, "*per legem quaerunt remissionem peccatorum et iustificationem.*"[38] Put another way, the Apology sees Roman Catholic theologians as attempting to obtain justification and the forgiveness of sins through following the

[35] For examples see Smalcald Articles, Part III, Articles II, III, and IV; Large Catechism, Part II, especially paragraph 67. The structure of Luther's Small Catechism is intended to help the Christian experience Law and Gospel. As such it begins with the Ten Commandments and then moves to Creed. The Ten Commandments show the believer their sin and then the Creed works to show the believer how they are saved. For more information on how the structure works see: Charles P. Arand, *That I May Be His Own: An Overview of Luther's Catechisms* (St. Louis: Concordia Publishing House, 2000).

[36] This is apparent within The Lutheran Church—Missouri Synod. When the distinction between Law and Gospel is considered within an official document originally meant to settle controversy, *A Statement of Scriptural and Confessional Principles*, the only references to the Book of Concord are those from the Formula of Concord. *A Statement of Scriptural and Confessional Principles* (St. Louis: The Lutheran Church—Missouri Synod, 1972), 1.

[37] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 283.

[38] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 271.

law. In arguing that the Law always accuses, Lutherans are being explicit about the purpose of the Law in opposition to the notion that the Law could provide the forgiveness of sins. For this reason, as noted earlier, the Apology is only considering the Ten Commandments and not the civil or ceremonial laws of Moses.[39] From the perspective of the Apology, adhering to or fulfilling the directives outlined in the Ten Commandments will not yield justification, or right standing, with God. Rather, engagement with the Law will result always in the accusation and terrorization of the conscience. It is also important to note that use of the word *semper* above. That the Law always accuses does not necessarily mean that it only accuses.

The Epitome of the Formula of Concord reaffirms the accusatory function of the Law.[40] Additionally, it argues that anything which condemns sin is part of the Law.[41] Thus, per the Epitome, the content of the Law should be understood as that which God has commanded people to do, namely God's will.[42] The condemnatory function of the Law is not, however, the only function of it. It also instructs the believer and unbeliever in how to live.[43] The Epitome reads:

> *Cum constet, legem Dei propter tres causas hominibus datam esse: Primo, ut externa quaedam disciplina conservetur et feri atque intractabiles homines quasi repagulis quibusdam coerceantur, secundo, ut per legem homines ad agnitionem suorum peccatorum adducantur, tertio, ut homines iam renati, quibus tamen omnibus multum adhuc carnis adhaeret, eam ipsam ob causam certam aliquam regulam habeant, ad quam totam suam vitam formare possint et debeant*.[44]

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[39] See the above discussion on the necessity of the Law as well as: "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 269.

[40] "Concordia: Epitome," *Die Bekenntnisschriften*, 1249.

[41] "*Legem esse proprie doctrinam divinitus revelatam, quae doceat, quid iustum Deoque gratum sit, quae etiam, quicqid peccatum est, et voluntati divinae adversatur, redarguat. Quare, quicquid extat in sacris literis, quod peccata arguit, id revera ad Legis contionem pertinet.*" "Concordia: Epitome," *Die Bekenntnisschriften*, 1249.

[42] More will be said on this below. See *Affirmativa VI* in: "Concordia: Epitome," *Die Bekenntnisschriften*, 1255.

[43] "Concordia: Epitome," *Die Bekenntnisschriften*, 1251.

[44] "Concordia: Epitome," *Die Bekenntnisschriften*, 1251. The current standard English translation in the United States of the Book of Concord renders this as: "The law has been given to people for three reasons: first, that through it external discipline may be maintained against the unruly and the disobedient; second, that people may be led through it to a recognition of their sins; third, after they have been reborn—since nevertheless the flesh still clings to them—that they can orient and conduct their entire life." "Formula of Concord: Epitome," *Book of Concord*, 502.

Here the Epitome describes three separate functions of the Law. In the first place, the Law works to restrain undisciplined and disobedient persons regardless of their belief in God.[45] That is to say, the first use of the Law applies equally to believer and unbeliever alike, wherever someone is in need of the curtailing function of the Law.

The second use of the Law refers to the condemnatory function explored above. It accuses sinners of what they have done in order that they might both recognize their sins and then be led to be converted by the work of the Gospel. Although the Epitome and Solid Declaration label it the second function of the Law, the Apology and both the Epitome and Solid Declaration of the Formula of Concord express the primacy of this function over and above the first and third functions espoused later in the Epitome and Solid Declaration.[46] The Lutheran predilection for the centrality of the gospel of Christ buttresses the idea the second use of the Law is the primary use.[47] It seems to me that if Christ's atoning work is central to Lutheran thought, then whatever leads a person to receive that work of Christ is of the utmost importance. As the Law accuses and drives a person to Christ, the precedence of second use is a logical corollary. This point, especially within the context of a discussion about how Lutherans have confessed the Law to function, is helpful when analyzing Lutheran exegesis. Put differently, knowing how the Law is supposed to function within Lutheran thought provides for the reader of

[45] This point is further explicated in Affirmativa VI of the *Epitome*. "Concordia: Epitome," *Die Bekenntnisschriften*, 1255.

[46] The Apology does this in Article IV when it claims, *"lex einam semper accusat."* Whatever else the Law does, it always accuses. See:"Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 283. The Epitome espouses this clearly in Affirmativa VII. See: "Concordia: Epitome," *Die Bekenntnisschriften*, 1255. For the argument within the Solid Declaration see: "Concordia: Solida Declaratio," *Die Bekenntnisschriften*, 1437, 1439, 1441.

[47] Consider C. F. W. Walther's assertion that the Gospel must predominate in light of this primary use of the Law. When Walther argues for the centrality of the Gospel it is over and against this use of the Law primarily, though certainly not exclusively.

Lutheran exegesis the ability to ascertain which function of the Law is being expressed and thereby allows for a careful and critical analysis.

The third use of the Law is a controversial topic within Lutheranism as evidenced by the fact that it receives its own article within the Epitome and Solid Declaration of the Formula of Concord.[48] According to the Epitome, the third use of the Law refers to how the Law works in the life of the believer.[49] It states that even though the believer has been freed from the compulsion of the Law, the believer is not free from the Law. In other words, the Epitome is suggesting that the Law still has a positive function in this sense, namely, that it instructs the believer on how to live. That does not mean, however, that this positive function supersedes the condemnatory function.[50] Even when the Law instructs the believer in how to orient their life it still always accuses.

The question remains, however, as to what the content of the Law is. As alluded to above, the Law is to be understood as the will of God. "*Ad hunc modum una eademque lex est manteque*

[48] The third use of the Law is the subject of Article VI in both sections of the Formula. Moreover, twentieth century debate within Lutheran circles in the United States demonstrates a continued disagreement over the nature of the third use of the Law and its continued validity as a category. Gerhard O. Forde is a major figure within this debate and his works mentioned previously should be considered as primary source material within this debate. Moreover, part of the controversy that led to a split within the LCMS during the 1970s revolved around the proper place of the third use of the Law. For more information on those divisions see: Frederick W. Danker, *No Room in the Brotherhood: The Preus-Otten Purge of Missouri* (Clayton: Clayton Publishing House, Inc., 1977); James C Burkee, *Power, Politics, and the Missouri Synod: A Conflict That Changed American Christianity* (Minneapolis: Fortress Press, 2011); John H. Tietjen, *Memoirs in Exile: Confessional Hope and Institutional Conflict* (Minneapolis: Fortress Press, 1990); Kurt Marquart, *Anatomy of An Explosion* (Fort Wayne, IN: Concordia Theological Seminary Press, 1977); Paul Zimmerman, *A Seminary in Crisis: The Inside Story of the Preus Fact Finding* (St. Louis: Concordia Publishing House, 2007); The Board of Control of Concordia Seminary, St. Louis, *Exodus From Concordia: A Report on the 1974 Walkout* (St. Louis: Concordia College, 1977). It should be noted that some Lutherans outright reject the Third Use even though both the ELCA and LCMS officially affirm the Formula of Concord in their respective constitutions. See: "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America" (Chicago: The Evangelical Lutheran Church in America, 2019), 2.06; "2019 Constitution, Bylaws, and Articles of Incorporation as amended by the 2019 LCMS Convention 20–25 July 2019" (St. Louis: The Lutheran Church—Missouri Synod, 2019), II.2.

[49] "*Etsi vere in Christum credentes et sincere ad Deum conversi a maledictione et coactione legis per Christum liberate sunt, quod ii tamen propterea non sint absque lege, quippe quos filius Dei eam ob causam redemit, ut legem Dei diu noctuque meditentur atque in eius observatione sese assidue exerceant."* "Concordia: Epitome," *Die Bekenntnisschriften*, 1253.

[50] See especially *Affirmativa II* and *III*. "Concordia: Epitome," *Die Bekenntnisschriften*, 1253, 1255.

immota videlicet Dei voluntas sive poenitentibus sive impoenitenitbus renatis aut non renatis proponatur."[51] Thus, the content of the Law is that which God desires of human beings. It is helpful to remember that this distinction of Law and Gospel refers to how the scriptures are read in addition to how believers experience God. That is to say, the content of the Law is determined by the scriptures. This is part of the point the Apology made when it referred to the Law as being the Ten Commandments. Again, as noted above, anything that condemns or demands belongs properly to the Law.[52] For the purposes of this present inquiry, this is no small point. When considering how texts are applied to contemporary situations, for example the place and value of gay and lesbian people, the way Lutherans speak about the Law makes a difference. If, in the course of exegeting a passage that seemingly addresses the personhood or value of gay and lesbian, Lutherans emphasize the third use to the exclusion of the second, then those texts of the scriptures could be read in a myopic fashion, discounting the other ways the Law might be used.

To sum up, within the Formula of Concord the Law is defined as the will of God, that is to say, what God demands or desires, as derived from the scriptures. It functions in three ways: first, it curtails the behavior of believer and non-believer alike. Second, it condemns sin and forces someone to see themselves as sinner who cannot fulfill the will of God. The second function is actually the primary function within the Law and Gospel distinction. Third, the Law also teaches believers how to live their lives. Thus, the function of the Law is to accuse, something it always does, and to instruct. It does both, according to its content, the will of God as expressed in the scriptures. Although some Lutherans have challenged the validity of third use

[51] "Concordia: Epitome," *Die Bekenntnisschriften*, 1255. The current standard English translation in the United States of the Book of Concord renders this as: "Therefore, for both the repentant and the unrepentant, for the reborn and those not reborn, the law is and remains one single law, the unchangeable will of God." "Formula of Concord: Epitome," *Book of Concord*, 503.

[52] "*Legem esse proprie doctrinam divinitus revelatam, quae doceat, quid iustum Deoque gratum sit, quae etiam, quicqid peccatum est, et voluntati divinae adversatur, redarguat. Quare, quicquid extat in sacris literis, quod peccata arguit, id revera ad Legis contionem pertinet.*" "Concordia: Epitome," *Die Bekenntnisschriften*, 1249.

of the Law, it seems to me that understanding the various ways Lutherans have confessed the Law to function is invaluable in any attempt to analyze and critique Lutheran scriptural or cultural exegesis. Knowing how Lutherans speak about the function and content of the Law provides the basis upon which that analysis might take place. Put differently, one of the things that makes Lutheran exegesis Lutheran is the distinction between Law and Gospel. To understand what makes Lutheran exposition of the Law Lutheran is to understand how Lutherans have spoken about the function and content of the Law. As noted, however, the Law is only one part of the distinction.

3.4.2 The Function and Content of the Gospel

One way to sum up the function and content of the Gospel is to put it in opposition to the Law. That is to say, if the Law accuses, the Gospel acquits. The Apology of the Augsburg Confession argues this explicitly.

> *Quia igitur non possunt homines viribus suis legem Dei facere, et omnes sunt sub peccato et rei aeternae irae ac mortis. Ideo non possumus per legem a peccato liberari ac iustificari, sed data est promissio remissionis peccatorum et iustificationis propter Christum, qui datus est pro nobis, ut satisfaceret pro peccatis mundi, et positus est mediator ac propitiator. Et haec promissio non habet conditionem meritorum nostrorum, sed gratis offert remissionem peccatorum et iustificationem, sicut Paulus ait: Si ex operibus, iam non est gratia. Et alibi: Iustitia Dei iam manifestatur sine lege, id est, gratis offertur remissio peccatorum.*[53]

[53] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 285. The current standard English translation in the United States of the Book of Concord renders this as: "Therefore, because people cannot by their own powers live according to the law of God and because all are under sin and guilty of eternal wrath and death, we cannot be set free from sin and be justified through the law. Instead, what has been given us is the promise of the forgiveness of sins and justification on account of Christ, who was given for us in order to make satisfaction for the sins of the world, and who has been appointed as the mediator and propitiator. This promise is not conditional upon our merits; it freely offers the forgiveness of sins and justification, just as Paul says [Rom. 11:6]: 'If it is by works, it is no longer on the basis of grace.' And elsewhere he says [Rom. 3:21]: 'Apart from the law, the righteousness of God has been disclosed,' that is, the forgiveness of sins is offered freely." "Apology of the Augsburg Confession," *Book of Concord*, 126–7.

First, the Apology notes that humans are not able to fulfill the Law of God. As such, the Law serves its accusatory function of condemning all persons. For the Apology, the Law cannot provide the means by which to overcome this reality but the Gospel has. "*Sed data est promissio remissionis peccatorum et iustificationis propter Christum, qui datus est pro nobis*."[54] Here it is important to note that the forgiveness of sins and justification on account of Christ, are given to people through the promise.[55] Thus, the function of the Gospel according to the Apology to forgive sins and justify, or make right with God. It is because people cannot do this for themselves according to what the Law demands that the Gospel is necessary.

Moreover, the Apology argues that this promise, "*non habet conditionem meritorum nostrorum*."[56] That is to say, it is in no way conditional upon what a person does, i.e., their merits. In order to defend this, the Apology quotes Paul's letter to Romans. The Gospel offers the forgiveness of sins "*gratis*," for free. There are no terms upon which the Gospel is offered according to the Apology. It is free and on account of Christ, not on account of what any human being does. To me this point cannot be understated. If the Apology, a central document to Lutheran self-understanding, lays no terms upon which the Gospel might be offered, then any Lutheran exegesis that does otherwise could, and perhaps should, no longer be considered Lutheran.

To further demonstrate that claim one need only look at the Epitome and Solid Declaration which both reaffirm the idea that the Gospel is the forgiveness of sins offered freely.[57] In doing so, those documents are speaking concerning the function of the Gospel in

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[54] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 285.
[55] As noted above, Gospel and promise are interchangeable terms in the Apology.
[56] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*, 285.
[57] See *Affirmativa* IIII in: [57] "Concordia: Epitome," *Die Bekenntnisschriften*, 1249. See also: "Concordia: Solida Declaratio," *Die Bekenntnisschriften*, 1433, 1435.

addition to its content. The Gospel is meant to acquit, to forgive sins freely. It appears that the Lutheran argument is simply, if the Gospel does that, it must also contain that. Perhaps this is why the idea of promise is interchangeable with the idea of Gospel, especially in the Apology. That does not mean, however, that the only content of the Gospel is the forgiveness of sins.

The Epitome and Solid Declaration note a distinction that must be maintained between the Gospel in the narrow sense and in the broad sense. The Gospel in the narrow sense is the forgiveness of sins or, put another way, what someone should believe about Christ's atoning work.[58] The Gospel in the broad sense requires a brief exploration of the controversy which necessitated the discussion in the Formula of Concord.[59] The question which the Epitome and Solid Declaration seek to address is succinctly described in the Epitome itself.

> *Status contoversiae: Quaesitum fuit, an Evangelium proprie sit tantummodo contio de gratia Dei, quae remissionem peccatorum nobis annunciet, an vero etiam sit contio poenitentiae arguens peccatum incredulitatis, quippe quae non per legem, sed per Evangelion duntaxat arguatur.*[60]

Here the Epitome explains that the question revolves around whether or not the narrow sense of the Gospel, that is the forgiveness of sins, is the only sense. The goal of the Epitome, as well as the Solid Declaration, is to address the question of if the preaching of the Gospel could also be a preaching of repentance. Put another way, the dispute is over whether or not the broad sense of

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[58] See *Affirmativa* IIII in: [58] "Concordia: Epitome," *Die Bekenntnisschriften*, 1249. See also: "Concordia: Solida Declaratio," *Die Bekenntnisschriften*,1433, 1435.

[59] It is not necessary to describe the controversy in detail in order to understand the content and function of the Gospel within the distinction between Law and Gospel. As such, I will only consider what the Formula of Concord says of the nature of the controversy. For a fuller accounting of the controversy surrounding Article V of the Epitome and Solid Declaration see: Charles P. Arand, Robert Kolb, and James A. Nestingen, *The Lutheran Confessions: History and Theology of the Book of Concord* (Minneapolis: Fortress Press, 2012) 161–280; F. Bente, *Historical Introductions to the Book of Concord* (St. Louis: Concordia Publishing House, 1921) 102–256; Günther Gassmann and Scott Hendrix, *Fortress Introduction to the Lutheran Confessions* (Minneapolis: Fortress Press, 1999), 44–5.

[60] "Concordia: Epitome," *Die Bekenntnisschriften*, 1247. The current standard English translation in the United States of the Book of Concord renders this as: "The Chief Question in This Dispute: Whether the preaching of the holy gospel is really not only a preaching of grace, which proclaims the forgiveness of sins, but also a preaching of repentance and rebuke, which condemns unbelief (something condemned not in the law but only in the gospel itself)." "Formula of Concord: Epitome," *Book of Concord*, 500.

the Gospel can also include the condemnatory function of the Law. The answer is yes, the Gospel in the broad sense can include the entire teaching of Christ, including those portions which might be understood as Law.[61] How can this be? "*Cum autem vocabulum 'Evangelii' non semper in una eademque significatione in sacra scriptura usurpetur.*"[62] That is to say, because the scriptures use the word Gospel in a variety of ways.

If, then, the Gospel has a narrow, or strict sense, and a broad sense, the distinction between the Law and Gospel is all the more important as a hermeneutic when seeking to exegete the scriptures. The Solid Declaration makes this point emphatically. A longer quotation is necessary to demonstrate this.

> *Quare ne doctrina Legis et Evangelii denuo commisceantur et uni, quod alterius est, tribuatur: summo studio vera et propria differentia Legis et Evangelii retineda atque urgenda est, eaque omnia, quae novae confusioni inter Legem et Evangelium occasionem praebere possent, studiose cavenda atque vitanda sunt. Talis enim confusio facile meritum et beneficia Christi obscurare et Evangelion in Legem transformare posset, quod sub Papatu accidisse videmus. Et hac ratione piis mentibus vera consolatio, quam ex Evangelio in Ecclesiam Dei irrependi et invadendi aperiretur. Quapropter magno cum periculo coniunctum est, neque approbari potest, quoad asseritur Evangellium (proprie sic dictum et cum a lege discernitur) esse contionem poenitentiae, arguentem peccata. Alias vero quando generaliter de tota doctrina Christiana acciptitur, etiam Apologia aliquoties docet, quod Evangelium sit contio de poenitentia et remissione peccatorum. Interim tamen Apologia etiam ostendit, Evangelion propri dici promissionem de remissione peccatorum et iustificatione nostra per Christum. Legem vero esse doctrinam, quae et peccata arguat et damnationem denuntiet.*[63]

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[61] See *Affirmativa V* in: [61] "Concordia: Epitome," *Die Bekenntnisschriften*, 1249. See also: "Concordia: Solida Declaratio," *Die Bekenntnisschriften*,1433, 1435.

[62] "Concordia: Epitome," *Die Bekenntnisschriften*, 1249.

[63] "Concordia: Solida Declaratio," *Die Bekenntnisschriften*, 1443. The current standard English translation in the United States of the *Book of Concord* renders this as: "Accordingly, the two teachings of law and gospel dare not be mingled with the other and mixed together, and the characteristics of one dare not be ascribed to the other. When that happens, the merits and benefits of Christ are easily obscured, and the gospel is turned back into a teaching of law as took place under the papacy. This robs Christians of the true, proper comfort against the terror of the law that they have in the gospel and reopens the door in the church of God to the papacy. Therefore, the true and proper distinction between law and gospel must be advocated and maintained most diligently, and anything that might give rise to *confusion inter legem et evangelium* (that is, through which the two teachings, law and gospel, would be confused and mixed together into one teaching) must be diligently prevented. Therefore, it is dangerous and improper to make out of the gospel (understood in its strict sense, in distinction to the law) a proclamation of repentance and condemnation. Otherwise, when it has the general sense of the entire teaching of the Scripture, as the Apology states a number of times [e.g., IV, 62, 257; XII, 31, 45], the gospel is a proclamation of repentance and the forgiveness of sins. But alongside these passages the Apology also demonstrates [e.g., IV, 40, 57; XII, 45, 52, 73,

Here the Epitome makes several points. First, it argues that the Law and the Gospel need to remain distinct teachings. They should not be mixed and the characteristics of one should not be applied to another. Second, the reason for this distinction is the fear of turning the Gospel back into the Law and returning to a theological position affirmed, Lutherans claim, only by Roman Catholic theologians. In other words, to turn the Gospel into Law is to make forgiveness dependent upon the works, or merits, of a person, as was the argument under the Papacy. This concern of the Epitome does not appear to be about a mere theological debate, it is focused on what this does to the believer.[64] It is because of the concern for the believer that the distinction between the Law and the Gospel is of the utmost importance. This is ultimately the final point being made by the Epitome. Even if the scriptures, or, as noted in the quote, the Apology, use Gospel in a broader sense, the strict, or narrow sense must be maintained and distinguished in opposition to the Law. That is to say, the Gospel narrowly speaking is the forgiveness of sins. This forgiveness is both the Gospel's function and content. Even if the content of the Gospel might also be understood in a broad sense, the narrow sense is the sense which is placed in opposition to the Law – an important distinction for the present inquiry because it allows readers of Lutheran exegesis to understand what sense of the Gospel might be addressed in the exegetical appraisal. It seems to me that it also speaks to the kind of sense intended to be applied to the life of the believer. By that I mean that the Gospel being applied is not the broad sense but the narrow sense.

76] that the gospel in its strict sense is the promise of the forgiveness of sins and justification through Christ, while the law is a word that reproves and condemns sin." "Formula of Concord: Solid Declaration," *Book of Concord*, 586.

[64] This is made clear in this line, "*Talis enim confusion facile meritum et beneficia Christi obscurare et Evangelion in Legem transformare posset, quod sub Papatu accidisse videmus.*" "Concordia: Solida Declaratio," *Die Bekenntnisschriften*, 1443.

For Lutherans the distinction between the Law and the Gospel serves as a hermeneutic when approaching the scriptures. As their own confessional documents argue, the scriptures cannot be understood rightly unless the Law and the Gospel are distinguished properly. The function of the Law is to condemn, to accuse. The function of the Gospel is to forgive, to acquit. The content of the Law is the will of God for human beings, at times identified specifically with the Ten Commandments but not limited to them. The content of the Gospel is the forgiveness of sins, narrowly speaking. It is also, broadly speaking, the entire teaching of Christ, even in those points where repentance is spoken of. It is only the narrow sense of the Gospel that requires distinction from the Law. This distinction must be maintained not only for the sake of reading scripture rightly but also for the sake of the believer.

3.5 The Distinction is the Hermeneutic

The preceding discussion in this chapter analyzed Lutheran confessional writings as well as engaged Lutheran theologians in an effort to demonstrate that the distinction between Law and Gospel is the quintessential Lutheran hermeneutic. It is rooted in an understanding that Christ is central to the scriptures. As such, the distinction is meant to be the aid by which the scriptures might be understood. Note, this distinction is not tied to a specific exegetical methodology, for example literary criticism, but is instead a theological commitment. Lutheran exegesis then, is not Lutheran because it follows a method, it is Lutheran because it distinguishes between Law and Gospel. That distinction, as noted above, continues to be influential among Lutherans in the United States.[65]

[65] See section 3.3 “The Necessity of the Distinction Endures.”

It is important for the present discussion to note that the relationship between Law and Gospel is supposed to be asymmetrical. That is to say, according to the Lutheran confessional writings, as well as Lutheran theologians, the Gospel should predominate. Analysis of Lutheran exegesis demands a critical appraisal focused on the predominance of the Gospel. Put differently, when appraising Lutheran exegesis, if the Gospel does not predominate, one might rightly call into question the Lutheran-ness of the exegesis per Lutheran self-definition. To be sure, Lutheranism is not monolithic, but within the confines of this present inquiry such a statement remains valid. Both the LCMS and ELCA, the two major bodies of this study, affirm the confessional documents investigated above. That individual Lutherans might deviate from the official position of the church body is, perhaps, expected. That does not mean, however, that exegesis which purports itself to be Lutheran, or even offered on behalf of a specific Lutheran body, can avoid this critique.

What is true of the predominance of the Gospel is also true of the function of the Law. If Lutherans have expressed that the second use of the Law is the primary use, then exegesis should be expected to mirror that theological position. That does not mean a scriptural text cannot have or utilize the other uses of the Law as explored above, but it does mean that purpose of the Law being expressed should be clearly delineated as well as include the condemnatory function. The Apology made this abundantly clear: *lex einam semper accusat.*[66]

At this point, enough has been said about the potential value of the present inquiry for assessing Lutheran scriptural interpretation. After all, the distinction between the Law and the Gospel is a hermeneutic for the scriptures. Yet, as demonstrated above, it is also concerned with the life of the believer. The distinction is not simply about making the scriptures intelligible, it is

[66] "Die Apologia Confessionis Augustanae," *Die Bekenntnisschriften*,283.

concerned with the impact of the scriptures on the life of the believer. This has implications in both the analysis of Lutheran scriptural exegesis as well as cultural exegesis. That is to say, the same primacy given to the Gospel and the second use of the Law should be prevalent in any scriptural or cultural exegesis purporting to be Lutheran. If, as argued above, the Lutheran confessional documents argue that the Gospel is free—that there are no terms under which it is received—then so too should Lutheran scriptural and cultural exegesis demonstrate that free cost. Thus, having argued the validity of appraising Lutheran exegesis, be it scriptural or cultural, on the terms Lutherans have espoused, it is incumbent upon this study to proceed with that analysis. The succeeding chapters will analyze how Lutheran scriptural and cultural exegesis endures under scrutiny, whether it shows fidelity to its self-described necessary hermeneutic or not. The hermeneutical distinction between Law and Gospel is the highest art for Lutherans, and their exegesis should reflect that. The next phase of our task will be to explore the outworking of this distinction in practical terms.

4.0 LUTHERAN HERMENEUTICS IN PRACTICE: OLD TESTAMENT TEXTS

4.1 Introduction

In a preceding chapter I argued that Lutherans in the United States agree that the Christian scriptures are authoritative in that those scriptures are the source and norm of theology.[1] For Lutherans, the primary focus of those scriptures is Christ. I also noted, however, that Lutherans are not united on questions of inerrancy, infallibility, or the purpose of the scriptures. Thus, while Lutherans agree that the scriptures are authoritative, they do not understand the nature and function of that authority in the same way. Moreover, Lutherans do not apply the hermeneutical lens of the distinction between Law and Gospel in uniformity. The question becomes, how are these differences among Lutherans in the United States manifest in the actual reading of biblical texts? Practically speaking, the exegesis of the text is the evidence of the hermeneutic at work. In order to answer the question, then, it is necessary to analyze Lutheran exegesis of biblical texts. This is valuable for the overall thesis because it will demonstrate the practical effects of Lutheran hermeneutics on the church's reading of scripture whilst revealing how the various readings of the scriptures are intended to shape the church's interaction with society.

The following chapter explores three key texts relative to discussions about human sexuality: Leviticus 18:22, Leviticus 20:13, and Genesis 19:1–29.[2] As stated previously, the goal of this thesis is, in part, to examine the differences between The Lutheran Church—Missouri Synod (LCMS) and the Evangelical Lutheran Church in America (ELCA). While an investigation into how individual exegetes belonging to those church bodies would also prove

[1] See chapter 2: "A Lutheran Doctrine of the Scriptures?"

[2] A similar examination of Lutheran exegesis of relevant New Testament texts occurs in the succeeding chapter.

fruitful for any investigation focused on how various Lutherans understand the nature of scriptural authority or apply the Lutheran hermeneutical lens, not all of it would be relevant to the present inquiry. What a single theologian argues and what a church body states are not always coterminous. As such, the only exegesis under consideration will be that which has been officially published by those respective church bodies or their predecessors. The chapter begins with a brief discussion of the Levitical texts so as to demonstrate how the scriptures function authoritatively within the respective traditions. The investigation will then focus on the story of the fall of Sodom and Gomorrah so as to demonstrate both the practical effect of the hermeneutic but also how the individual church body utilizes the hermeneutic to shape the church's interaction with society.

4.2 Levitical Texts as a Test Case

In 2009, the Evangelical Lutheran Church in America and The Lutheran Church—Missouri Synod produced study bibles intended to shape the laity within their respective church bodies.[3] The ELCA produced the *Lutheran Study Bible* (LSB) and the LCMS produced *The Lutheran Study Bible* (TLSB). The similarity in name aside, the bibles have stark differences between them. One of those differences is in how the respective study bibles treat the Levitical texts often associated with human sexuality, Leviticus 18:22 and Leviticus 20:13. What follows is a brief analysis of how each respective study bible treats the two Levitical texts. Special attention is paid to the question of biblical authority as the exegesis will demonstrate the practical effects not only of the Lutheran hermeneutic, but also how various Lutherans

[3] *Lutheran Study Bible* (Minneapolis, MN: Augsburg Fortress, 2009); *The Lutheran Study Bible* (St. Louis, MO: Concordia Publishing House, 2009).

practically apply a Lutheran doctrine of the scriptures. This is an important consideration for the overall thesis because these study bibles are meant to shape the church's life in the world.[4]

How a Lutheran understands the nature of scriptures and how a Lutheran reads the scriptures are not identical questions but they are related, especially when considering the nature of biblical authority. Consider the following the passage from the ELCA study bible's introduction.

> Because the bible is authoritative for faith and daily life, the Bible requires careful reading and interpretation. It is an ancient book written by people who lived in a very different time and place….The Bible was written long ago in a time and culture different from our own. So along with careful reading of the Bible's words, we also read with the historical and social setting of the Bible in mind.[5]

It is clear that this study bible assumes the authority of the scriptures to shape "faith and daily life." That does not mean, however, that those scriptures need no interpretation. Far from it, this entire section of the introduction, more than simply what is quoted above, argues for a "careful reading and interpretation," because it recognizes there is distance between the original author and the modern reader. This is not overly surprising, but it is worth noting because it seems to me that this quote is a kind of caveat that allows for readers to assume the authority of scripture for shaping their daily life while recognizing that not everything said within those scriptures has modern relevance. Contrast the above quote with one from the LCMS study bible's introductory material.

> A comment should be added about the enduring usefulness of the Old Testament. What is true and good always applies. When Jesus fulfilled the laws and promises of the Old Testament, He did not abolish them (Mt 5:17; Rm 3:31). They are not now useless to us, for God still uses them for our instruction (1 Co 10:11).[6]

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[4] *Lutheran Study Bible*, (Minneapolis, MN), xxvi–xxxii, xiv–xivii.
[5] *Lutheran Study Bible*, (Minneapolis, MN), 21.
[6] *The Lutheran Study Bible*, (St. Louis, MO), xivi.

The LCMS study bible is encouraging its readers to consider the "enduring usefulness of the Old Testament." By that the study bible means that those Old Testament texts have continued relevance for the modern reader. As it clearly states, "what is true and good *always* applies."[7] I would argue that the LCMS is attempting to shrink the distance between the original author and modern reader. By claiming that something "always applies," the LCMS is saying that what as true then is true now. For the purposes of this inquiry into texts related to human sexuality this point cannot be understated. If, in the minds of the LCMS, those Levitical texts include what is "true and good" then the proscriptions against certain types of sexual engagement continue to be applicable. The same could not be said of the ELCA study bible on the basis of their own introductory material. Thus, these two Lutheran writings agree that the scriptures are authoritative but they do not demonstrate that in the same way. One says there is distance that needs to be respected and the other encourages their readers to embrace the true and good that "always applies."

While it may seem irrelevant to a discussion concerning Levitical texts, the above inquiry demonstrates an important difference between the two Lutheran study bibles and, ostensibly, the two church bodies. Anyone who reads the various introductory materials contained in LSB and TLSB will note several similarities including an emphasis on how the bible is the Word of God, how it points to Christ, and how Law and Gospel are the hermeneutic through which the scriptures are to be read.[8] When it comes to the question of authority, however, the two works offer different approaches. This will become even clearer as the Levitical texts are considered below.

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[7] *The Lutheran Study Bible*, (St. Louis, MO), xivi. Emphasis added.

[8] See: *Lutheran Study Bible*, (Minneapolis, MN), 19–29, 1521–1553; *The Lutheran Study Bible*, (St. Louis, MO), xxv–xivii.

4.2.1.0 Leviticus 18:22

One of the texts commonly associated with human sexuality is Leviticus 18:22. It reads: וְאֶת־זָכָר לֹא תִשְׁכַּב מִשְׁכְּבֵי אִשָּׁה תּוֹעֵבָה הִוא׃[9] The New Revised Standard Version (NRSV) and English Standard Version (ESV) render this passage identically. "You shall not lie with a male as with a woman; it is an abomination." It is important to note this because the NRSV and ESV are the translations used by the ELCA and the LCMS, respectively, in their study bibles. I would argue, then, that any difference in understanding of this passage explored below is not merely a translational issue. The ELCA and LCMS, on this specific passage, have publicly adopted the same rendering. Any disagreement over the content or usefulness of the passage for modern readers is likely the result of differences in understanding the authority of the scriptures (as discussed briefly above) or the application of the Lutheran hermeneutic.

4.2.1.1 The ELCA Study Bible

What then does the ELCA study bible say concerning Leviticus 18:22? The note referencing 18:22, as well as 18:23, reads in its entirety: "Prohibitions against sexual activity between men and between person and animal."[10] Thus, the ELCA study bible does see Leviticus 18:22 as a prohibition, declaring that intercourse between men is not allowed under Levitical law. What is interesting to note is that neither the Hebrew or the NRSV say between man and man, or between men. The phrase in the NRSV is, "You shall not lie with a male." A male certainly can be a man, someone of a certain age, but male does not connote a specific age, only a gender. The Hebrew word זָכָר also does not connote a specific age. Interestingly enough, the

[9] *Biblia Hebraica Stuttgartensia*, edited by Karl Elliger and Wilhelm Rudolph (Stuttgart: Deutsche Bibelgeselleschaft, 1997).

[10] *Lutheran Study Bible*, (Minneapolis, MN), 219.

word is often used in terms of sacrifice, that is, a male of human or animal origin, and so could suggest a younger male as opposed to an older one.[11] The reason for pointing this out is to note that the author of the study notes, and ostensibly the ELCA, do not quibble with the translation. It may indeed have been the intent of the author of Leviticus 18:22 to prohibit sexual activity broadly between men, rather than uniquely between a man and a boy as the passage could be read, but it does not seem to be an argument the author of the study notes wants to make.

That does not mean, though, that those study notes suggest that such a prohibition continues to this day. Consider the note at the beginning of chapter 18.

> This section lists prohibited sexual relationships. Avoiding such behavior or practices was meant to set Israel apart from these neighbors and to keep Israel and its families free from this and other sexual uncleanness.[12]

Again the author notes that the entire chapter speaks about sexual prohibitions. That is to say, this is not something against which the ELCA, in the study bible it produced, argues. Rather, it grants that Leviticus 18, and specifically 18:22, are prohibitive in nature. Worth noting, though, is the emphasis in the quote on Israel. The avoidance of "behaviors or practices was meant to set Israel apart… to keep Israel and its families free." I would argue that this note, then, contextualizes the prohibitions to a specific time and place. They are about Israel specifically, not people in general. This speaks to the question of authority. The study bible is not attempting to help the modern reader see some sort of enduring usefulness of this text apart from how it might help to explain Israel in contrast to the surrounding nations. That is to say, it is as if the study note is saying, "Israel could not do these things but other nations could." It is not saying, "Israel could not do these things and neither can you." Thus, the scriptures are still understood as

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[11] *The Brown-Driver-Briggs Hebrew and English Lexicon*, edited by F. Brown, S. Driver, and C. Briggs (Peabody, MA: Hendrickson Publishers, Inc., 2005), s.v. "זָכָר".

[12] *Lutheran Study Bible*, (Minneapolis, MN), 218.

authoritative in that they can speak about the context of Israel with certainty, but that does not mean what is said concerning ancient Israel is automatically applicable to modern life and faith. If, though, it were interested in speaking about modern life and faith it would seem to me that, on the basis of this note, the modern equivalent is not necessarily found in doing the same things that set Israel apart but in noting that God's people are set apart from other nations in some way, shape, or form. Of course, this is an argument from silence as the notes do not say this specifically. Rather, the notes are concerned with helping the modern reader understand Israel within its ancient context, in helping the reader understand the difference in time and space. Furthermore, this suggests that the Lutheran hermeneutic is not applied in such a way as to mediate a specific experience of the text. Instead, it seems to me that the hermeneutic of Law and Gospel is not bound to the contextualized instantiation of the Law, but to the idea that Israel, who were God's people, were supposed to be set apart in some way. Of course, there is no mention of the Gospel, so any application of the hermeneutic at this point would be limited to the Law dimension of the distinction.

4.2.1.2 The LCMS Study Bible

In contrast to the ELCA study bible, the LCMS study bible clearly asserts that this prohibition has modern applicability.

> Pointedly, God provides provisions for holiness in sexuality by addressing key issues of incest (vv 6–16), adultery (vv 17–18, 20), sacrificial idolatry (v 21), homosexuality (v 22), and bestiality (v 23)…. God restates here that His original intent at creation was the ordered intimacy between one man and one woman. He makes plain that close intermarriage is now forbidden.[13]

[13] *The Lutheran Study Bible*, (St. Louis, MO), 191.

This note covers more of Leviticus 18 than simply verse 22, but it is important enough to consider because of how it frames the broader section in which verse 22 sits. The LCMS study bible is asserting that the "provisions for holiness in sexuality" are tied directly to a creation narrative, presumably in Genesis. Note the phrase "God restates here." In saying this the LCMS is attempting to shape the understanding of the text not as something new, or novel, or even particular to a specific time and place, but as a restatement of what has already been said elsewhere. It seems to me, then that the LCMS assumes that anything named in Leviticus 18 is not simply about Israel in relation to other nations but, rather, has broader applicability because it is seen as echoing the intent of creation.

It is also worth noting the phrase, "ordered intimacy." This phrase suggests that any type of sexual intimacy outside of the intimacy "between one man and one woman," is disordered. The listing of "issues" like incest, adultery, idolatry, bestiality, and homosexuality also suggests that they are all deviations from the "ordered intimacy" God supposedly intended at creation. It is important to note here that homosexuality as a term was not coined until the latter half of the nineteenth century and the connotations of the term have vacillated over the course of the last hundred years. In general it would be anachronistic to apply that term to the biblical text. And yet, the LCMS study bible assumes that what Leviticus 18:22 has in mind is of the same type as what modern thought understands as homosexuality. I would argue, then, that the LCMS study bible is trying to shape modern thought on homosexuality by using the term in connection with the behavior described in Leviticus 18:22. This entire note suggests that the prohibitions in Leviticus 18 are not unique to a time and place, but are rooted in something before, the creation account. Thus, for the LCMS, Leviticus is only a restatement, not a new, or novel, prohibition.

There is a note in the study bible specifically for 18:22. It reads, "Sexual intercourse was ordained by God for procreation (cf Gn 1:28) and must involve husband and wife, the "male and female" in Gn 1:27."[14] This note echoes the content of the previous one while also expanding it. Clearly the LCMS study bible sees a connection between Genesis 1 and Leviticus 18. Although not made as explicitly as it could, the argument seems to be that because sexual intercourse between men could not produce a child, it is outside of the purposes of intercourse. There is no mention of any other reason for sexual intimacy. To me that does not suggest the LCMS is ignorant of other reasons, but rather, that it sees the lack of the ability to reproduce as a defining reason for the enduring prohibition against sexual intimacy between two men. I say enduring because of the phrases "was ordained" and "must involve." The former phrase is decidedly past tense while the latter is present. Thus, any sexual intimacy at any time "must involve" what "was ordained." The authority of the past endures to the present.

The enduring nature of the prohibition is further fleshed out in a note that concludes the section.

> Sexual purity is so important to God that He issued decrees detailing how to protect it. Only intercourse between and husband and wife is approved by God. God speaks against sexual sins among Christians as well (Eph 5:5–6; Heb 13:4). The Gospel sets people free from sin, but that freedom is not an excuse for committing sin. God knows our hearts and provides marriage to protect us from sin (1 Co 7:2). In faithfulness to His Church, He hallows us and provides for our forgiveness from all sins. • Lord of the Church, forgive me and protect my heart from all impurity. Keep me from sexual sin by the power of Your Holy Spirit. Amen.[15]

Here the LCMS study bible is stating that Leviticus 18, including verse 22, is God's way of protecting sexual purity. This preservation of sexual purity extends to Christians as well as the references to the New Testament indicate. TLSB then moves to remind of the Gospel and its role

[14] *The Lutheran Study Bible*, (St. Louis, MO), 192.
[15] *The Lutheran Study Bible*, (St. Louis, MO), 192.

and its limit in the life of an individual and also suggests that one of the purposes of marriage is to protect someone against sin. The note concludes with a prayer that focuses the reader on how this section of Leviticus might invoke a pious response, namely that of repentance. It seems to me, then, that the LCMS study bible is interested in the enduring nature of the prohibition precisely because of how it holds the Lutheran hermeneutic of Law and Gospel. It is as if the commentary is saying, "God's word to Leviticus is about sexual purity and so you (modern reader) should think about how you fail to live up to that." This is why there is a turn toward the gospel and a prayer, because the commentary is trying to incite a specific experience of Law and Gospel. It does not try to contextualize the reading because it does not want the reader to be able to escape the condemnation of the text.

The difference between the ELCA and LCMS study bibles on Leviticus 18:22 is not a matter of translation. Rather, the issue has to do with how each understands biblical authority and how the notes apply the Lutheran hermeneutic. The ELCA study bible roots the prohibition in the relationship between Israel and other nations. It is interested in contextualizing the prohibitions and invites the modern reader to consider how the text might correspond to present reality. In contrast, the LCMS study bible seeks to root the nature of the prohibition in the creation narrative and tries to incite the reader to have a specific, rather than general, experience of Law and Gospel.

4.2.2 Leviticus 20:13 and the Study Bibles

The other Levitical text associated with discussions of sexuality is Leviticus 20:13. It reads: וְאִישׁ אֲשֶׁר יִשְׁכַּב אֶת־זָכָר מִשְׁכְּבֵי אִשָּׁה תּוֹעֵבָה עָשׂוּ שְׁנֵיהֶם מוֹת יוּמָתוּ דְּמֵיהֶם בָּם׃[16] The NRSV and

[16] *Biblia Hebraica Stuttgartensia*, edited by Karl Elliger and Wilhelm Rudolph (Stuttgart: Deutsche Bibelgeselleschaft, 1997).

ESV render it nearly identically.[17] Again, this suggests to me that any difference between the ELCA and LCMS commentary cannot be attributed to translational issues. Ironically enough, though, neither study bible actually has any commentary specifically on 20:13. The commentary that does exist for both study bibles on chapter 20 focuses on holiness. And yet, what was on display in the commentary on 18:22 is evident again in the commentary on chapter 20. Consider the following quote from the ELCA study bible. "Maintaining holiness required separation from things and people who were considered unclean."[18] Of note is the tense of the verbs "required" and "were." While it is possible that the tense of the verbs could mean nothing, in light of the earlier commentary on chapter 18, I would suggest that, at least, the comments on holiness are contextualized to that time and place.

Contrast the past tense of the verbs in the ELCA study notes with that of the LCMS study bible for Leviticus 20:10–21.

> Sexual immorality defiles individuals, making them unclean. Because these individuals are God's holy people, their sexual conduct desecrates God's name as well…. God calls us to honor Him with our bodies (1 Pt 1:14–15), to refrain from sexual immorality (Ac 15:29), and to offer our lives in humble service. Christians, too, are accountable to God for their behavior. Thank God, He protects and preserves families from Satan's clutches and provides forgiveness for even the most destructive sins. • Lord God, you are a light in the darkness of this world. Forgive our sins. Send your Holy Spirit to bless and keep us. In Christ we pray. Amen.[19]

Here we see the LCMS study bible speaking in the present about what sexual immorality does. It "defiles individuals, making them unclean." It also, "desecrates God's name." These are present tense actions and that suggests to me that the LCMS study bible understands the statements in

[17] The only difference is the inclusion of the word "surely" in the ESV. The NRSV reads, "If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death; their blood is upon them." The ESV reads, "If a man lies with a male as with a woman, both of them have committed an abomination; they shall surely be put to death; their blood is upon them."

[18] *Lutheran Study Bible*, (Minneapolis, MN), 222.

[19] *The Lutheran Study Bible*, (St. Louis, MO), 195.

Leviticus 20, including verse 13, to be enduring in nature. Those words are not just contextualized, as the note suggests they are for Christians too, who also "are accountable." As with the previous note, and any other in the LCMS study bible, there is a prayer that suggests at a minimum that the commentary is trying to induce repentance wrought by an experience of Law and Gospel. Thus, even though neither study specifically comments on Leviticus 20:13, both show their perspective on biblical authority and how the hermeneutic of Law and Gospel should be brought to bear on the life of the modern reader.

4.2.3 Biblical Authority and the Hermeneutic

The brief inquiry above into Levitical texts offers a glimpse of how the ELCA and LCMS understand biblical authority. Both agree that the scriptures are authoritative for faith and life but that is not evidenced in their official commentaries in the same way. The ELCA commentary contextualizes the text and helps the modern reader understand the ancient work within its own situation. Thus, Leviticus 18:22, even if it is a prohibition, was a prohibition for Israel in order that Israel might set itself apart from other nations. The same is true of the Leviticus 20, it is a matter of what was required in order that God's people might be separated from others. Thus, the Lutheran hermeneutic is more generally focused on the Law, but not the specific instantiation of the Law as given to Israel. By contrast the LCMS commentary suggests that what was true in both Leviticus 18:22 and Leviticus 20, is enduringly useful and true. They want the modern reader to understand the text as something that still speaks today in the same way it spoke in the past in order that the modern reader would be confronted with the Law and have an experience leading to repentance. This is important to understand for not only this chapter but also for the overall thesis because it shows that biblical authority does not evince itself in the same way even

among Lutherans who agree that the bible is authoritative. Moreover, it also speaks to how different Lutherans use the Lutheran hermeneutic to shape the modern reader and their interaction with the broader world. What is on display in the readings above is also on display in how the ELCA and LCMS speak concerning the destruction of Sodom and Gomorrah in Genesis 19. To a fuller exploration of that text, and of various Lutheran commentators on it, we now turn.

4.3 Sodom and Gomorrah

The destruction of Sodom and Gomorrah (Genesis 19:1–29) is likely a familiar story to many. Not only is the judgement and subsequent destruction of the cities spoken about in Genesis, at least seven other books in the Old Testament, as well as six in the New Testament, make reference to the cities and the event.[20] Those later references tend to utilize Sodom and Gomorrah as a kind of cautionary tale, i.e., do not be like Sodom and Gomorrah or the same thing will befall you (e.g., Isaiah 1:9–10). Such a reading is not ubiquitous, however, as some references serve as example of how God will act given a similar set of circumstances, i.e., God saved Lot and his family from destruction and will in like manner save other faithful people (e.g., 2 Peter 2:4–10). For the purposes of the present inquiry, however, the text is an essential one to analyze because it is often used in discussions concerning human sexuality, specifically what may or may not be permissible today.

Regardless of how the story is interpreted, the account confronts the reader with a presentation of God's judgement.[21] God had visited Abraham and informed him of his plan to

[20] The Hebrew Bible references are Gn 10:19; 13:10, 14:2–11; 18:20ff; Dt 29:22–25, 32:31–33; Is 1:7–9, 3:8–9, 13:19–22; Jer 23:14–15, 49:17–19, 50:39–40; Lam 4:5–6; Ez 16:48–50; Am 4:7–11; Zep 2:8–11. The New Testament references are Mt 10:14-15, 11:20–24; Lk 10:11–12, 17:28–30; Rom 9:27–29; 2 Pt 2:4–10; Jude 1:5–7; Rv 11:7–8.

[21] For the full account, consult Genesis 18 and 19.

destroy Sodom because he had heard the outcry of the city (Genesis 18:1–20, especially vv. 16–20). Even though Abraham tries to question the justice of God (18:21–33), the judgement was ultimately carried out (19:24–25). This was not, however, before Lot had an encounter at the city gates with two messengers, referenced as angelic beings (19:1ff). In parallel to Abraham who had been hospitable to God by the oaks at Mamre (18:1–8), Lot approaches the beings and offers them food and shelter. Even though they initially refuse, Lot insists and all end up at his home (19:2–3). While they are still there a mob confronts Lot, demanding that the beings be handed over in order that the mob, comprised of the men of Sodom, may have their way with the angelic beings (19:4–5). Lot offers his daughters in place of the beings (19:6–8). The mob refuses the offer and they begin to press against Lot (19:9). The messengers then strike the crowd blind and pull Lot back inside the house and instruct him to take his family and to flee the city (19:10–15). While Lot, his wife, and his daughters ultimately flee the city, his wife is turned into a pillar of salt when she looks back at the destruction befalling Sodom (19:16–26). Abraham ends up viewing from afar the destruction that had rained down upon the cities (19:27–28), while Lot and his daughters end up in a cave, where the daughters take the future of the family line into their own hands (19:29–38). What follows is an analysis of Lutheran commentators on the story of the destruction of Sodom and Gomorrah. Special attention is paid to not only to the questions of biblical authority and the application of the hermeneutic, but also to how these various Lutherans seek to shape the church's interaction with society on the basis of the text.

4.3.1 Lutheran Study Bible Approaches

As one might expect, the ELCA and LCMS offer different perspectives on the events described in Genesis 19. At this point it is important to mention one major difference between the two study bibles produced by the ELCA and LCMS. LSB, the one produced by the ELCA,

names the individuals responsible for providing the study notes for each book of the bible. Each person and the text they exegete is clearly delineated. This means that when I pull LSB off of the shelf I know precisely which person has contributed what. For our considerations below, the person providing the perspective on Genesis is Terence Fretheim. When, however, I open TLSB, the one produced by the LCMS, I know who contributed to the volume generally speaking, but not which individual exegete contributed which notes. This means then, that when we consider what TLSB has to say regarding the text of Sodom and Gomorrah we will have no indication of who actually prepared the notes. This is partially due to the insistence of the Missouri Synod that when the church body speaks, it does so with one voice and not with a diversity of voices (a claim which will be explored later). This is key to understanding some of the context of Lutheran readings, namely, that some Lutherans appreciate, or at the very least allow for, a diversity of voices. Not every contributor to LSB approaches the texts they exegete the same way, i.e., their methodologies are not univocal. The same cannot be said about TLSB. There is an understanding that any exegete contributing to TLSB will share not only the theological convictions of the Missouri Synod, but also the single methodological approach advocated by the synod, namely the historical-grammatical method. But what does that mean? Simply, that there are certain presuppositions brought to the text of scripture, including an assumption about historicity, that are common to Missouri Synod readings which are not shared among Lutherans outside that synod.

Generally speaking, Terence Fretheim approaches the biblical text more in the style of a literary critic than that of a form critic. He is interested in what the "final form" of the text presents more so than what gave rise to the final form of the text.[22] When considering the sin of

[22] Michael Chan and Brent A Strawn eds., *What Kind of God: Collected Essays of Terence Fretheim* (Winona Lake, IN: Eisenbrauns, 2015), 9.

Sodom, i.e., the reason why it was destroyed, Terrence Fretheim offers the following commentary.

> This scene is an illustration of Sodom's wickedness. The verb *know* refers to sexual activity. With every man involved, the result would have been gang rape (19:4-5). Sexual abuse of strangers demonstrated who was in charge (as in prisons). The sins of Sodom are most explicit in Ezekiel 16:48: pride, gluttony, prosperous ease, and not aiding the poor and needy (compare with Matt 10:14-15). That Lot would substitute his *betrothed* (engaged) daughters is another sign of Sodom's immorality. In 19:30-36 Lot himself is sexually abused.[23]

Fretheim considers the sexual sin in terms of rape and the wickedness of the people. His citing of Ezekiel illustrates that he sees the outcry against Sodom rooted in terms of that which Ezekiel ascribes to the city, i.e., pride, gluttony, etc. Sodom is thought to be wicked not merely because of the attempted rape, but also because of the factors Ezekiel highlights. Concerning the rape and broader wickedness of Sodom, Fretheim offers no suggestion as to the practical questions a modern reader might ask, but the same is not true of the section of the story where Sodom is actually destroyed. He points out that human sin caused the fertile land to become a wasteland and then asks the question, "what human causes of environmental disaster today can you cite?"[24] Furthermore, in the margin next to the text describing Lot's daughters escapade with their father he asks, "how can God bring blessing from even the worst of family situations?"[25] These questions speak to present practical realities for the reader. I would argue, then, that even as a literary critic, Fretheim is attempting to contextualize both the reading in its own situation as well as the modern reader. He speaks about rape, rather than sexuality in general, because of the context of the story. He wants his readers to see the action described in the story in terms of the narrative itself. It seems to me from Fretheim's questions that he is concerned with how the text

[23] *Lutheran Study Bible*, (Minneapolis, MN), 70. Emphasis original.
[24] *Lutheran Study Bible*, (Minneapolis, MN), 71.
[25] *Lutheran Study Bible*, (Minneapolis, MN), 72.

can speak to the moment of the reader by looking toward modern day application of an ancient narrative. The first question engages the reality of a human being's impact upon the environment while the second on the relationships the reader might have. The text becomes the avenue to consider the unfolding of life. This falls right in line with Fretheim's contributions elsewhere to process theology,[26] because the story allows the reader to consider the further unfolding of both humanity and God's interaction with the world.

In terms of biblical authority and the Lutheran hermeneutic, then, Freitheim mirrors what was displayed in the Levitical analysis. He contextualizes the story within its own narrative as well as the modern reader in theirs. The force of the Law in this analysis is not simply one that is transposed from one situation to another unmediated. Rather, Fretheim mediates the experience of the law by freeing it from a slavish dependence on the text. As said above, the text becomes the opportunity to consider modern realities afresh. Put differently, the Law in the text is reimagined in light of the modern situation.

> Compare, then, the LCMS notes on the same sections discussed above.
>
> 19:5 *know them.* Have sex with them. Homosexual lust burned among the many men of Sodom. Cf. Lv 18:22; Rm 1:27… 19:8 *who have not known any man.* Unmarried, though betrothed to Sodomites (v.14). *do to them as you please.* Culture of hospitality… made it unthinkable for Lot to abandon his guests. Yet righteous Lot's proposal was horribly wrong. Perhaps he sought what he regarded as the lesser of two evils (heterosexual rape instead of homosexual rape) but his suggestion was evil nonetheless.[27]

The unnamed exegete interpreting the passage defines the rape of 19:5 as "homosexual rape" which is said to be the greater evil than the "heterosexual rape" Lot offered the mob. No explanation is given as to why heterosexual rape might have been thought to be the "lesser" evil, the commentator simply asserts it. It may be that the interpreter is assuming that heterosexual

[26] Chan and Strawn eds., *What Kind of God*, 3–17.
[27] *The Lutheran Study Bible*, (St. Louis, MO), 43–44.

motives are purer than homosexual ones. It also may be that the interpreter is following someone else and is simply repeating an assertion.[28] Regardless, in my estimation this is a dangerous thought because it privileges sexuality over rape. It implies that heinousness of rape is determined in part by the sexual orientation of the individual committing the act. In opposition to that, I would argue that rape is heinous regardless of the sexual orientation because rape is focused on asserting power more than it is in indulging sexual desires.[29] Interestingly enough, while Fretheim further explicates possible reasons that Sodom might be considered immoral when he references Ezekiel 16, TLSB offers no parallel explanation in the study notes. The only reference to Ezekiel is in a parallel passage column, but it is listed as one among several and has no further explanation. To me this suggests that for the author of the notes in TLSB, the wickedness of Sodom is best explained in terms of the "homosexual rape" and not in the other factors parallel passages suggest. It is curious, though, that no other factors are discussed. It is almost as if any contextualization of the text is a threat to what the exegesis is trying to show the reader, namely that homosexual rape is problematic at any time. While I would agree with that

[28] See the discussion on Jeske's commentary below and draw your own conclusions.

[29] Michael Carden in his essay "Homophobia and Rape in Sodom and Gibeah: A Response to Ken Stone." In this work Carden argues that the sexual sin of Sodom is not homosexual, but rather, homophobic rape. He approaches the text not only as a critical scholar, interested in the situation that gave rise to the text and the societal norms the text is addressing, but also as a gay man. He notes the kind of terror which many gay men have heard this text and seeks to remove that terror. As he sees it, the nature of the sin that the men of Sodom seek to perpetrate is rooted in homophobia. He argues this on the basis of sexuality in the ancient near east in general, but also in terms of what dominance and power mean for men. Rape is not necessarily, or primarily, about sexuality; it is about power. As such, in seeking to rape the guests of Lot, the men of Sodom were seeking to assert their dominance over a foreigner in their midst. They were not seeking to address their sexual desires. Even if one disagrees with Carden's assessment concerning sexuality, one has to reckon with his argument concerning rape. This is what makes him somewhat unique among the commentators listed above—none of them address what rape is, only what they perceive to be the sexual desire. To me the strength of Carden's argument is that he understands that rape is not primarily about sexuality. By recognizing the power dynamic involved in rape, he is confirming, although not explicitly, the connection between rape and treating people inhospitably. In other words, if the outcry against Sodom is over how they fail to treat people justly, the desire to rape is one of the most clear examples of how they sought to violate others. Rape does not need to be defined as homosexual to make that point. In defining it as homophobic, Carden is expanding upon the inhospitality, it was men wanting to show how manly they were by subduing another male, thereby making that male inferior. It is not primarily, or even necessarily, about sexual attraction as it is about power and subjugation. Still, the reality that Carden is the outlier should give pause.

assertion because rape is always problematic, limiting the reason for Sodom's destruction to rape, especially when other biblical texts assert reasons, seems disingenuous. It is almost as if the commentator does not want his readers to consider the several other factors at play and wants to reduce this to a cautionary tale against homosexuality.

Furthermore, TLSB continues to show its uniqueness in that it offers a brief devotional thought and prayer after each pericope. This suggests that every verse has a personal spiritual and practical applicability. Consider the following thought and prayer.

> 19:1-22 Lot and his small family are spared the destruction of Sodom, but the deliverance clearly is due to divine mercy and not human righteousness, as Lot's behavior shows. Just as Lot's rescue makes sense only when contrasted with Sodom's destruction, so also our salvation in Christ's death makes sense only when contrasted with the threats of God's law. • Lord God, thank You for Your long-suffering when we, like Lot, are weak in faith. Amen.[30]

This illustrates the Lutheran hermeneutic of Law and Gospel as the previous selections from TLSB have. God bringing judgement on Sodom but in mercy sparing Lot correlates to how God treats individuals in that God's Law accuses the sinner and brings judgement, and yet, in mercy, God spares the sinner on account of Christ's death. Thus, this commentary again seeks to incite a specific experience of Law and Gospel, namely that the reader considers God's mercy as that which saves.

There is a clear difference between the two approaches. Fretheim contextualizes both the text and the reader. The commentator in TLSB ignores the broader context and instead offers an assertion that heterosexual rape is somehow better than homosexual rape. The Lutheran hermeneutic evidences itself differently in both texts as one clearly attempts to foster a specific consideration of God's mercy while the other uses the text to open up opportunities to consider how things might apply today. This speaks to how the hermeneutic is meant to shape the reader

[30] *The Lutheran Study Bible*, (St. Louis, MO), 44.

for life in society specifically because one exegete invites the reader to wonder and the other invites the reader to consider their relationship with God. Put differently, the ELCA study bible considers possibilities within relationships and the world while the LCMS study bible considers the relationship with God. This exploration of study bibles illustrates various Lutheran understandings of biblical authority, the Lutheran hermeneutic, and the ways that hermeneutic is pressed into service to shape the reader for life in the world. It also serves as a template for the broader trends in Lutheran exegesis on this passage in the twentieth and twenty-first centuries.

4.3.2 Broader Perspectives in the ELCA

The twentieth century was a century of merger for Lutherans in the United States. This ultimately eventuated in the formation of the Evangelical Lutheran Church in America in 1988. The Lutheran Church—Missouri Synod stands in sharp contrast as it has not merged with any Lutheran church body, even if it has absorbed smaller bodies into itself. This means then, that the variety of voices in the present Evangelical Lutheran Church in America are also there in the past. One of those voices is H. C. Leupold. His *Exposition on Genesis* illustrates his, and ostensibly an earlier ELCA, understanding of the story of Sodom and Gomorrah. Leupold is suspicious of historical-critical methodologies and approaches, and at times clearly antagonistic toward them.[31] He pushes back against names like Gunkel, Wellhausen, Jeremias, and Skinner.[32]

[31] H. C. Leupold, *Exposition of Genesis* (Wartburg Press, 1942; reprinted Grand Rapids,MI: Baker Book House, 1950), 5–21, cf. 577–78. "Genesis gives a sober, accurate, historical account of the events that led to the separation of Israel from among the nations… it is a rather straightforward, strictly historical account, rising, indeed, to the heights of poetic beauty… the writer uses no more of figurative language than any gifted historian might, who merely adorns a strictly literal account with the ordinary run of current figures of speech, grammatical and rhetorical," (12–13).

[32] Leupold, *Exposition of Genesis*, 11.

He emphasizes the fact that all of the men of the city are attempting to perpetrate the violent act.[33] Although Leupold spends no fewer than 25 pages commenting on the destruction of Sodom and Gomorrah, most of that commentary is aimed at helping the reader understand the situation of Lot and his guests. In other words, it was an attempt to understand the story on its own terms, in its own context, and not necessarily move toward practical application immediately. I would argue that he does this because Leupold sees the text first as history. It is meant to be an authoritative account of something important relative to Abraham and is thus included.[34] That does not mean that Leupold has no visible perspective on the value of the text for the reader or how the text might be authoritative beyond its historical value.

A longer quote is helpful here to show how Leupold saw the practical value of the text.

> Not every part of this chapter is suited for homiletical use. It seems to us that v. 1-11 contain several elements that would require explanation and yet cannot be explained without a measure of impropriety. And if there be a difference of opinion under this head, certainly all must agree that v. 30-38, though it certainly serves a good purpose under several heads, cannot be a text for a sermon. That leaves v. 12-22 first of all—a section that may be regarded as exemplifying the Longsuffering Mercy of God, or any similar formulation that demonstrates effectively how much concerned God is for His own, though they may but little deserve His mercy. Here is an unusual case of a judgment which is plainly designed for depraved sinners. To have a godly man perish in the overthrow of such could create the wrong impression. Consequently, God makes a singular exception of the man Lot. Yet, undoubtedly, it is mercy that is here operative. Then there is the section v. 23-29, which, on the one hand demonstrates the severity of God's judgments, on the other, the fact that the weak may be spared for the sake of the godly—also a vital truth of the Scriptures to be found frequently in the books of Kings where Israel is again and again spared for David's sake.[35]

Thus for Leupold, the decisive part of the narrative is not that Sodom is destroyed, or why it is destroyed, but that God spared Lot. This is where the reader finds practical value, in God's mercy. Leupold's understanding of the value of the text for the modern reader is that this story

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[33] Leupold, *Exposition of Genesis*, 558–59.

[34] Leupold notes this on the first page of his commentary on Genesis 19. Leupold, 554.

[35] Leupold, *Exposition of Genesis*, 578. The "head" or "heads" referred to are the heading "Homiletical Suggestions."

communicates something of God's mercy. This is akin to the TLSB perspective mentioned above. For Leupold, the Law and Gospel hermeneutic sees this story not simply in terms of the "impropriety" that would be difficult to discuss, but in the rescue of Lot from the destruction of the city.

The line that can be drawn from Leupold to Fretheim is not easily drawn. Part of this is because during the twentieth century, Leupold notwithstanding, Lutherans outside of the Missouri Synod fully embraced historical-methodologies and approaches. This meant that as the practitioners were transitioning from a Leupoldian perspective, which rejected some elements of historical-critical methodology, to one more like Fretheim, himself well known as a literary critic. Additionally the sources they were using as authoritative were also changing. Whereas Leupold denounced Gunkel, other Lutherans published Claus Westermann's commentary in English.[36] Where Leupold disagreed with historical-critical methodologies, Gerhard von Rad was heralded as Lutheran exegete. James Limburg of Luther Seminary offers a review of von Rad's Old Testament theology that affirms him "to be counted among the most meaningful and influential teachers of the Old Testament in the twentieth century."[37] It is not practical, for the purposes of this chapter, to review Westermann or von Rad in depth because their perspective is not emblematic of the ELCA. I mention them here to note that the ELCA contains strains of their work as it does Leupold and Freitheim. This is to say that the variety of voices on the Sodom text among some in the ELCA will echo various Lutherans including German Lutherans Westermann and von Rad.

[36] Unsurprisingly, the commentary from Westermann, a German Lutheran, was published by a Lutheran publishing house in Minneapolis. Claus Westermann, *Genesis 12–36* (Minneapolis, MN: Fortress Press, 1955).

[37] James Limburg, "Old Testament Theology vols 1 & 2 by Gerhard von Rad," *Word and World* 23 no. 1 (Winter 2003), 99.

The prime example of the influence of Westerman and von Rad on the present ELCA is evidenced by Arland J. Hultgren and Walter F. Taylor in their piece *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality."*[38] In the introduction to that document James Childs notes that Hultgren and Taylor "are both among the most highly respected biblical scholars in the ELCA." This does not mean that they are the emblematic voice of the ELCA but rather that their voices carry respectable weight. Childs explains:

> Both have written previously on the subject of the Bible and our contemporary discussion of homosexuality from very different perspectives. In this essay they are not engaged in debate. Instead they provide an excellent account of how scholars have interpreted the texts that deal most directly with same-sex activity. In so doing they give us an important analysis of how different scholars studying the same texts, using comparable methods, can come to different conclusions.[39]

Not only does Childs note the reality that "different scholars studying the same texts," even those "using comparable methods, can come to different conclusions," he is advocating for the church to heed their voice. They are purported to be voices the church should listen to, not the only voices within the church that should be heard. This speaks to the reality noted above, specifically that there is a variety of perspective within the ELCA and not a univocal exegetical expression.

What, then, do Hultgren and Taylor say with regard to the story of Sodom and Gomorrah? First it should be noted that they begin by noting the connections to Judges 19:16–30 and they do so in part on the basis of the scholarly contributions of Claus Westermann and Gerhard von Rad.[40] Hultgren and Taylor then invoke other voices in their exegetical assessment

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[38] Arland J. Hultgren and Walter F. Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality"* (Chicago: Evangelical Lutheran Church in America, 2003).

[39] James Childs, "Introduction," *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*."

[40] Hultgren and Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*," 4. The second, third, and fourth footnotes in the section on Genesis 19 make direct reference to Westerman and von Rad. Ibid., 19.

of the story of Sodom, including most importantly Walter Brueggemann. Although not a Lutheran, Brueggemann is a scholar of renown. Specifically, Hultgren and Taylor rely on Bruegemann for an extended discussion on the sin of Sodom within the broader context of the Old and New Testament scriptures. For Brueggemann, and ostensibly for Hultgren and Taylor, the sin of Sodom is not, as is often supposed, homosexuality. "The Bible gives considerable evidence that the sin of Sodom was not specifically sexual, but a general disorder of a society organized against God."[41] This in part allows Hultgren and Taylor to assert the following regarding the story of Sodom and Gommorah.

> Whether gay or straight, anyone who reads the stories of Sodom and Gibeah in a thoughtful way finds them repugnant and terrifying. They are stories of violence, not of homosexual attraction or activity. Since that is so, these stories are often set aside as irrelevant in discussions about homosexuality—at least in the case of consensual homosexual activities. An exception is in the work of an interpreter who says that there is no essential difference between consenting homosexual intercourse and coerced homosexual intercourse, except that in the first case both participants degrade themselves, while in the second case one of the parties is forced into self-degradation. But that point of view overlooks the purpose of gang rape of males by males. Its purpose—particularly in a patriarchal society, but even when it occurs today—is to disgrace and humiliate the victim. It is not a matter of expressing a homosexual attraction (much less an "orientation"). "Rape—homosexual or heterosexual—is the ultimate means of subjugation and domination, the reverse side of which is the fear of being raped."[42]

Hultgren and Taylor make clear that the story of Sodom should not be invoked in any discussion of homosexuality in part because of the violent nature of the story. That violent nature, which may indeed be "repugnant and terrifying," overshadows the sexual activity. Moreover, Hultgren and Taylor are swift to identify that consensual sexual activity is not conterminous with the

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[41] Walter Brueggemann, *Genesis*, Interpretation Commentary (Atlanta: John Knox Press, 1982), 164. Quoted in Hultgren and Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*," 4.

[42] Hultgren and Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*," 4. The reference to Gibeah is a reference to Judges 19:16–30. The quote at the end of the selected text is from Martti Nissinen, *Homoeroticism in the Biblical World: A Historical Perspective*, trans. Kirsi Stjerna (Minneapolis: Fortress Press, 1998), 48.

attempted rape in the story. This is not an unimportant or small point, not simply for Hultgren and Taylor, but for the larger document that is attempting to demonstrate what Lutheran exegetical reading of texts related to human sexuality can allow for. Even if exegetical methods might vary within the ELCA, Hultgren and Taylor are demonstrating emphatically that the story of Sodom should not be invoked in discussions on human sexuality precisely because the issue within Sodom is a disorganized society that seeks to subjugate human beings.

Whatever else might be said about the various voices within the ELCA, both today and in their antecedent church bodies, it is clear to me that there is room for a variety and no voice should be heard as the only voice. The methodological differences aside, the nature of biblical authority, the Lutheran hermeneutic, and the way that hermeneutic is applied varies greatly within the ELCA. Whereas Leupold was beholden to the historicity of the text, Fretheim was not. Leupold saw this text as an example of God's mercy for the modern reader to consider where Fretheim considered the text as a means of probing the modern imagination for corollaries to modern situatedness. Hultgren and Taylor build on the work of Westerman and von Rad while also consulting a voice from outside the Lutheran tradition, Walter Brueggemann. In doing so, they attempt to silence at least one voice, the voice of those who would use the story of Sodom to subjugate human beings.

4.3.3.1 An Emblem of the Univocal LCMS

Any investigation that seeks to demonstrate the ways by which Lutheran hermeneutics in the United States have shaped the church's interaction with society needs to engage the exegetical works which purport to model precisely this engagement. The investigation into the following work is necessarily in depth because it helps show something about the LCMS,

namely, that when the LCMS speaks, it attempts to do so univocally. As such, commentaries in the LCMS will not have as diverse approaches as those in the ELCA might. Paul E. Kretzmann's *Popular Commentary of the Bible* is an indispensable and emblematic work showing the attempted univocality of the LCMS.[43] This four-volume, single-authored commentary, covering every book in the bible, resulted from the passage of a resolution on October 15, 1918 by the Committee on English Theological and Religious Literature (CETRL) of The Lutheran Church—Missouri Synod (LCMS), a conservative church body in the United States.[44] Missouri Synod President Friedrich Pfotenhauer had appointed the committee in part because numerous synodical resolutions and suggestions from various groups within the LCMS urged the creation of, "a popular bible commentary on the entire Bible, to which our people might turn without any misgivings as to the soundness of the teachings there set forth."[45] This moment in the life of the LCMS occurred as the church body transitioned from the exclusive use of the German language to that of English. Thus, the demand was high for a tool published in English that would equip "our people,"i.e., laity and clergy alike, for study of the "entire bible," i.e., the sixty-six books of the Old and New Testaments not including the Apocrypha. Clearly this suggests that concern was not for the broader Christian community around the world but narrowly focused on the LCMS. It could not be simply *a* commentary, it had to be *the* commentary for the synod, with no question of the "soundness of the teachings there set forth." If the commentary was being produced for the synod it had to speak as the synod would speak. The phraseology demonstrates a concern for a clear and unambiguous expression of textual and theological exposition of the

[43] Over the years this work has endured in the life of The Lutheran Church—Missouri Synod. Colloquially it is still known as "the Popular Commentary," or more simply as, "Kretzmann's Commentary."

[44] Theodore Graebner, "How 'The Popular Commentary' was Written," *Lutheran Witness* XLI, no. 1 (Jan. 3, 1922): 4.

[45] Graebner, "How 'The Popular Commentary' was Written," 4.

scriptures. The expressions highlighted above, "our people," "entire bible," and "soundness of teaching," exemplify the attitude of the Missouri Synod that sees theological development and articulation as univocal. It is as if the synod is saying, "we are one people, with one book, teaching the same thing." One might take umbrage with the idea that any church body could attempt to speak with one voice but such an idea is integral to the identity of the Missouri Synod. Indeed, that the Missouri Synod identifies as a "synod" suggests the importance of that term. The Missouri "synod" does just that, walks together. As president, Pfotenhauer held tremendous sway over the theological direction of a synod whose self-understanding trends toward a univocal expression of biblical teaching. In appointing the committee Pfotenhauer was ensuring that the transition from German to English would not mean a loss or change in doctrinal position. The LCMS could still speak with one voice even if that voice was now speaking English.

Among others, President Pfotenhauer chose Theodore Graebner to serve on the CETRL. At that time Graebner was on the faculty of Concordia Seminary in St. Louis, one of two seminaries connected to the LCMS. He also edited the *Lutheran Witness*, a widely consumed official publication of the LCMS, and sat on the English Literature Board of the Missouri Synod's official publishing arm, Concordia Publishing House. In short, Graebner was an important figure in the life of the LCMS. While editor of the *Lutheran Witness* Graebner wrote an overview of the publication process of Kretzmann's *Popular Commentary*, a portion of which was already quoted above. In it he states the resolution of the CETRL:

> To recommend to the Board to issue without delay a brief popular commentary on the Bible… The scope of the work should comprise an exposition of the text with such doctrinal, geographical, historical, and other notes as will make it detailed and comprehensive enough for Sunday-school teachers and Bible Students.[46]

[46] Graebner, "How 'The Popular Commentary' was Written," 4.

In saying "without delay" the CETRL suggested an urgent need for the material. This endeavor could not be postponed or waylaid. The work had to be detailed enough to express certain features of the textual exposition including the doctrine, geography, history, and other matters related to the various texts. It also needed to be useful to a broad spectrum of people. Students of the bible and teachers, even if they are Sunday-school teachers, are not the same. The resolution from the board "crystallized" the various synodical resolutions and suggestions mentioned previously.[47] Graebner's exploration of the context that gave rise to the *Popular Commentary* does more than simply relate the history. It provides a window into the life of the LCMS during the shift in its the dominant language. The very existence of a Committee on English Theological and Religious Literature appointed by the synod's president as well as an English Literature Board at the synod's publishing house betrays the reality of a concerted effort to provide sound theological and literary materials to the synod's broad constituency. It also shows in part the desire to have a shared resource which could function authoritatively in the lives of Lutherans at home and at church. The change within a church body from one language to another necessitated the production of materials which could maintain continuity with previous generations while meeting the lingual needs of the present.

The question remains though, why was Paul E. Kretzmann selected to write the entirety of the commentary? According to Graebner, the choice of Kretzmann was not only unanimous, his was the only name mentioned.[48] It could be that Graebner was merely buffeting Kretzmann's reputation but it would seem as though Kretzmann was more than qualified within the Missouri Synod to take up the task. Kretzmann had grown up within the LCMS, was educated through several of the schools connected with the LCMS, and had served as a pastor before his

[47] Graebner, "How 'The Popular Commentary' was Written," 4.
[48] Graebner, "How 'The Popular Commentary' was Written," 4.

appointment to the faculty of Concordia College in St. Paul. Moreover, the faculty of Concordia Seminary in St. Louis also approved of the appointment of Kretzmann to author the commentary.[49] The above information is important because it shows that Kretzmann was heavily integrated in the life of the LCMS prior to appointment as author of the commentary. Furthermore, the fact that his name was the only one put forth combined with approval of the seminary faculty demonstrates clearly that he was a trusted voice within the LCMS. It might also be worth noting at this point that upon completion of the commentary Kretzmann became part of the faculty at Concordia Seminary in St. Louis. All of this is to say that Kretzmann was a broadly respected and trusted authority. This is no small point. It suggests, then, that his view was one shared by others within the LCMS and that his writing would be able to communicate the Lutheran perspective deigned worthy of being communicated. It is significant that he is the only author not only because of the awe that accompanies a work of this magnitude but also because it means that his voice was understood to be the voice of those on the faculty and at the publishing house. In short, his voice was the voice of the synod in that moment.

4.3.3.2 A Popular Commentary is Approved

In producing the *Popular Commentary of the Bible* the LCMS sought to provide a resource to be used by people in the church regardless of their station. John Theodore Mueller makes this plain in his foreword to the commentary. "It is to serve not only Christian fathers and mothers in their homes, but also teachers in Christian day-schools and Sunday-schools, and pastors in the preparation of their instructions and addresses."[50] Consequently, the commentary

[49] Graebner, "How 'The Popular Commentary' was Written," 4.

[50] John Theodore Mueller, "Foreword," in P. E. Kretzmann, *Popular Commentary of the Bible* vol. 1, *The New Testament* (St. Louis: Concordia Publishing House, 1921).

sets itself up as a work that is not intended to display the details of the scholarship or exegetical methodology.

> It is not a scientific or critical commentary in the sense in which these terms are usually employed. It contains no detailed discussions of grammatical technicalities, of etymology, of variations in the manuscripts, and of heterodox opinions. Its aims are practical; it is a commentary for the people. Its purpose is to open to the common people the portals to the marvelous treasure house of God's wisdom, not in order that people might admire the golden portals, but that they might adore the divine fullness of God's wisdom and truth.[51]

This assertion by Mueller is important for a few reasons. First, it explains the lack of "detailed discussions" of, for example, the original languages. Mueller's comment demonstrates the intentionality behind the construction of the commentary.[52] As demonstrated above, the choice of author for the commentary was unanimous in part because of his status as a trusted scholar. He had the capacity to engage the text in detail but, in this commentary, did not put such erudition on display. The scholarship underpins his work but it is not necessarily visible.[53] "At no place is the reader awed by a display of erudition; yet the professionally trained reader will promptly recognize the scholarliness of the running comment, and feel that what is offered him is sound truth based upon painstaking research and true scholarship."[54] In this way the commentary demonstrates not a distrust of erudition but a desire to put "sound truth" on display. Thus, the commentary privileges the meaning and application of the text for the specific contexts of LCMS readers as opposed to the scholarly insight of commentators.

Second, Mueller's note shows that the commentary is meant to form and shape the church in the contexts of home, school, and parish life. "It is a commentary for the people."[55] Its

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[51] Mueller, "Foreword," *Popular Commentary of the Bible* vol. 1, *The New Testament*.

[52] This point is echoed by Theodore Graebner in his *Lutheran Witness* article mentioned previously.

[53] Consider this in contrast to the work of C.E.B. Cranfield who meticulously moves through Romans phrase by phrase in Greek throughout his *Commentary on Romans*.

[54] Mueller, "Foreword," *Popular Commentary of the Bible* vol. 1, *The New Testament*.

[55] Mueller, "Foreword," *Popular Commentary of the Bible* vol. 1, *The New Testament*.

goal is to open portals, not that the portals be admired, but that they be the means by which people encounter God. The commentary thus curates the ability of people to encounter God. Put positively, in producing the commentary the LCMS sought to focus the view of the people that they might receive the benefits of professional scholarship and thus step through a portal to experience God. Put negatively, the commentary limits the view of God by narrowing the view of God people encounter. Either way one sees the role of professional biblical scholarship within the LCMS. Scholars are not there to show their own insight or erudition but to help people encounter God. In terms of LCMS hermeneutics, the encounter with God through the distinction between Law and Gospel remains paramount.

There is, however, one more reason why Kretzmann's commentary is so indispensable a work in this context. Not only does it seek to be a commentary for everyone, it seeks to be a commentary that gives a decidedly conservative Lutheran perspective. A longer quote from the foreword demonstrates this.

> The Popular Commentary is a Lutheran commentary composed in the spirit of Luther, whose one paramount desire was to have all people read and understand, believe and live the Bible. It is a commentary such as Luther would have written, had he lived in America today, a commentary of the Bible and for the Bible.
>
> However, not only the spirit, but also the content of the Popular Commentary is Lutheran to the core. Dr. Kretzmann's commentary reproduces Luther, his theology and religion, his faith and piety. During the four hundred years since Luther bequeathed to the world his popular Bible, scores of teachers have, under the name of Luther, given to the reading public hundreds of commentaries which Luther would have denounced as begotten of the devil, had he lived to see them. Rationalism and Higher Criticism have outraged the Bible also within the Lutheran Church. At this writing there is hardly a commentary even within the Lutheran Church which perfectly reproduces Luther's theology and sets forth the pure, unadulterated Lutheran doctrine. Dr. Kretzmann's commentary does not belong to this class. It offers to Lutheran Christians nothing but sound Scripture doctrine on the basis of the soundest, believing, Biblical scholarship. Because of this we claim that the Popular Commentary possesses unique distinction. It is a popular commentary in the truest sense of the term; a commentary for the people, and offering to the people nothing but unalloyed exposition of the Bible.[56]

[56] Mueller, "Foreword," *Popular Commentary of the Bible* vol. 1, *The New Testament*.

This comment from Mueller offers two things: first, it suggests that the commentary is not merely a product of its own time but connects back to Luther; second, it offers the reader a thorough dose of confidence that Kretzmann delivers a purely textual, and therefore Lutheran, exposition. An analysis of both points is useful for the present investigation because it provides a glimpse of both the reception of the commentary and the mindset of the readers.

In speaking about Luther, Mueller draws upon his own reformation heritage. Looking back to Luther offers a sense of comfort, especially when Mueller suggests that if Luther was alive today this is the commentary he would have written. Such a claim contextualizes the commentary in two ways. First it attempts to the commentary firmly within the Lutheran tradition. It is literally arguing that what the reader will find in Kretzmann is what they would find in Luther. Second, it shows that while the commentary is a product of its own cultural moment it is not bound to the cultural moment. The commentary may be produced at the beginning of the twentieth century in America but that does not mean that twentieth century America shapes the commentary. Rather, Mueller argues that what is produced in Kretzmann reflects Luther's own theology, religion, faith, and piety. Interestingly, those terms are not further defined. There is an assumption that Mueller's readers know what Luther's theology, religion, faith, and piety actually are. The commentary then takes those assumed features of the reformer and translates them for a new generation thereby attempting to shape that generation in a specific way.

The *Popular Commentary* produced by Kretzmann expressly intended to shape the church's theological perspective. It claims to offer "nothing but unalloyed exposition of the Bible."[57] There is a clear distrust in Mueller's words concerning rationalism and higher criticism.

[57] Mueller, "Foreword," *Popular Commentary of the Bible* vol. 1, *The New Testament*.

He is arguing to the readers that Kretzmann is not doing what rationalists or higher critics do. Rather than engaging in such an approach, Mueller commends Kretzmann's work as simply teaching the bible and, in light of how that paragraph begins, doing so the Lutheran way. Thus, for Mueller, the commentary is not only "unalloyed exposition of the bible" but it also espouses "unadulterated Lutheran doctrine."[58] Here one gets a sense that Mueller sees those two things as interchangeable. Unalloyed exposition is really unadulterated Lutheran exposition. This statement reveals the close connection between doctrine and textual exposition within the LCMS. The two are related in such a way that to hear the text rightly is to hear it as a Lutheran. One might push back on this inclination and say that for a textual exposition to be truly unalloyed it must have no doctrinal commitments attached. And yet, for Mueller and ostensibly the LCMS, a text unalloyed in its exposition is also unadulterated Lutheran exposition.

Certainly in saying this Mueller opens himself and the LCMS to criticism. Making a claim to "unalloyed exposition of the Bible" does at least two things. First, it sets the work as judge over others, intentionally or unintentionally, as does the claim of "unadulterated Lutheran doctrine." If Kretzmann is unalloyed and unadulterated, those who disagree are impure. Kretzmann becomes the standard bearer not just for the LCMS but for Lutheran exposition as a whole. Second, in terms of the broader exegetical landscape, Mueller's statements make a claim concerning textual exposition that is not ubiquitous, namely, not only that textual exposition can be "unalloyed" or neutral but also that such an exposition is preferable. Mueller is clearly reassuring his readers that what they are receiving is not filtered through some other lens but is free of any perspective that might taint the reading. He is also, however, affirming the mindset that needs the reassurance.

[58] Mueller, "Foreword," *Popular Commentary of the Bible* vol. 1, *The New Testament*.

In addition to writing the foreword to the commentary, J. T. Mueller served as professor at Concordia Seminary in St. Louis. Mueller, along with fellow professor E. Pardieck, "on behalf of the theological faculty of Concordia Seminary, St. Louis, critically read the manuscripts and the proof-sheets."[59] Here it is important to note that the commentary, developed specifically for the Missouri Synod, had been reviewed by representatives of the faculty of one of the seminaries connected to that church body. The evaluation served as a kind of check, a doctrinal review, meant to fulfill the desire that "our people might turn [to it] without any misgivings as to the soundness of the teachings there set forth."[60] The faculty inquiry demonstrates the seriousness of the LCMS in the production of Kretzmann's volume. Mueller and Pardieck did not undertake such work merely for a grammatical appraisal. The publishers note detailing their analytical work concludes with a paragraph extolling the virtues of the doctrinal content of the commentary.[61] Such a note would not be possible without the review. As such, the review and the publishers note are a kind of stamp of approval for those people who would turn to the commentary in the assurance that what they were reading was indeed sound.

Given the investigation into the production of the commentary and its approval above it is clear not only that Kretzmann offers a Lutheran exposition, but that he offers an approved and commended LCMS perspective. This is to say nothing of the fact that while other commentaries and study bibles have been produced in the years following the publication of his *Popular Commentary,* Kretzmann's commentary is still widely available and used today within the LCMS. For the purposes of this chapter, which seeks to demonstrate the practical effect of

[59] "Publisher's Note," in P. E. Kretzmann, *Popular Commentary of the Bible*, vol. 1, *The Old Testament* (St. Louis: Concordia Publishing House, 1923).

[60] Graebner, "How 'The Popular Commentary' was Written," 4.

[61] "Publisher's Note," *Popular Commentary of the Bible*, vol. 1, *The Old Testament*.

Lutheran hermeneutics through exegetical analysis of Genesis 19:1–29, Kretzmann's analysis is crucial. It not only demonstrates a conservative Lutheran approach in the twentieth century, it also provides an opportunity to see where Kretzmann, and subsequently a Lutheran reading, fits within the broader exegetical landscape.

4.3.3.3 A Narrow Perspective

The introductory material above is relevant precisely because this thesis seeks to understand how Lutheran hermeneutics shape the church's interaction with society. From its outset, Kretzmann's commentary was designed to do precisely that. The question it seeks to address is the value the text has for the reader. The commentary also takes as axiomatic the historicity of biblical text. This is a hallmark of the approach of the LCMS. That is to say, the Missouri Synod holds that the text of Genesis broadly, and chapter nineteen specifically, actually happened in time. Kretzmann does not argue for this position, he argues from it. It is precisely because he approaches the text from this perspective that he seeks to extrapolate the practical effect.

> In terms of the sin of Sodom, Kretzmann notes that,
>
> > Emphasis is laid upon the fact that all the people, even down to the last man, took part in this shameless demand, openly stating that they wanted to abuse the guests of Lot in a violation of nature which was one of the greatest curses of heathenism, the sin of pederasty. All the men of Sodom were guilty of this lustful abomination, of this demonic error. Cp. Rom. 1, 27.[62]

Unique to Kretzmann is the allusion to Romans as opposed to Leviticus. This may signify that Kretzmann sees a strong connection between the wickedness of the men of Sodom and the idolatry of those spoken of in Romans. Despite not referencing Leviticus 18, Kretzmann's

[62] P. E. Kretzmann, *Popular Commentary of the Bible*, vol. 1, *The Old Testament* (St. Louis: Concordia Publishing House, 1923), 41.

comment on that text mirrors his conclusion here, it is pederasty specifically, not homosexuality in general.[63] That he does not argue it may be a sign of the fact that the commentary is not meant to be technical, but it also may illustrate a shared understanding during his era that the sin of Sodom was not homosexuality as presently defined, rather pederasty is the "unnatural lust."[64] The value of the story for the reader can be seen in light of the entire exchange between the angels and the men of Sodom.

> This incident proved to the angels that all the inhabitants of Sodom were steeped in the vices which cried to heaven, for Sodomitic lewdness cries to heaven, as the sinners of our days will also find out to their eternal sorrow. And let us not forget that there is a sin which is even worse than that of the Sodomites, namely, that of rejecting Christ, His Word, and His grace, Matt. 11, 24…. Lot was preserved in the general destruction almost by force, since the angels, by virtue of the fact that God intended to spare him in mercy, took hold of him, of his wife, and of his two daughters and drew them out of the city…. Thus did the Lord have compassion on Lot's weakness and magnify His grace upon him, even to the extent of delaying the entire judgment of destruction until Lot reached the haven of Zoar (little). Thus the believers are often full of doubt and timidity when they are placed before the necessity of renouncing everything that this world offers. But God bears patiently with their weakness and helps them in spite of themselves.[65]

Here one sees a similarity with the notes provided in TLSB, a view toward the judgement of God on those who reject Christ as well as the mercy of God which spares one of judgement. Thus, Kretzmann's commentary encapsulates the typical Missouri Synod approach in that it sees the text as historically authoritative and also, then, sees present value for the reader on the basis of that historical reading. The hermeneutic points the reader to see the judgement and mercy of God, synonyms for Law and Gospel.

As the twentieth century unfolded this more conservative group of Lutherans published three commentaries that deal with the Genesis text. The first is written by Walter Roehrs as part of commentary on the entire Hebrew Bible and New Testament. In *Concordia Self-Study*

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[63] Kretzmann, *Popular Commentary of the Bible*, vol. 1, *The Old Testament*, 217.
[64] Kretzmann, *Popular Commentary of the Bible*, vol. 1, *The Old Testament*, 41.
[65] Kretzmann, *Popular Commentary of the Bible*, vol. 1, *The Old Testament*, 41.

Commentary: An Authoritative In-Home Resource for Students of the Bible Roehrs approaches the scriptures from the same perspective as that of Kretzmann, but the notable difference is that Roehrs does not explicate pederasty as the nature of the sexual desire of the men of Sodom. Rather, he leaves it somewhat open ended calling it "unnatural vice."[66] He does, however, in an effort to perhaps shed more clarity, cite references to Levitcus, Romans, and Jude.[67] A second notable difference is that Roehrs does not do what Kretzmann did before him or *The Lutheran Study Bible* did after him, that is, he does not speak of the practical value of the text, he merely attempts to exegete the passage in a more technical style. Roehrs is, thus, an outlier in this way. He simply tries to situate the passage and let it stand on its own rather than mediate a specific experience.

The second commentary is titled *Concordia Self-Study Bible.* Unlike *The Lutheran Study Bible*, this volume names each individual contributor and what that individual contributed. The notes for Genesis were written by Ronald F. Youngblood. That Youngblood provides the notes for Genesis is a cause for curiosity. Although Youngblood received his Bachelor of Arts from Valparaiso University, the majority of his academic career is spent at Bethel Seminary and he was ordained in a Baptist church. Why then would a Lutheran publishing house utilize the work of a non-Lutheran? Quite simply because "the *Concordia Self-Study Bible* is a Lutheran edition of *The NIV Study Bible.* The notes have been edited and revised to provide a distinctively Lutheran emphasis."[68] The *Concordia Self-Study Bible* actually denotes which of the study notes have been edited.[69] This means then, that for the purposes of our discussion, the notes regarding

[66] Walter R. Roehrs and Martin H. Franzmann, *Concordia Self-Study Commentary: An Authoritative In-Home Resource for Students of the Bible* (St. Louis, MO: Concordia Publishing House, 1971), 35.
[67] Roehrs and Franzmann, *Concordia Self-Study Commentary*, 35.
[68] *Concordia Self-Study Bible* (St. Louis, MO: Concordia Publishing House, 1986), Foreword.
[69] *Concordia Self-Study Bible*, Foreword.

Genesis 19 were not edited or revised with such an emphasis as the indicator mark is absent from the text.[70] The publishing of the unchanged notes by the LCMS suggests at a minimum that the editors approved of their content. What do those notes say? With regard to the destruction of Sodom, the note on 9:13 suggests that Sodom's "wickedness had made it ripe for destruction (see Isa 3:9; Jer 23:14; La 4:6; Zep 2:8–9; 2Pe 2:6; Jude 7)."[71] Notice that, among the references within the note which amplify discussions about the wickedness of Sodom, there is no mention of Ezekiel 16.[72] The omission would be curious if not for the note on 19:5, of which the Jude 7 referenced in 19:13 is a supposed parallel. The note reads "*have sex with them*. Homosexuality was so characteristic of the men of Sodom (see Jude 7) that it is still called sodomy."[73] When Youngblood urges the readers to consider Judges 19:22–25 as a parallel situation to that of Genesis 19:4–9, the notes there also suggest the sexual issue is pervasive homosexuality.[74] Youngblood also does not offer much in the way of practical value for the text beyond that which is implicit in calling out Sodom's wickedness as being part and parcel with homosexuality.

Youngblood's assertion would be understandable if the Missouri Synod had, up to that point, always used Genesis 19 to speak of homosexuality. The evidence, however, does not bear out that it did. It has already been demonstrated that at least during the early and middle parts of the twentieth century, the Missouri Synod's official commentaries either named the desire of the men of Sodom as pederasty or left it open ended. In point of fact, even the 1981 document produced by The Lutheran Church—Missouri Synod's Commission on Theology and Church

[70] The notes match *The NIV Study Bible* exactly.
[71] *Concordia Self-Study Bible*, 34.
[72] It is also absent in the cross-reference apparatus for every verse within chapter 19.
[73] *Concordia Self-Study Bible*, 33.
[74] *Concordia Self-Study Bible*, 357–58.

Relations titled *Human Sexuality: A Theological Perspective* makes no mention of Genesis 19, including when it discusses the synod's position on homosexual relationships.[75] It would be reasonable to assume that if the synod wanted to use Genesis 19 as a text indicating prohibition of homosexual behavior or relationships such a document would have been the time. This is not to suggest that Lutherans within the Missouri Synod would not have looked at Genesis 19 in that fashion but it is to suggest that the first unequivocal connection with the desire of the men of Sodom to homosexuality can be found in the notes provided by a non-Lutheran in the 1986 *Concordia Self-Study Bible*. It would not, however, be the last time such a connection was proposed. This matters because the study notes are intended to shape the reader of them. Thus, by virtue of a Baptist's account, Lutherans in the Missouri Synod were explicitly taught to reject homosexuality. That account also did not factor in the Law and Gospel hermeneutic which is essential to Lutheran scriptural interpretation.

The third commentary is first published by Northwestern Publishing House, the arm of a similarly conservative, yet decidedly smaller, Lutheran church body in the United States, the Wisconsin Evangelical Lutheran Synod. One year later Concordia Publishing House prints the work.[76] John Jeske's commentary lacks a technical or intense grammatical appraisal of the text. Instead he offers an explanation of the events and hints at their practical value. When it comes to God's sparing of Lot, something that factored into both Kretzmann and Leupold, Jeske is almost silent. He does note that Lot should have understood it was God's grace that saved him.[77] The practical value of the text for Jeske is found in the situation concerning the men of Sodom and

[75] *Human Sexuality: A Theological Perspective* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1981), 32–36.

[76] Due to the close nature of these two church bodies, this is an unsurprising and common occurrence.

[77] John Jeske, *Genesis*, Peoples' Bible Commentary (St. Louis, MO: Concordia Publishing House, 1992).

the visitors Lot protects. In explicating that event and in offering the practical value for the reader Jeske uses stark and uncompromising language. His argument is given in full.

> Lot knew all too well the homosexual tendencies of the men of his city. He knew also that he hadn't been the only one to notice the two male visitors who had just arrived. And when later that evening the men of Sodom paraded their lust and wanted dirty sex with his house guests Lot refused, even at considerable personal risk.
>
> Lot was a righteous man, but living in the immoral climate of Sodom had *blunted his faith and dulled his moral sensitivity.* He addressed the rampaging homosexuals threatening to beat down his door as "my brothers." He owed them the full rebuke of God's holy law, but he did not give it. Instead he tried to prevent sin by what he thought was a lesser sin. "My brothers, satisfy your sexual appetite naturally, not unnaturally. I have two virgin daughters. Take them, but spare my guests!" In contrast to his uncle Abraham, Lot gave no evidence of his faith. His disgusting offer could very well have resulted in the death of his daughters (Judges 19:23–28). He demonstrated no love either for his daughters or for the men of Sodom. In Christ's words, Lot was salt that had lost its saltiness.
>
> This page of scripture has a warning for Christians who must live in a society which wipes its feet on God's Sixth Commandment. We need to speak out for the holy purposes the Creator had in mind when he planted the sex appetite in people. We need also to ask: "Am I, like Lot, becoming insensitive to the obvious abuse of God's gift of sexuality? Is it possible that I appear to approve of conduct I should be reproving?" When in our day homosexual behavior is defended as an "alternate lifestyle," God's people need to let God's voice be heard.[78]

Multiple things need to be said about Jeske's commentary on the Sodom story. First, he takes it as axiomatic that the men of Sodom are homosexuals and that they are after "dirty sex." This suggest to me that Jeske either does not understand the difference between intercourse among consenting parties and rape or that he is not interested in making the distinction. Either way his lack of understanding of the rape dynamic is further explicated in his use of the phrase "rampaging homosexuals." He offers no argument as to why this is an appropriate term, he simply states it. Another difficulty with his reading is that he sees Lot's offer of his daughters in terms of exchanging "unnatural" relations for "natural" ones. He may chastise Lot for offering his daughters, but he frames it positively in that Lot is doing what Lot thinks is the lesser of two

[78] Jeske, *Genesis*, 166–67. Note: The Sixth Commandment in Lutheran theology is the one concerning adultery.

evils. Jeske sees the text as giving a moral lesson about standing up for a particular understanding of the nature and purpose sexuality. He views the practical value of the text solely in terms of his present experience. In other words, Jeske highlights Lot's inability to defend "God's voice" as a pretext for addressing what Jeske sees as problematic about his own context.

In terms of the narrower perspective of Lutheran voices, namely that of Kretzmann, Roehrs, and *The Lutheran Study Bible*, Jeske appears to be a representative of the transition within The Lutheran Church—Missouri Synod of the dominant perspective on the nature of the sexual sin of Sodom. As shown above it went from pederasty, to undefined, to blatantly homosexual. The practical value of the text, however, which is similar in Kretzmann and *The Lutheran Study Bible,* namely that God's mercy is what the reader should take away, is different in Jeske than others. The fact that Jeske is part of the Wisconsin Evangelical Lutheran Church does not solely account for the difference. When Concordia Publishing House publishes it affirms that Jeske is not teaching in opposition to The Lutheran Church—Missouri Synod, if he were, they would not publish it. His perspective then, must be shared at least during that time of the Missouri Synod's history.

In 1951 Concordia Publishing House released *The Beginnings According to the Book of Genesis* by J. M. Weidenschilling. It is here that one sees where the practical value began to shift. Before retelling the Sodom story Weidenschilling states, "Chapter 19 shows how God answered that intercessory prayer [of Abraham in chapter 18].[79] In addition he notes that the "story illustrates Lot's weak faith and the Lord's patience with such persons."[80] He, like Roehrs after him, does not definitively state the nature of the sexual sin but rather only notes that the

[79] J. M. Weidenschilling, *The Beginnings According to the Book of Genesis* (St. Louis, MO: Concordia Publishing House, 1951), 96.

[80] Weidenschilling, *The Beginnings According to the Book of Genesis*, 99.

men of Sodom sought to "abuse [the visitors] for their sinful purpose."[81] Like, Jeske, however, Weidenschilling asks the question, "in what respect is the world today much like Sodom of old? Why should we be especially on our guard regarding the sins against the Sixth Commandment?" Unlike Jeske, Weidenshilling does not answer that question, rather, he provides the question for the sake of stimulating discussion. The practical value of the text takes on a new dimension in Weidenshilling, even if he does not take to the exact place Jeske does. This does not mean that Jeske learned this from Weidenshilling, it only suggests a possible reason why Jeske's assertions found fertile ground in the Missouri Synod. This is not to say that Missouri Synod discussions concerning sexual relationships never invoked the Sixth Commandment or that other Lutherans had never drawn the conclusion that the sexual sin of Sodom relates to the Sixth Commandment. Rather, what I am attempting to highlight is that Jeske's commentary lacks the mercy aspect prevalent even in other Lutherans, including someone like Weidenshilling. In other words, Jeske's commentary seems to suggest that the practical implications of the Sodom text are solely, or most importantly, those related to the Sixth Commandment as opposed to the value that conservative Lutherans before and after him have assigned, namely that one sees in the sparing of Lot the mercy of God in action.

4.3.4 Concluding Sodom and Gomorrah's Narrative

Lutheran readings of the Sodom and Gomorrah narrative are varied between the ELCA and LCMS and within the ELCA and LCMS. No one reading in any tradition follows an unbroken trajectory from the early twentieth century to the twenty-first. That does not mean, though that one cannot see how Lutherans can hold to the authority of the scriptures for faith and

[81] Weidenschilling, *The Beginnings According to the Book of Genesis*, 97.

life even if they do not agree on what that authority looks like. Some assert it means historical truthfulness that impacts the present while others suggest it is a narrative that invites humans to consider their own time and space. Regardless, it seems that the Lutheran hermeneutic is what shapes the Lutheran readings above, either toward an application, consideration, or experience of the Law and the Gospel.

3.4 What is Uniquely Lutheran About These Readings?

Lutheran theology does not require a specific methodological approach. The exegesis evaluated above should be enough to demonstrate the veracity of that claim. It also should be noted, however, that the confessional documents to which Lutherans of all stripes subscribe express no specific methodological commitments.[82] Moreover, Lutherans in the United States have admitted that fidelity to the Lutheran Confessions is fidelity to their doctrinal content only and not to a methodological one.[83] Additionally, the historical evidence of Lutheran bodies in the

[82] This is something even the LCMS has tacitly admitted in *A Statement of Scriptural and Confessional Principles.* In a subsection of part IV titled "Historical Methods of Biblical Interpretation" they offer no direct quotation from the Lutheran confessional documents despite routinely citing them elsewhere in the document. It stands to reason, then, that by not citing any passages from the documents contained in the Book of Concord that there are none to site that would directly defend their claim. See: "Historical Methods of Biblical Interpretation" in *A Statement of Scriptural and Confessional Principles* (St. Louis: The Lutheran Church—Missouri Synod, 1972), 6–7.

[83] Consider this passage from *A Statement of Scriptural and Confessional Principles*, "With the fathers, we recognize that not everything in the Lutheran Confessions is a part of its doctrinal content, but we reject all attempts to abridge the extent of this doctrinal content in an arbitrary or subjective manner. We recognize, for example, that subscription to the Lutheran Confessions does not bind us to all strictly exegetical details contained in the Confessions, or even to the confessional use of certain Bible passages to support a particular theological statement. However, since the Confessions want to be understood as Biblical expositions, we reject the notion that we are not bound by our confessional subscription to the exposition of Scripture contained in the Confessions or to the doctrinal content which the Confessions derive from individual Bible passages." *A Statement*, 6–7.

Consider also the contribution of Arthur Carl Piepkorn, a famed Lutheran confessional scholar in the twentieth century. Although he belonged to the more conservative LCMS, his reputation garnered respect in both Lutheran and non-Lutheran circles. In an essay titled, "Suggested Principles for a Hermeneutics of the Lutheran Symbols" he writes: "We are not bound to the exegesis which the Symbols give of any particular passage which they choose to interpret. Thus we need not believe that Psalm 119:1 refers to the Law in its strict sense (FC Ep VI 2) or that the scope of Gen. 17:4-8, 19-20 includes infant Baptism (FC Ep XII 8). This does not mean, however, that we are free to reject a *doctrinal* conclusion which the Symbols draw from their interpretation (even erroneously) of one or more passages, or that we may justify rejection of a doctrinal conclusion by a disavowal one by one of the

United States shows that the predecessor bodies who formed the ELCA embraced a variety of methodological approaches throughout the twentieth century.[84] Finally, during the mid-1970s, Lutherans representing several bodies in the United States convened a series of conferences to discuss, in part, whether or not there was a uniquely Lutheran methodology.[85] Among the presenters, Kurt Marquart, a conservative systematic theologian who taught at a seminary in the LCMS, presented the most pointed attack against historical-critical methodological approaches but even he did not argue for a specific Lutheran methodology, he only argued against one.[86] It seems to me then, that on the basis of the above evidence it is clear that the Lutheran theological hermeneutic does not have as its corollary a Lutheran exegetical methodology.

Lutherans are free to employ various exegetical methodologies in approaching the scriptures without necessarily compromising their theological commitments. The theology, in

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passages that the Symbols cite in its support. Thus it would be precarious indeed to reject the rule that the Reformers extracted from the Words of Institution, *Nihil habet rationem sacramenti extra actionem divinitus institutam* (FC SD VII 85), on the ground that a sober exegesis of the Words of Institution does not necessarily yield such a rule." Arthur Carl Piepkorn, "Suggested Principles for a Hermeneutics of the Lutheran Symbols," *Concordia Theological Monthly* 29, no. 1 (January, 1958): 20–21. This essay was originally presented to the faculty of Concordia Seminary in St. Louis where Piepkorn served from 1951 until his sudden death in 1973.

[84] See: Erik Heen, "The Bible among Lutherans in America: The ELCA as a Test Case" *Dialog* 45, no. 1 (Spring 2006): 9–20.

[85] The major Lutheran church bodies in the United States at the time who participated were The Lutheran Church—Missouri Synod (LCMS), the Lutheran Church in America (LCA), the American Lutheran Church (ALC) and the Association of Evangelical Lutheran Churches (AELC). These conferences were put on by the Lutheran Council in the United States of America (LCUSA). The first conference was held 2–3 June, 1976. The second conference was held 10–11 December, 1976. The third conference was held 3–5 May, 1977. See: John Reumann, "The Lutheran 'Hermeneutics Study': An Overview and Personal Appraisal," in *Studies in Lutheran Hermeneutics*, edited by John Reumann in collaboration with Samuel H. Nafzger and Harold H. Ditmanson (Philadelphia: Fortress Press, 1979), 1–77.

[86] Marquart suggested there was no possibility of faithfully interpreting the scriptures using the historical-critical methods. "Historical-critical theology or theologizing, seen in the perspective of the Lutheran Confessions, (1) subjects Scripture to reason, (2) introduces a deeply antiincarnational split between history and theology, and (3) relativizes all dogma into doubtful human opinions. My basic working assumption is that any theology which cannot or will not subserve the faithful proclamation and celebration of Christ's life-giving gospel and sacraments in the churches, in the sense of the Lutheran Confessions, has thereby declared itself insolvent and forfeited any claims to churchly validity or attention." Kurt Marquart, "The Incompatibility between Historical-Critical Theology and the Lutheran Confessions," in *Studies in Lutheran Hermeneutics*, 313. That is to say, Marquart argues that methodology should serve the theological proclamation of the church not determine it, the very thing he claims historical-critical methodology does. He did not, however, put forth a preferable, or claim a specifically Lutheran methodology, instead he sought to discredit the place of historical-critical methodologies in the church.

some ways, is the closed question, the methodology is the open one.[87] For the purposes of the present inquiry the idea that Lutheran theology does not require a specific exegetical methodology is important because the *Lutheranness* of the exegesis is not determined by the exegetical methods employed by the individual exegetes. Rather, Lutheran readings can and should be assessed according to the Lutheran standards of hermeneutics, namely, the distinction between Law and Gospel. It is only through this strict division of hermeneutics and methodology, even if there may be relationships between the two, that one can see how hermeneutics shape the church's interaction with society. The practical effects of those hermeneutics are the exegetical reflections on scriptural texts.

As the investigation above demonstrates, there does not seem to be a correlation between, for example, a practitioner of form criticism and the conclusion that the sexual desire of the men of Sodom was pederasty. Form critics, like Gunkel and Westermann, disagree. Someone who rejects form criticism, Kretzmann, agrees with Gunkel. What this investigation demonstrates is that the meaning of the Sodom and Gomorrah text is not a settled matter, either between church bodies or within them. Some may assert as much within a closed system, but even within the Missouri Synod the understanding of the nature of the sexual sin has changed. The uniqueness of Lutheran readings is not that some Lutherans affirm or reject the historicity of the event. It is not that some affirm or reject homosexuality or rape as the nature of the sexual sin. It is rather found in the practical value. What is clear among Lutherans is that this text speaks most clearly concerning the mercy of God. That God spared Lot instead of counting him among the men of

[87] Another example which demonstrates this point is the *Report of the Advisory Committee on Doctrine and Conciliation.* The concern expressed by the "Conservative Position Paper" in "Part C. Historical-Critical Method" is that historical-critical methods undermine specific points of biblical or Lutheran theology, and thus are problematic on that account. The concern could rephrased this way, if theology is undermined by methodology then the methodology is problematic. The inverse is not axiomatic within this paper. *Report of the Advisory Committee on Doctrine and Conciliation* (St. Louis, The Lutheran Church—Missouri Synod, 1976), 67–110.

Sodom appears to be the shared value of a Lutheran reading. This is what is worth preaching for Leupold, it is what is worth praying about for *The Lutheran Study Bible*, it is even what causes a person to ask Fretheim's question concerning what God can do for families in the midst of broken situations. This is not to say that traditional or contemporary readings outside of Lutheran circles would disagree, or that some do not argue such a thing. Indeed, locating the reason for Sodom's destruction in a lack of hospitality, as Fretheim does, is not only a biblical move, it is one that offers a practical suggestion about what God desires, namely, that people treat one another with love and mercy. The Lutheran reading is the one that privileges how the text uses the Law or the Gospel to shape the life of the reader. Lutherans may not do that the same way, but Lutherans in the United States certainly do it.

5.0 LUTHERAN HERMENEUTICS IN PRACTICE: NEW TESTAMENT TEXTS

5.1 Introduction

Previous chapters sought to address how Lutherans in the United States approach the doctrine of the scriptures as well as how those same Lutherans advocate for a specific hermeneutical lens through which those scriptures should be read. Those explorations were necessary so as to facilitate an investigation into how Lutheran hermeneutics have shaped the church's interaction with society, specifically with regard to issues of human sexuality. In order to ascertain the role of a hermeneutic, it is necessary to observe its practical effects. What follows, in this chapter and the next, is an attempt to demonstrate the practical outworking of Lutheran hermeneutics by engaging with Lutheran scriptural exegesis in the twentieth and twenty-first century American context.

The investigation will begin by discussing briefly the relationship between hermeneutics and methodology within Lutheran exegetical thought. The purpose of that investigation is to demonstrate that there is no prescribed or universal Lutheran exegetical methodology even if there is a prescribed Lutheran hermeneutic. As the remainder of the chapter will focus specifically on the exegesis of specific texts, it is important to remember the necessity of distinguishing between a theological hermeneutic and a methodological approach. After a brief review of Lutheran perspectives on hermeneutics and methodology, specifically the claim that Lutheran thought does not require a specific exegetical methodology, I will compare briefly two Lutheran readings of 1 Corinthians 6:9–11. That comparison will prove to be suggestive of what one can and should expect from divergent Lutheran approaches. With that knowledge, I will engage several twentieth and twenty-first century attempts by Lutherans to exegete Romans 1:26–27. That engagement will show precisely how Lutheran hermeneutics have shaped specific

exegetical reflection on a text intimately connected to human sexuality issues. Finally, another brief comparison of Lutheran exegesis of 1 Timothy 1:9–10 will, in connection with the prior exegetical reflections, demonstrate a pattern that is present among various Lutheran groups when approaching scriptural texts relevant to human sexuality issues. It should be noted at the outset that a subsequent chapter will focus similarly on three key texts in the Old Testament.

5.2 Lutheran Perspective Revisited

As previously noted, the focal point of the Lutheran hermeneutic is the distinction between Law and Gospel.[1] This distinction is applied to both Christian scripture and the Christian believer. Lutherans in the United States differ widely concerning their understanding of the doctrine of scripture, but they do not vary on the necessity of this hermeneutical distinction.[2] The Lutheran Church—Missouri Synod (LCMS) and the Evangelical Lutheran Church in America (ELCA) have both committed themselves to the Law/Gospel dialectic by virtue of their holding to the confessional documents of Lutheranism's broader history. It should be noted, though, that this hermeneutic does not require a specific methodological approach to exegesis — the distinction between Law and Gospel is simply the theological lens through which the scriptures are read. This is an important point both for the overall scope of the inquiry and within this, as well as the preceding, chapter: assessing Lutheran readings of texts requires an understanding of the Lutheran hermeneutic, and only by knowing what makes Lutheran readings of texts uniquely Lutheran can one assess those readings. Thus, rejecting or employing higher critical insights when attempting to exegete the texts of the Old and New Testaments does not automatically demonstrate the *Lutheranness* of the exegesis. It is one thing to make the claim

[1] See chapter 3: "The Law/Gospel Distinction as the Lutheran Hermeneutic"
[2] See also chapter 2: "A Lutheran Doctrine of the Scriptures?"

that there is no uniquely Lutheran methodology and it is another to demonstrate the veracity of that claim.[3] Despite the reality of the claim, scriptural exegesis is typically exemplified in both the theological exploration and in addressing methodological considerations, e.g., translational issues. But, as I have sought to demonstrate, Lutheran readings can and should be assessed according to the Lutheran standards of hermeneutics, namely, the distinction between Law and Gospel. It is only through this strict division of the theological hermeneutics and exegetical methodology, even if there may be relationships between the two, that one can see how hermeneutics shape the church's interaction with society. The practical effects of those hermeneutics are the exegetical reflections on scriptural texts. What follows, then, are explorations of Lutheran exegesis in the United States in the twentieth and twenty-first centuries.

5.3 1 Corinthians 6:9–11

Lutheran readings of scriptural texts are not always unified. One of the scriptural texts that seemingly discusses issues related to human sexuality is 1 Corinthians 6:9–11.[4] I say seemingly because of the vast dispute over the meaning of the words, μαλακοὶ and ἀρσενοκοῖται.[5]

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[3] See section 4.0 "What is Uniquely Lutheran About These Readings?" of the previous chapter for the proof of this claim.

[4] Ἢ οὐκ οἴδατε ὅτι ἄδικοι θεοῦ βασιλείαν οὐ κληρονομήσουσιν; μὴ πλανᾶσθε· οὔτε πόρνοι οὔτε εἰδωλολάτραι οὔτε μοιχοὶ οὔτε μαλακοὶ οὔτε ἀρσενοκοῖται οὔτε κλέπται οὔτε πλεονέκται, οὐ μέθυσοι, οὐ λοίδοροι, οὐχ ἅρπαγες βασιλείαν θεοῦ κληρονομήσουσιν. καὶ ταῦτά τινες ἦτε· ἀλλ' ἀπελούσασθε, ἀλλ' ἡγιάσθητε, ἀλλ' ἐδικαιώθητε ἐν τῷ ὀνόματι τοῦ κυρίου Ἰησοῦ Χριστοῦ καὶ ἐν τῷ πνεύματι τοῦ θεοῦ ἡμῶν. 1 Corinthians 6:9–11. *Nestle-Aland – Novum Testamentum Graece*, 28th revised ed., edited by Barbara Aland, Kurt Aland, Johannes Karavidopoulos, Carlo M. Martini, and Bruce M. Metzger, (Stuttgart: Deutsche Bibelgesellschaft, 2012).

[5] A full engagement of the material is beyond the scope of this work and not necessary for the present section. However, some examples of this dispute are: David F. Wright, "Homosexuals or Prostitutes? The Meaning of ΑΡΣΕΝΟΚΟΙΤΑΙ (1 Cor. 6:9; 1 Tim. 1:10)" *Vigihae Christianae* 38, no. 2 (June 1984): 125–153; W. L. Petersen, "Can 'ΑΡΣΕΝΟΚΟΙΤΑΙ' be Translated by 'Homosexuals'? (1 Cor. 6:9; 1 Tim. 1:10)" *Vigiliae Christianae*, 40, no. 2 (June 1986):187; David F. Wright, "Translating ΑΡΣΕΝΟΚΟΙΤΑΙ (1 Cor. 6:9; 1 Tim. 1:10)" *Vigihae Christianae* 41, no. 4 (December 1987): 396–398; David Newheiser, "Sexuality and Christian Tradition: Innovation and Fidelity, Ancient and Modern" *Journal of Religious Ethics* 43, no. 1 (March 2015):122–145; Christina Richie, "An Argument Against the Use of the Word 'Homosexual' in English Translations of the Bible" *The Heythrop Journal* LI (2010):723–729.

Despite the lexical entries in, for example, BDAG, modern translations do not render those words identically.[6] Of course, translation of a text involves more than simple lexical renderings. Two examples of translations at variance with one another are the English Standard Version (ESV) and the New Revised Standard Version (NRSV).

English Standard Version	New Revised Standard Version
Or do you not know that the unrighteous will not inherit the kingdom of God? Do not be deceived: neither the sexually immoral, nor idolaters, nor adulterers, nor men who practice homosexuality, nor thieves, nor the greedy, nor drunkards, nor revilers, nor swindlers will inherit the kingdom of God. And such were some of you. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and by the Spirit of our God.	Do you not know that wrongdoers will not inherit the kingdom of God? Do not be deceived! Fornicators, idolaters, adulterers, male prostitutes, sodomites, thieves, the greedy, drunkards, revilers, robbers—none of these will inherit the kingdom of God. And this is what some of you used to be. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and in the Spirit of our God.

While any number of differences could be illustrative of the variance in translation choices, one is important for the present inquiry. The phrase "men who practice homosexuality" as well as the words "male prostitutes" and "sodomites" are the ways these two particular translations render the words μαλακοὶ and ἀρσενοκοῖται. At this point, one might rightly be asking, what does this have to do with the present inquiry? Simply put, in 2009 the LCMS and the ELCA both published study bibles.[7] The LCMS study bible, *The Lutheran Study Bible* (TLSB), used the ESV translation. The ELCA study bible, *Lutheran Study Bible* (LSB) used the NRSV translation. The study notes for these sections, however, use broadly different approaches in addressing the

[6] BDAG's entry for μαλακός suggests the term means "to being yielding to touch, soft" or "to being passive in a same sex relationship, effeminate." The entry for ἀρσενοκοίτης suggests an understanding of "a male who engages in sexual activity w. a pers. of his own sex." W. Bauer, F. W. Danker, W. F. Arndt, F. W. Gingrich. *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*, 3rd ed., (Chicago: University of Chicago Press, 2000), s.v. "μαλακός" and "ἀρσενοκοίτης."

[7] *The Lutheran Study Bible* (St. Louis, MO: Concordia Publishing House, 2009); *Lutheran Study Bible* (Minneapolis, MN: Augsburg Fortress, 2009).

language of the text. One, the LCMS study bible, does not address the translational choice while the ELCA study bible only addresses the lexical issues.

What follows is an exploration of the notes in those study bibles, beginning with the LCMS and then moving to the ELCA. These study bibles are illustrative of how those church bodies seek to inculcate an understanding of the biblical text among their membership. More importantly, however, they serve as official documents from the denominations which publicly demonstrate the perspective of the church body broadly speaking. While individuals, be they clergy or laity, could and certainly would deviate from or disagree with the notes, the study bibles themselves bear the authorization of the church body as a whole. Thus, they are emblematic of various Lutheran approaches to the scriptures. This comparative examination will suggest not only differences in approaches to the biblical text but will also set expectations for the more in-depth study of Lutheran readings of Romans 1 below.

5.3.1 The LCMS Study Bible

At first glance, the exegetical notes for 1 Corinthians 6:9–11 in TLSB do not seem to address the usage of the term "homosexuality" in the ESV translation of the text.[8] That does not mean, though, that the exegetical notes do not speak to how the LCMS seeks to influence the church on matters related to human sexuality. Speaking of the entirety of verses 9 and 10, where Paul lists a number of activities and people who "will not inherit the kingdom of God"[9] the LCMS study bible, TLSB, notes that, "Paul lists habitual sins, which imply a life choice incompatible with the holiness of God's kingdom."[10] In stating this, TLSB is making explicit a

[8] See chart above for the ESV translation of 1 Corinthians 6:9–11. The actual study notes for verses 9 through 11 do not mention homosexuality once.

[9] 1 Corinthians 6:9. ESV and NRSV render this phrase identically.

[10] *The Lutheran Study Bible*, (St. Louis, MO), 1953.

connection between all of the activities and persons listed in verses 9 and 10, including the "men who practice homosexuality," and a conscious choice to do so. Although the text draws connections between those who practice such things as Paul lists and their place in the kingdom of God, it is the exegetical note that brings in the notion of a "life choice." The author of those notes states, but does not argue, the implication of choice.[11] That choice, says TLSB, is incompatible with God's kingdom and holiness. There is no subtlety here. To engage in any of the acts listed is a conscious decision tantamount to a rejection of holiness and God's kingdom. It seems to me, then, that the LCMS, through their study notes on this text, is seeking to speak to homosexuality as one sinful act among others that people make a conscious choice to engage in. In doing so, it treats this passage as Law, something which would condemn the individual making the choice to "practice homosexuality." What is lacking, though, is any nuance of the translational issues noted briefly above. That may be because the LCMS does not find the translation problematic, a point that could be argued simply based on the fact that it used the translation.

Aside from the methodological and translational questions or quarrels one might have with the exegesis contained in the study apparatus, the hermeneutic of Law and Gospel propels the study notes in this section specifically. A longer note on the entire section of 1 Corinthians 6:1–11 is useful to demonstrate this point.

> When the old sinful nature rises to cause grievances between Christians, it also tempts us to seek satisfaction through secular processes. God calls churches to settle grievance through Law and Gospel before matters get out of hand. He has already judged us "not guilty" in view of Jesus sacrifice, and He has washed us pure in Holy Baptism. • Spare us, Lord, from the temptation to resort to the ways of the world. Purify us, Holy Spirit,

[11] TLSB does not name the individual responsible for the exegesis. It does note all contributors but it does not note the individual contributions. Put another way, it names every who contributed but it does not say what each person contributed. The implications of this will be explored in a subsequent chapter.

> through the daily washing of repentance. Seat us, O God, in Your kingdom as people with true discernment. Amen.[12]

TLSB sums up the first eleven verses of 1 Corinthians 6 by speaking about how the sinful nature within Christians causes division and leads to a desire to settle controversy through secular, or in the context of the letter, legal, means instead of the Law and Gospel dynamic used by God in the life of the church. It sets both the argument against lawsuits in verses 1–8 and the list of the "unrighteous" in 9–11 together so as to explain and reject both lawsuits and the unrighteousness described later in the life of the Christian. This is clear enough by the prayer at the end of the section. The call to "spare us" and "purify us" from the desire to fall back into the "ways of the world" through a means of "daily washing of repentance" seeks to move from one set of being from another. TLSB's hope in the last line of the prayer is that the one praying would be seated not in the kingdom of the world but in the kingdom of God, as one of God's people with the ability to discern rightly the difference between the two. I would argue that this sample prayer is in actuality an example of how to pray in a Law/Gospel kind of way. The one praying, in asking to be spared, purified, and seated, asks that God would move them from being propelled by secular and sinful forces to being renewed by God's own mindset. How does this happen? Through Law and Gospel. The Law is the actual text of 1 Corinthians 6:1–11 where Paul condemns the behavior. The Gospel is in the actual text as well, where Paul speaks to being "washed… sanctified… [and] justified in the name of the Lord Jesus Christ and by the Spirit of our God."[13] Thus, the notes drive the reader back to the text to experience God's Law and Gospel so as to receive what is being prayed for.

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[12] *The Lutheran Study Bible*, (St. Louis, MO), 1953.
[13] 1 Corinthians 6:11. ESV.

One might rightly take issue with the decision of the LCMS to utilize the ESV without making reference to the translational decision and thus uncritically lumping "homosexuality" with other activities and persons. However, when one considers the exegetical notes, including the prayer, it becomes clear that the desire of the LCMS in TLSB is not necessarily to expose its readers, presumably the laity and clergy of the denomination, to the finer points of exegetical methodology or translation philosophy. Rather, the notes are intended to help the reader experience the text as God's own Law and Gospel which moves them from being beholden to secular redress or forms of unrighteousness to being those who are washed, sanctified, and justified. In sum, the hermeneutic of Law and Gospel is what propels the exegesis, not the methodology.

5.3.2 The ELCA Study Bible

As noted above, the ELCA made the decision to utilize the NRSV translation in its study bible published in 2009, *Lutheran Study Bible* (LSB). The exegetical notes for 1 Corinthians 6:9–11 focus exclusively on the translational issues noted above.

> 6:9-11 wrongdoers…sodomites. The last two examples of injustice in verse 9 stir controversy: the Greek words *malakoi* (literally, "soft ones") and *arsenokoitai* (literally, "the ones who 'bed' males"). Bible versions beyond the NRSV (here "male prostitutes") translate *malakoi* as "passive homosexual partners" (NET) and "homosexuals" (NKJV); *arsenokoitai* (here "sodomites") appears as "practicing homosexuals," (TNIV) and "homosexual offenders" (NIV). Two Bible versions (RSV and ESV) even join the separate words; one reads "sexual perverts" and the other "men who practice homosexuality." Recently, scholars have asked how ancient, Greek-speaking audiences might have heard the two terms. "Softness" signified lack of self-control in matters including but not limited to sex, as reflected in the KJVs "effeminate" and the NJB's "the self-indulgent." Some early Christians (Theophilus of Antioch, Eusebius, and Macarius) heard in *arsenokoitai* a male's desire to increase his reputation for power by shaming other males through coerced penetration. In a word, rape.[14]

[14] *Lutheran Study Bible* (Minneapolis, MN: Augsburg Fortress, 2009), 1881.

The exegetical notes above, as well as those throughout LSB, are far more reflective of methodological or textual issues, including those that speak to contemporary society.[15] David Frederickson was the exegete responsible for the exegetical notes on 1 Corinthians in LSB.[16] Clearly his primary concern in this section is to note the broad range of translation choices across bible translations as well as some of the relevant early Christian theologians. It seems to me that there are at least two possible reason for this. It may be that Frederickson wants to be clear about the translational issues simply because he is a scholar who is concerned with transparency. Yet, it also might be possible that Frederickson, and presumably the ELCA who published LSB for its clergy and laity, is sensitive to how this passage speaks to people. By being transparent about the translational issues, then, it would seem that Frederickson is creating room for people not to be crushed by the weight of the Law evident in Paul's discourse. Of course, both reasons could be true at the same time.

Although there can be no definitive explanation based on the note alone, it does demonstrate the difference between the ELCA and the LCMS in how Law and Gospel as a hermeneutic drives the exegesis of a text. The ELCA seems to assume that the text can work to condemn via the Law and make alive via the Gospel and is thus sensitive to how the text is heard. The note offered a complex discussion of lexical renderings in order to deproblematize the text for the hearer. In this way it seems to be focused more on how Law and Gospel works on the individual Christian than it is on how it shapes the exegesis of the text. The LCMS, by contrast, doubles down on the Law/Gospel dynamic of the text by emphasizing it in the exegetical notes,

[15] An example of this resides on the very same page as the notes specifically for 1 Corinthians 6:9–11. It comes after a notes explaining 1 Corinthians 6:12–20 and 7:1–9. It reads, "How do Paul's views on sex and marriage here compare with the best moral reflection in our culture and the experiences of the faithful today?" *Lutheran Study Bible*, (Minneapolis, MN), 1881.

[16] *Lutheran Study Bible*, (Minneapolis, MN), 10. In actuality he was responsible for 1 & 2 Corinthians. Unlike the LCMS study bible, the ELCA study bible, LSB, names the individual contributors as well as their specific contribution. This point will be further explored in a subsequent chapter.

thus forcing a specific experience driven by their theological commitment. It can be assumed by the lack of note to the contrary that the LCMS does believe that Paul was speaking to those "who practice homosexuality" as one manifestation of unrighteous along with others.[17] By contrast, the same assumption cannot be made of the ELCA. These examples also should set expectations for the in-depth study of the exegesis of Romans 1 which follows. One should expect that the Law/Gospel hermeneutic is more pronounced in exegesis produced by the LCMS. One should also expect that the ELCA exegesis is more sensitive to the reader of the text and, thus, spends more time speaking about the finer points of grammar, history, and translation. The only way to test these expectations is to explore their exegesis further. To that exploration we now turn.

5.4 Romans 1:26–27

The following section aims to assess Lutheran readings of Romans 1:26–27.[18] Those commentaries considered below represent a cross-section of available material throughout the twentieth and twenty-first centuries. Commentaries will be examined according to the two major denominations, beginning with the LCMS and then moving to the ELCA. The investigation will proceed in chronological order so as to query consistency across time concerning the hermeneutical thrust that shapes Lutheran exegesis.

[17] 1 Corinthians 6:9. ESV.

[18] Διὰ τοῦτο παρέδωκεν αὐτοὺς ὁ θεὸς εἰς πάθη ἀτιμίας, αἵ τε γὰρ θήλειαι αὐτῶν μετήλλαξαν τὴν φυσικὴν χρῆσιν εἰς τὴν παρὰ φύσιν, ὁμοίως τε καὶ οἱ ἄρσενες ἀφέντες τὴν φυσικὴν χρῆσιν τῆς θηλείας ἐξεκαύθησαν ἐν τῇ ὀρέξει αὐτῶν εἰς ἀλλήλους, ἄρσενες ἐν ἄρσεσιν τὴν ἀσχημοσύνην κατεργαζόμενοι καὶ τὴν ἀντιμισθίαν ἣν ἔδει τῆς πλάνης αὐτῶν ἐν ἑαυτοῖς ἀπολαμβάνοντες. Romans 1:26–27. *Nestle-Aland – Novum Testamentum Graece*, 28th revised ed., edited by Barbara Aland, Kurt Aland, Johannes Karavidopoulos, Carlo M. Martini, and Bruce M. Metzger, (Stuttgart: Deutsche Bibelgesellschaft, 2012).

5.4.1.1 Revisiting A Popular Commentary

In his commentary on the book of Romans[19] Kretzmann sees Romans 1:24–27 as part of a larger section within the chapter, verses 18–32.[20] Furthermore, he sees verses 24–25 and 26–27 as part of different yet related discussions to be detailed later. For Kretzmann the whole of 18–32, titled in the commentary as "The Moral Decay of the Gentile World,"[21] is about the "refusal to heed the natural revelation of God."[22] Verses 18–21 can be summed up for Kretzmann thusly,

> Paul now shows in what way men oppose the truth and nullify its influence. Though men had come to know God by means of the natural knowledge, though this knowledge is before their eyes always, though the idea of monotheism is ever found in the midst of polytheism, yet men would not praise and thank the true God as God.[23]

Kretzmann is arguing that human opposition to God is not out of ignorance. Humans know there is a God, either through natural knowledge or some other means, but they will not consent to the reality. Understanding Kretzmann's perspective on this point is necessary for understanding why he argues what does later on. The whole of the section should be understood as humanity's rejection of God.

Kretzmann pairs verses 24–25 with 22–23. In doing so, he attempts to highlight the idolatry Paul discusses in his opening chapter. Kretzmann postulates that verses 22–25 show what the rejection of God in verses 18–21 looks like. His perspective explores the deliberate rejection of God by humanity by surveying the ways humans chose to put something else in

[19] For an extended discussion on Kretzmann's commentary and its significance for the present investigation see section 3.3.1 "An Emblem of the Univocal LCMS" in chapter four "Lutheran Hermeneutics in Practice: Old Testament Texts."

[20] Here Kretzmann stands in line with several others. Daniel Patte's recent publication, *Romans: Three Exegetical Interpretations and the History of Reception: Volume 1: Romans 1:1-32* (London: T&T Clark, 2018), demonstrates that among various exegetical appraisals of Romans, it is common to divide the first chapter into sections, one of which begins at verse 18. See pages 77, 136, and 231 of Patte's work as examples.

[21] P. E. Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament* (St. Louis: Concordia Publishing House, 1922), 6.

[22] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 6.

[23] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 7.

God's place.[24] In sum, rejection of God looks like idolatry.[25] For Kretzmann, "The result of this idolatry is a loss of all true morality as well, a fact which God permitted as a well-deserved punishment."[26] In saying this Kretzmann betrays a perspective on immorality, namely, that idolatry and immorality are intimately connected. If one removes God, who for Kretzmann appears to the source of "all true morality," then God and that true morality are lost together. Something else takes the place of God, namely an idol, and something else takes the place of morality, namely immorality. Such an assertion brings with it the accusation that those who do immoral acts do so because of they are first idolaters. Kretzmann's assertions is not a blatant one but is implied in his argument. He sees Paul as asserting that the immorality resulting from idolatry is sexual in nature. The acts themselves serve as evidence of idolatry. They also function as a punishment from God. The depth of Kretzmann's argument deserves to be heard in full.

> Therefore, because of their godlessness and idolatry, God has delivered the idolaters into uncleanness. It is a divine punishment and destiny; God punishes sin with sin. In the lusts of their hearts, in the condition in which they were in consequence of their godless, irreligious conduct, which they delighted in, God has given them over to uncleanness. The sinful lusts and desires of the heart were the people's own doing, and the dishonoring practices which followed were God's punishment. When a person refuses to heed the warnings of God in nature and conscience, then these warnings are finally withdrawn, the unrighteous person is abandoned to the gratification of his desires and lusts, to every form of uncleanness and immorality, just as a physician may finally leave an untractable patient to his own devices. And so the uncleanness of the idolaters results in gross transgressions of the Sixth Commandment, that their bodies are dishonored in themselves. Through all immoral vices the bodies of men are shamefully treated; uncleanness takes away all the honor which the body of man possesses as a creature of God, 1 Cor. 6, 18.[27]

His exegesis suggests that God has not merely left people to their own devices but uses those devices to enact punishment. This is why he says it a "divine punishment and destiny" and that

[24] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 7–8.
[25] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8.
[26] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8.
[27] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8.

"God punishes sin with sin."[28] His perspective paints God in a judgmental light. There is nothing inherently wrong with that, but in doing so, Kretzmann intimates to the reader that if they are engaging in any similar kind of idolatry, God is sitting in judgement of them. The very thing by which an idolater shows their idolatry is then turned against them and their supposed immorality becomes their judgement. Thus, Kretzmann sees people responsible for their judgement and in doing so, exonerates God from any wrongdoing. God may be using it against them, but that is only to say God is giving people what they want. If people continue to stand in defiance of God, God withdraws entirely. In saying this Kretzmann appears to puts limits on God's capacity to persist in relationship with humans who are immoral, with humans who are idolatrous. Kretzmann's whole proposal is that idolatry results in violations of what Lutherans number as the Sixth Commandment.[29] As noted previously, that violation, or sin, is in actuality the punishment of God.[30]

Consider how this might be heard. The things I do are a result of who I am. If I am violating the Sixth Commandment, it is because I am an idolater and God is punishing me. The psychological impact of this cannot be underestimated. In point of fact, Kretzmann is being harsh, and it is likely that he is being harsh on purpose. Lutheran hermeneutics are rooted in a distinction of Law and Gospel.[31] The Law always accuses. The Gospel comforts. Thus, when

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[28] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8.

[29] For Lutherans the Sixth Commandment is the one pertaining to adultery. Luther's Small Catechism is still formative for shaping people within the context of a local worshipping community. A reference to the Sixth Commandment in this context is not simply a reference to the giving of the law in Exodus 20, it is a reference to the book that shapes many, if not all, Lutheran confirmands. In short, Kretzmann is putting his Lutheranism on display with this reference.

[30] It might be helpful to put Kretzmann's clear assertion that God is punishing in contrast with C.E.B. Cranfield's extended discussion on the "thrice used" παρέδωκεν αὐτοὺς ὁ θεός. Cranfield, *The Epistle to the Romans*, vol 1 (London: T&T Clark, 1975), 120–21. They arrive at similar positions but use different routes. Cranfield entertains differing opinions and argues the finer points of the grammatical intricacies whereas Kretzmann, true to the stated purposes in the foreword, does not.

[31] Contrast the Lutheran distinction of Law and Gospel where the Law accuses and the Gospel comforts with, as an example, C.E.B. Cranfield who titled his commentary on Romans 1:18–32, "Man under the judgment of the gospel." Cranfield, *The Epistle to the Romans*, 104. For a Lutheran, the Gospel cannot judge, only the Law can.

confronted with a section like this one in Romans, Kretzmann is not only explicating Paul's argument, he is driving home the reality of the Law for a Lutheran. It is meant to be harsh. It is intended to drive someone to repentance. This is therefore a distinctively and typically Lutheran perspective.

Even with an understanding of Law and Gospel, and their purposes, the analysis of verses 25–26 is even more explicit than what preceded it. Kretzmann sets verses 25–26 within a larger section that extends to verse 32 at the end of the chapter. Thus, his analysis which follows incorporates the whole of 25–32.

> Here is a striking and terrible arraignment and characterization of the Gentile world in the time of Paul and of the unbelieving world of all times. It was because the Gentiles persisted in their idolatrous practices and refused to give heed to the knowledge which was before their eyes, which was actually bombarding their intelligence on every hand, that God gave them over, abandoned them: they fell to the very lowest depths which bestial passions may reach, into lusts and desires of dishonor and shame. The heinousness of their transgression is marked by the words referring to the sex of the transgressors, for they became guilty of the most unnatural and revolting filthiness, since the persons of the female sex among them (they can no longer be designated as women) changed the natural use according to God's divine institution into one altogether at variance with nature, women practicing unchastity with women. And in the same way the persons of the male sex abandoned, gave up, the natural use of the opposite sex within the bonds of holy matrimony, and burned in their venereal lust and desire toward one another, males perpetrating shameless acts with males, and receiving the reward, the punishment for their error, for their willful, grievous departure from the order of God. It was necessary that they be punished in themselves, in their own bodies; it was demanded by the holiness and righteousness of God. The punishment for the sins of unchastity here referred to is in proportion to their unnaturalness and to the extent of the sinners' departure from the service of the true God to all manner of base idolatry… The apostle gives a long catalog of their sins in which they find their delight… The depth of their profligacy is finally indicated by a summarizing sentence: Being such people, so constituted, that they knew the righteous judgment of God, fully conceding to Him the right to determine the relation of human beings toward one another, and fully aware also of the fact that all those that commit the sins mentioned by the apostle are guilty of death, yet they not only persist in doing them, but they also encourage obstinate malefactors in their persistent depravity.[32]

[32] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8–9.

Kretzmann sees no difference between the world of Paul and the world of his own day in terms of what an "unbelieving world" looks like.[33] As before, Kretzmann asserts that God abandons those who persist in idolatry. Those whom God abandoned fell further and further into immorality. His description of the sexual immorality reveals a disgust with it as words like "unnatural" and "revolting" imply.[34] Phrases like "the heinousness of their transgression" and "burned in their venereal lust" do nothing but drive home for the reader the supposed debased nature of the acts.[35]

Kretzmann's assessment demonstrates his understanding of "the depth of immorality and godlessness."[36] The extended discussion on sexual relations and how it leaves no room for equivocation. Women who engage in sexual relations with other women, in the mind of Kretzmann, should not be called women. This is at the very least a degrading assertion. It might have been a commonplace thought during his own cultural era. Heard today, however, it argues that women, and men should be included here, who engage in the activity described above are subhuman. Female, but not women. Male, but not men. Again, this is in part the goal of the Law, to drive someone to despair, to break them down in order that the Gospel might build them up. That does not excuse the harshness of the language, but it puts it within the practical application of scripture inherent to Lutheran exegesis. When he returns to a discussion about the necessity of punishment for such actions he does so by speaking once again about how immorality becomes the very judgement of God. There is one difference here that was not as prevalent before. He concludes that those engaging in immoral acts also incite others to do the same. The move is a kind of fully developed obstinance.

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[33] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8.
[34] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8.
[35] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8.
[36] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 8.

For Kretzmann it is as though engaging in perceived immoral action is one thing and encouraging others to do it something else. He is in effect creating levels of idolatry, the worst of which is when an idolater encourages others to do likewise. Sin is bad enough, but encouraging sin is worse. Again this serves as a warning to those who would encourage others. In that way it is also crushing Law. One might expect Kretzmann not to skimp on the severity of the Law within the whole of this passage. One should not, however, give him a free pass to treat people as subhuman no matter how he reads Paul's letter. While his language is clearly offensive by current standards, Kretzmann's assertions are problematic for his own time too. Even if many would have agreed with his linguistic choice, dehumanizing language has never been appropriate.

Kretzmann sums up the whole of Romans 1:18–32 tidily with a paragraph that argues that Paul is not just talking about the ancient world, but the world in every age.[37] On one level, such a paragraph simply reinforces the stated purpose of the commentary, to form and shape people that they might experience God. In this way he makes clear for his readers the value of the text in their own life. It is a warning, not only about what actions should be avoided, but about what lies at the root of those actions. Put another way, Kretzmann sees Paul arguing that idolatry is at the root of all immorality. In the end, the argument of 1:18–32 as a whole, and 24–27 in particular, is about reminding people that God is God and should be worshipped as such. To put something else in God's place results in all sorts of idolatrously immoral actions. This is what the Lutheran hermeneutic of Law and Gospel aims to achieve, putting God and humanity each in their proper place. The Law breaks down, accuses, and kills. The Gospel builds up, acquits, and makes alive. When humanity puts something in God's place, it needs the Law. Only after the Law does its

[37] Kretzmann, *Popular Commentary of the Bible*, vol. 2, *The New Testament*, 9.

job, can the Gospel come in and do its job. When thought of in this light, I would argue that Kretzmann's commentary only does half the work. It brings the Law in all its harshness. It does not in this instance, however, bring the Gospel.

When considering this work in its time period as well as within the LCMS, it is clear that Kretzmann embodies the Lutheran hermeneutic of Law and Gospel as expressed earlier. In this way, he serves to demonstrate not only an early twentieth century position among Lutherans concerning sexuality but also shows how the Law and Gospel hermeneutic shaped his Lutheran reading of the text. Kretzmann spoke on behalf of the LCMS in this commentary in order to shape how the membership of the denomination interacted with the scriptural text. Thus it serves the purpose of the present inquiry because it shows how Lutheran hermeneutics have shaped the church's interaction with society, specifically regarding issues of sexuality. It is not, however, the only example to consider.

5.4.1.2 Franzmann's Concordia Commentary

In 1968, several years after the publication of Kretzmann's *Popular Commentary,* Concordia Publishing House (CPH), the official publishing arm of the LCMS, produced a commentary on Romans as part of their series titled *Concordia Commentary.*[38] Unlike the *Popular Commentary* which was authored by a single individual, the new series selected several different authors to produce the works. CPH selected Martin H. Franzmann, professor at Concordia Seminary in St. Louis to write the commentary on Romans. Not only was Franzmann

[38] Presently the volumes that are part of this original series, some of which are still available for purchase, are referred to as the "Classic Commentary." This is due in part to the fact that Concordia Publishing House is releasing contemporary commentaries, including a pair on Romans, as part of the *Concordia Commentary* series. Michael P. Middendorf was selected to produce the newer two volume commentary on Romans discussed below. See Concordia Publishing House's catalog: https://www.cph.org/c-2890-concordia-commentary.aspx.

well known in the LCMS, he was also well respected.[39] It was an uncontroversial move to select Franzmann for the production of the commentary because he had taught a course at Concordia Seminary on Romans for over a decade.[40] According to the editors of the series, the authors of the commentaries, including Franzmann, "accept the Bible as the source of faith and the directive for life. They pursue their task in confessional commitment to Biblical revelation."[41] It is worth stopping to reflect on this briefly. In making this statement the editors are asserting a particular doctrine of the scriptures and theological hermeneutic. In saying that the authors "accept the Bible as the source of faith and the directive for life," they are echoing the words the LCMS speaks in its constitution concerning the scriptures as the "the only rule and norm of faith and of practice."[42] Furthermore, in stating that "they pursue their task in confessional commitment to Biblical revelation," the editors are speaking to how the Lutheran confessional theological commitment shapes the commentary that follows. It seems to me that this decision by the authors seeks to confirm the orthodoxy of the author, to provide a confirmation that the exegesis offered conforms to a specific Lutheran perspective, namely that of the LCMS. As such one should expect the Law/Gospel dynamic to play a prominent role in the exegesis.

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[39] One of the reasons Franzmann garnered such respect is because of his gift for language. Apart from being a New Testament scholar, Franzmann was also a hymnist. Two studies that investigate Franzmann as a hymn writer are: Richard N. Brinkley, *Thy Strong Word: The Enduring Legacy of Martin Franzmann* (St. Louis: Concordia Publishing House, 1993); Leaver, Robin A. Leaver, *Come to the Feast: The Original and Translated Hymns of Martin H. Franzmann* (St. Louis: MorningStar Music Publishers, 1994). For a complete biography on Martin H. Franzmann see: Matthew E. Borrasso, *The Art of Exegesis: An Analysis of the Life and Work of Martin Hans Franzmann* (Eugene, OR: Wipf & Stock, 2018).

[40] Matthew E. Borrasso, *The Art of Exegesis: An Analysis of the Life and Work of Martin Hans Franzmann* (Eugene, OR: Wipf & Stock, 2019), 70–75.

[41] Walter J. Bartling and Albert E. Glock, series editors, "Preface," in *Romans*, Concordia Commentary, (St. Louis, MO: Concordia Publishing House, 1968), 7.

[42] "2019 Constitution, Bylaws, and Articles of Incorporation as amended by the 2019 LCMS Convention 20–25 July 2019" (St. Louis: The Lutheran Church—Missouri Synod, 2019), II.1. Although this citation is from the current LCMS Constitution, Bylaws, and Articles of Incorporation as referenced in chapter 2, the language has been part of the LCMS since its founding in 1847. See: "Our First Synodical Constitution," *Concordia Historical Institute Quarterly* 16, no. 1 (April, 1943): 1–18. Specifically Article II:1.

The editors do more than parrot familiar language to allay any fears. Speaking of the authors of the commentaries in this series the editors write, "yet, in their role as biblical scholars it is their function to subordinate personal reflection and private or sectarian views to the unique and original direction of the text."[43] In sum, the editors speak so as to ensure that the writers of the commentary, including Franzmann, suppress their own opinions and only write concerning what the text says. I would argue this line of assurance on the part of the editors serves two functions. First, it speaks to methodology. In this way it assures the reader of the commentary that the text is not being obscured by methodology but revealed by it.[44] Second, and perhaps more importantly, it is demonstrating that the church's theological commitment and perspective overrides the individual's. Thus, this commentary intends to put forth the church's perspective, not simply the perspective of the author. In this way it is identical to Kretzmann's *Popular Commentary.* Franzmann may be the author, but the exegesis is the church's exegesis. In assessing how Lutheran hermeneutics have shaped the church's interaction with society, this text is invaluable as it purports to do just that.

As one might expect, Franzmann's commentary follows a similar structure to Kretzmann's textual divisions in chapter one.[45] As such, Franzmann sets verses 26–27 in the broader context of 1:18–32.[46] He also speaks of the section generally as referring to idolatry.[47] With regard to verses 26 and 27, Franzmann offers a single paragraph.

> A second time the awesome "God gave them up" is heard. God gives man up to "dishonorable passions." Man has destroyed the natural relationship between himself and

[43] Bartling and Glock, "Preface," *Romans*, 7–8.

[44] The editors make this point in the next paragraph. "This commentary, therefore, is addressed to the devout who may often be mystified or frightened by the Bible's vastness and depth. The commentary attempts to provide a contemporary understanding of the ancient text rather than to develop practical implications for modern life. Theological, historical, and literary interests are of the uppermost." Bartling and Glock, "Preface," *Romans*, 8.

[45] Martin H. Franzmann, *Romans*, Concordia Commentary, (St. Louis, MO: Concordia Publishing House, 1968), 19.

[46] Franzmann, *Romans*, 19, 38–43.

[47] Franzmann, *Romans*, 38.

> his God; his life has become perverted at its heart and core. God's wrath brings home to man the horror of this religious perversion in the perversion of his sexual instincts, in the horror of homosexuality. Paul is not muckraking or going far afield to find materials for the indignant moralist when he speaks of these things; these horrors were in the very texture of the life (including the religious life) and culture of the world to which he spoke; he had to speak of them. They were vividly before him as he wrote; he wrote from Corinth, notorious for its viciousness even among tolerant Greeks.[48]

Franzmann begins by quoting the text and then he moves to a discussion about how God gave up of humanity to its desires.[49] In doing so, Franzmann stresses the role of man in the "perversion." He also goes on to say that "God's wrath brings home to man the horror of this religious perversion." It is worth dwelling on this line briefly. Here one sees the Law/Gospel hermeneutic at work, God's works wrath by showing humanity its perverse state. Thus, Franzmann is emphasizing that the purpose of this text is to work wrath on the reader.

As Franzmann continues, he unpacks the religious perversity by defining it as "the perversion of [man's] sexual instincts."[50] Furthermore, the "horror of this religious perversion" is the "horror of homosexuality."[51] Part of this wordplay is evidence of Franzmann's penchant for philology.[52] In my estimation, however, that does not excuse Franzmann's analysis of the text. In calling homosexuality a horror he is making a value judgement, one that is shared by the LCMS.[53] For Franzmann, and ostensibly the LCMS, the outcome of the religious perversion of idolatry is the sexual perversion of homosexuality. Franzmann, does, however, caveat the condemnation. "Paul is not muckraking or going far afield to find materials for the indignant moralist when he speaks of these things." In other words, Franzmann is asserting that the

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[48] Franzmann, *Romans*, 42.

[49] The text is the Revised Standard Version. Bartling and Glock, "Preface," *Romans*, 7.

[50] Franzmann, *Romans*, 42.

[51] Franzmann, *Romans*, 42.

[52] Franzmann was a gifted linguist and poet. See: Matthew E. Borrasso, *The Art of Exegesis: An Analysis of the Life and Work of Martin Hans Franzmann* (Eugene, OR: Wipf & Stock, 2018).

[53] The LCMS first passed a resolution condemning homosexuality in 1973. See *Proceedings of the Fiftieth Regular Convention of The Lutheran Church—Missouri Synod, New Orleans, Louisiana, July 6–13, 1973* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1973), 110.

condemnation of homosexuality is not Paul grasping for a random sin that would incite a moralist. Rather, "these horrors were in the very texture of the life…. They were vividly before him as he wrote; he wrote from Corinth, notorious for its viciousness even among tolerant Greeks."[54] That is to say, Franzmann sees Paul speaking about life as he encountered it in Corinth. To me, this reveals some of the methodological principles underlying Franzmann's exegetical assessment. He does seem to be concerned about isagogic matters like the place from which Paul wrote Romans. Franzmann does not, however, limit Paul's perspective only to his context. Rather, he said the opposite, he said Paul was speaking from his context. Thus, for Franzmann, Paul is certainly rooted somewhere historically, but that does not mean the judgement Paul renders is only for his own time. Franzmann actually says as much as he concludes commentary on the entire section.

> Paul is not accusing each man in the Roman world of every sin which he enumerates. But he is telling all men: These are the diseases of your culture, the blight upon the history in which you play your part….He gives each man eyes to see in his history the revelation of the wrath of God. He is calling on all men to repent.[55]

In saying this Franzmann is arguing that Paul's condemnation speaks across history. The wrath and judgement of God are not only for Paul's context but for the world. In this way Franzmann is embodying the hermeneutic of Law and Gospel. Franzmann's ultimate point is that Paul is "calling on all men to repent." As discussed previously, this repentance is wrought by the Law which works the wrath of God.

Franzmann thus stands in line with Kretzmann and other Lutheran readers of the scriptures by seeing through the lens of Law and Gospel to apply the text across time to the present. Texts may be historically conditioned, like Paul writing from Corinth, but that does not

[54] Franzmann, *Romans*, 42.
[55] Franzmann, *Romans*, 42.

mean texts only speak to one historical moment as Paul is calling all men to repent. I would argue that this demonstrates how Lutheran readings shape the church's interaction because Lutherans in America have argued that what was condemned by the Law through Paul stands condemned. The person who engages in those acts, then or now, is the idolater whose religious perversion has led to sexual perversion. One might indeed take umbrage with the harsh language, but as with Kretzmann, harsh language is to be expected. Why? Because the purpose of the Law is to condemn.

5.4.1.3 LCMS Study Materials

In addition to his commentary, Martin Franzmann contributed to the LCMS exegetical appraisal of Romans 1:26–27 in a book titled, *Concordia Self-Study Commentary: An Authoritative In-Home Resource for Students of the Bible*.[56] The title alone suggests how the publication was intended to function—authoritatively. As Concordia Publishing House did with Kretzmann's *Popular Commentary* and the entire Concordia Commentary series discussed above, they did with this volume. Before commenting on the actual content of Franzmann's contribution it is necessary to draw together the various threads above concerning this kind authoritative exegesis in the LCMS. With the publications already mentioned, as well as the ones yet to be discussed, I would argue that the LCMS seeks to assure its membership that the publications are trustworthy.[57] All of the language that seeks to show the scriptural, theological,

[56] Roehrs and Franzmann, *Concordia Self-Study Commentary.* Franzmann co-wrote this with Walter Roehrs. Franzmann was responsible for all New Testament texts as well as the minor prophets from the Old Testament. Roehrs was responsible for the remainder of the Old Testament. In reality, much of the content from Franzmann was reproduced from an earlier work entitled *The Word of the Lord Grows: A First Historical Introduction to the New Testament* (St. Louis: Concordia Publishing House, 1961). This is, in part, because Franzmann died in 1976.

[57] The publications mentioned pertaining to the LCMS are *The Lutheran Study Bible, Popular Commentary* by Kretzmann, *Romans* by Franzmann, and the *Concordia Self-Study Commentary: An Authoritative In-Home Resource for Students of the Bible* by Roehrs and Franzmann. The two yet to be mentioned publications are the

and confessional commitments of the exegesis is an attempt not simply to allay fear, but to establish the authoritative nature of the exegesis for the church body by teaching its clergy and laity what to think, not simply how to think. This point is important for the present inquiry in part because there is no corollary in the ELCA presently as will be shown below. It demonstrates in part a significant difference in exegesis and shows that hermeneutical and methodological similarities or discrepancies might not actually account for the entirety of the differing approaches of the LCMS and ELCA on matters related to human sexuality. This is crucial for understanding how Lutheran hermeneutics in the United States has shaped the church's interaction with society because it speaks to factors external to the Lutheran hermeneutic of Law and Gospel. Hermeneutics and methodology shape exegesis, but so does the intent of the church body to establish authoritative readings.

As noted above, Martin Franzmann wrote the exegetical notes in the *Concordia Self-Study Commentary* for Romans 1:26–27. Unsurprisingly, the notes do not deviate from the overall thrust of Franzmann's Romans commentary discussed above as he generally speaks about verses 18–32 as pertaining to idolatry. There is, however, one section worth considering with regard to verses 26 and 27 specifically.

> God gives men up, judicially, to the wickedness they wanted by giving them more of it than they wanted; He delivers them up to the degradation of their unleashed sensuality (24), to the debasement of sexual perversion (26–27), to the *base mind* which sets man against man and makes men hell to each other in the social order that was designed by God to be their protection and blessing.[58]

Franzmann is saying that Paul is demonstrating not only that God gives people over to their desires, but how God does it. God does it, says Franzmann, "by giving them more of it than they

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Concordia Self-Study Bible and *Romans 1–8* in the updated Concordia Commentary series by Middendorf published by CPH.

[58] Franzmann, "Romans," *Concordia Self-Study Commentary*, 126. Emphasis original.

wanted."[59] The "sexual perversion" in verses 26 and 27 specifically, then, is not only unnatural, it is a type of punishment. As such, human beings who engage in any of the activity described by Paul in the section, "make… hell to each other in the social order."[60] I would argue this language is intentionally dehumanizing. Franzmann is trying to show how the "debasement" affects humanity's social order. It would seem that any discussions on sexuality that proceed from this perspective assume that that those engaged in activity described in verses 26 and 27 is subhuman. That is to say, with Kretzmann, Franzmann sees idolatry leading to a human being becoming something other than human. In Kretzmann's language, humanity took the place of God, in Franzmann's, God gave up humanity and human beings became something debased.[61]

As mentioned before, the Law/Gospel hermeneutic prevalent in the LCMS exegesis often evidences a use of robust language intended to drive the Law home to the hearer. For Franzmann, this is clear by how he sees humans making "hell to each other in the social order." That very language speaks to the salvific aspect of the Christian faith. Law and Gospel as a hermeneutic are used so as to avoid hell, not embrace it. Thus, one sees how this Lutheran hermeneutic has, in this instance, shaped the church's interaction with the social order. Any order that embraces sexuality in opposition to what Paul is said to be expressing in Romans 1:26–27 is to create hell. That language would certainly frighten anyone who is seeking to avoid hell, especially those who know, or are, those whose sexuality grates against this suggested reading of Paul. The Law does not intend to coddle, it intends to kill. In this instance, killing would mean a rejection of the same things Paul is presented as rejecting.

[59] Franzmann, "Romans," *Concordia Self-Study Commentary*, 126.
[60] Franzmann, "Romans," *Concordia Self-Study Commentary*, 126.
[61] See Kretzmann's discussion of idolatry at the end of the section 4.1.1.3 above.

The two other LCMS study bibles follow Franzmann and Kretzmann on this point. The *Concordia Self-Study Bible*, published in 1986, "is a Lutheran edition of *The NIV Study Bible.* The notes have been edited and revised to provide a distinctively Lutheran emphasis."[62] This is an important point not to miss as CPH did not produce this study bible out of nothing. Rather, it borrowed from a non-Lutheran study bible already in existence and then "edited and revised to provide a distinctly Lutheran emphasis."[63] The *Concordia Self-Study Bible* actually denotes which of the study notes have been edited.[64] The notes regarding Romans 1:26–27 were not edited or revised with such an emphasis as the indicator mark is absent from the text.[65] The publishing of the unchanged notes by the LCMS suggests at a minimum that the editors approved of their content and put it forth as authoritative for clergy and laity. What do those notes say? First, the commentary on verse 26 notes that "their women" in the NIV translation does not mean "necessarily their wives."[66] One is left to wonder why this note was important to include as no other commentary thus far investigated has made a similar point. It may be due solely to the translation of the NIV. This note speaks to sexual expression outside of marriage. In doing so, it does not seem to be a neutral point. According to notes speaking to the context of the verse, Paul is speaking to God's judgement. Thus, the note on verse 26 is aimed at condemning any sexual encounter that takes place outside of marriage. The note on verse 27 is rather brief but also condemnatory. "Homosexual practice is sinful in God's eyes. The OT also condemns the practice (see Lev 18:22)."[67] The language is intended to be condemnatory by connecting the practices discussed in 26 and 27 with God's own eyes, meaning of course, God's perspective.

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[62] *Concordia Self-Study Bible* (St. Louis, MO: Concordia Publishing House, 1986), Foreword.
[63] *Concordia Self-Study Bible*, Foreword.
[64] *Concordia Self-Study Bible*, Foreword.
[65] The notes match *The NIV Study Bible* exactly.
[66] *Concordia Self-Study Bible*, 1718.
[67] *Concordia Self-Study Bible*, 1718.

While it would difficult, if not impossible, to argue that the Law/Gospel hermeneutic propelled notes written by someone who is not a Lutheran, it is clear that the LCMS, who holds to that hermeneutic, approves of the language in part because it dovetails with how the Law is intended to work on the reader.[68]

The latest iteration of a study bible published by the LCMS, *The Lutheran Study Bible* (TLSB), speaks in similar terms concerning verses 26 and 27. The commentary on verse 26 highlights how the misuse of "sexuality [which] brings dishonor."[69] It also states that verse 26 speaks directly to "homosexual activity" and declares it "is a departure from the natural order."[70] The commentary on verse 27 speaks in similar fashion as it states that, "homosexuality activity exchanges a natural desire for the opposite sex for an unnatural lust for one's own sex."[71] None of this is particularly unique to TLSB as previous Lutheran readings of the text have made similar arguments. What is unique, and worth considering, is how frank the argument that these verses are speaking directly to contemporary sexual issues seems to have developed over time. None of the previous readings discussed thus far came with a recognition of this fact. TLSB does.

> Paul's candid discussion of homosexuality may surprise and offend some readers. The Greco-Roman world was generally open to homosexuality, though there were critics, including Jews, Christians, and some philosophers. Homosexuality is an example of how something that seems obvious from nature (the relation of two sexes, the body was not designed for homosexual activities) is exchanged for something unnatural. This is a further effect of exchanging the worship of God for the worship of idols.[72]

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[68] As noted in the frontmatter of the *Concordia Self-Study Bible*, these exegetical appraisal of Romans was contributed by Walter W. Wessel whose career was spent at Bethel Theological Seminary. *Concordia Self-Study Bible*, Contributors.

[69] *The Lutheran Study Bible*, (St. Louis, MO), 1910.

[70] *The Lutheran Study Bible*, (St. Louis, MO), 1910.

[71] *The Lutheran Study Bible*, (St. Louis, MO), 1910.

[72] *The Lutheran Study Bible*, (St. Louis, MO), 1910.

The first sentence in the above quote acknowledges the frankness of the discussion. The author of the notes knows that it could be heard as offensive or surprising. The author tries to explain this by speaking about the Greco-Roman context but that explanation does not seem to be intended to soften the offense. Instead, the author speaks directly against the sexual act related to homosexuality. To me this is problematic as the author in no way allows for an understanding of sexuality that encompasses more than just the sexual act. It does a disservice to the nuance of contemporary understandings not only by the acknowledgement of potential offense, but also by the reticence to acknowledge the fuller dimensions of sexuality within an individual's identity. Unsurprisingly, the analysis of the text in TLSB concludes with a reference to idolatry just as Kretzmann and Franzmann had done previously.

This investigation of TLSB would not be complete without an understanding of how the hermeneutics are meant to shape the church's interaction with society. Methodological decisions not to nuance the reading in light of contemporary understandings of sexuality are the product of a hermeneutic that seeks to emphasize the dialectic of Law and Gospel. Paul intends to point out, and condemn, idolatry, and thus the notes do just that. There may be other ways to speak about the activity discussed in Romans other than homosexuality as it is presently understood but that is inconsequential as the notes actually admit—offense might happen but in effect it does not matter. The notes for the broader section close with a reminder and a prayer which serves as evidence of that point.

> We love to condemn the sins of others. We might not have committed some of the acts Paul condemns, but we all have sinned. We have exchanged God's truth for human foolishness. Seeing sin, we ought not to respond defensively but in confession. We know God's response to sin: He sent His Son to die for sinners. • Lord have mercy on me, a sinner. Grant me since confession and compassion for others sinners. Amen.[73]

[73] *The Lutheran Study Bible*, (St. Louis, MO), 1910.

TLSB is stating that despite a propensity to enjoy condemning others, everyone should be reminded of their sinful situation. For TLSB, everyone has exchanged truth for foolishness. Moreover, everyone should respond not defensively but in contrition and confession, knowing that Christ has died for them. It seems to me that TLSB is speaking from their hermeneutical perspective of Law and Gospel more than any methodological consideration. The notes here, and specifically the prayer, drive a person to consider their own sinfulness in order to be pointed to the Gospel, Christ's death for the sinner.

The three works considered in this section follow Kretzmann's *Popular Commentary* and Franzmann's *Romans* commentary. Perhaps more than that, they intensify, rather than abate, the assertion that the text is speaking to contemporary sexuality issues. The hermeneutic of Law and Gospel intends to strike every reader that they might know what God demands, the Law, and in order to receive what God gives, the Gospel. In shaping individuals the hermeneutic shapes the church's interaction with society. Methodology has a part in scriptural exegesis, but it does not drive the exegesis explored above, the hermeneutic does.

5.4.1.4 Middendorf's Concordia Commentary

It may seem redundant at this point to consider yet another commentary on Romans published by Concordia Publishing House but it presently stands as the most recent publication speaking directly to the present inquiry. Published in 2013, *Romans 1–8* by Michael P. Middendorf, a professor at Concordia University Irvine, one of the six undergraduate institutions associated with the LCMS. As the present investigation into LCMS exegesis of Romans 1:26–27 has already demonstrated similarities across time and authors, this investigation will only highlight a unique significant contribution from Middendorf's commentary. Unlike Kretzmann

and Franzmann, Middendorf displays his erudition by demonstrating a clear familiarity with linguistic, grammatical, and logical considerations pertinent to Paul's writing.[74] Yet, he comes to a similar position concerning the text that Franzmann and Kretzmann did. Middendorf argues based on the grammar that "Paul's words apply to any and all same-gender sexual relations."[75] In order to elaborate on his argument he points the reader to an excursus titled, "Homosexual Conduct is Contrary to Nature (Romans 1:26–27)."[76] In that excursus he does what no one before him had, present counter arguments to his final analysis about what he claims is Paul's prohibition against "any and all same-gender sexual relation."[77] The excursus begins with an extended discussion of Paul's understanding of nature but then moves to the presentation of no fewer than six alternative arguments to his own.[78] While those alternative arguments are interesting in their own right, they are not germane to this present moment within the investigation. His conclusion, however, is.

> A concluding response to all of these proposed alternative interpretations of Rom 1:26–27 is that each of them places an unwarranted limitation on what Paul condemns. As the commentary on the verses shows, nothing in the language of 1:26–27 is in any way restrictive; the verses prohibit sexual intimacy of females with females and males with males. "When these factors are considered, it is clear that Paul depicts homosexual activity as a violation of God's created order, another indication of the departure from the true knowledge and worship of God."[79]

In sum, Middendorf is left unconvinced by other methodological approaches to the text and reasserts his position that the text is not restrictive but expansive to all relations therein described. The above quote Middendorf chose to include in his excursus is from Douglas Moo's Romans commentary dovetails with what other Lutherans have said, though Moo is certainly not

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[74] Michael P. Middendorf, *Romans 1–8*, Concordia Commentary: A Theological Exposition of Sacred Scripture, (St. Louis, MO: Concordia Publishing House, 2013), 113–144.

[75] Middendorf, *Romans 1–8*, 135.

[76] Middendorf, *Romans 1–8*, 135. The excursus is on pages 145–150.

[77] Middendorf, *Romans 1–8*, 135.

[78] Middendorf, *Romans 1–8*, 145–150.

[79] Middendorf, *Romans 1–8*, 150.

Lutheran.[80] More important for the present inquiry, however, is the juxtaposition of the quote to the conclusion. I would argue that concluding a discussion on methodology with a call to consider the "true knowledge and worship of God" does not assert a particular methodology but rather a particular theological outlook. It seems to me, then, that the LCMS remains committed to addressing texts relating to sexuality from primarily, though not exclusively, a theological lens. This means that hermeneutics, not exegetical methodology, is what actually shapes the reading of the text, and thus, the reader.

The above investigation into LCMS readings of the text has yielded that the LCMS does see Romans 1:26–27 as prohibiting certain types of sexual relations and intimacy. That discussion, though, is set in a broader framework of the worship of God in opposition to idolatry. For the exegetes above, the activity prohibited exhibits idolatry and thus needs to be rejected. Methodological concerns have not primarily shaped these readings, the hermeneutic of Law/Gospel has. The Law is presented in all of its firmness in order to drive the reader back to repentance. Additionally in these readings, the LCMS has sought to establish an official, or authoritative, voice among its clergy and laity. That imprimatur comforts and cajoles. It allays fears and provides a clear directive to the reader that their embodiment in society should reflect the worship of God and not the worship of idols. The value for the investigation into how Lutheran hermeneutics have shaped the church's interaction with society is almost self-evident. I would argue that a commitment to the Law/Gospel hermeneutic has not only shaped the LCMS readings of the text by privileging the hermeneutical concerns but has also shown intent on the part of the LCMS to shape their membership in specific ways, namely not to nuance homosexuality but to reject it wholesale as a manifestation of idolatry.

[80] Douglas J. Moo, *The Epistle to the Romans* (Grand Rapids, MI: William B. Eerdmans Pub., 1996), 115.

5.4.2.1 Pre-ELCA Perspectives

Any investigation into ELCA readings of the text could not parallel identically the previous one of the LCMS. This is due in large part to the fact that the ELCA was formed in 1988 as a result of a merger process between the American Lutheran Church (ALC), the Lutheran Church in America (LCA), and the Association of Evangelical Lutheran Churches (AELC).[81] Part of the ELCA's precursor history, particularly with regard to the AELC, is the history of the LCMS just investigated because the AELC was a group formed by congregations who left the LCMS in the mid-1970s.[82] In a very real sense, then, the AELC's history carries with it the LCMS's history. Thus, part of the investigation into pre-ELCA perspectives was already done when we considered Kretzmann's *Popular Commentary* and Franzmann's *Romans.* However, that strain is only one of three that fed into the formation of the ELCA. The ALC has a rich history all its own as does the LCA and both of those church bodies were themselves a part of a merger.[83] Erik Heen's article, "The Bible Among Lutherans in America: The ELCA as a Test Case" traces how various threads of Lutheranism in America wrestled with how to approach and read the scriptures.[84] It is certainly instructive, but it is not necessary to engage Heen point by point in this present inquiry. It is enough to know that where the LCMS sought to speak univocally in exegesis, or authoritatively as described above, the ELCA has not, in part because

[81] For a fuller history of the formation of the ELCA see: https://www.elca.org/About/History. Another helpful source is: Mark Granquist, *Lutherans in North America: A New History* (Minneapolis: Fortress Press, 2016). See also: Kenneth W. Inskeep, ''Religious Commitment in the Evangelical Lutheran Church in America: Findings from the Faith Practices Survey, 2001,'' (Department for Research and Evaluation, Evangelical Lutheran Church in America, July 23, 2001).

[82] Granquist, *Lutherans in North America*, 234, 304.

[83] See: Granquist, *Lutherans in North America*, 271–73, 285; E. Clifford Nelson, *Lutheranism in North America 1914–1970* (Minneapolis: Augsburg Publishing House, 1972).

[84] Erik Heen, "The Bible among Lutherans in America: The ELCA as a Test Case" *Dialog* 45, no. 1 (Spring 2006): 9–20

it cannot and because it does not want to.[85] I would argue then, that the same Lutheran hermeneutic of Law and Gospel shared by the ELCA and LCMS will evidence itself in different ways. Where it was clearly fronted in LCMS exegesis, at times quite explicitly, it will likely be far more implicit in ELCA readings as was the case with 1 Corinthians 6:9–10 above.

One example of this implicit hermeneutic includes a one-volume New Testament Commentary published by one of the ELCA's predecessor bodies initially in 1936 and then revised in 1944.[86] One of the major components of the revision involved the commentary on the book of Romans. The man who had prepared the notes for the first edition, Andrew G. Voigt, had passed away and his friend and colleague at the Lutheran Theological Southern Seminary in Columbia, South Carolina, John W. Horine, expanded and revised Voigt's notes.[87] The notes themselves do not address any matters of contemporary understandings of identity and sexuality directly. Rather, they state that Paul is speaking a word of warning and judgement out of his own context.

> The climax of depravity is this: that they who know the ordinance of God, that they that practice such things as worthy of death, not only do the same, but also consent with them that practice them, that is, even encourage and connive with others in their vicious practices. With this climax the apostle closes the dark catalogue of sins, as he was aware of them in the Graeco-Roman world. But as dark a picture might be drawn to portray the pagan, and even the Christian world of the present day.[88]

Horine and Voigt speak about the activity in Romans 1:26–27 as part of the "climax of depravity."[89] They suggest that the problem is not just the one who participates in the act, but

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[85] Heen, "The Bible among Lutherans in America," 18–19.

[86] *New Testament Commentary: A General Introduction to and a Commentary on the Books of the New Testament*, edited by Herbert C. Alleman (Philadelphia, PA: Muhlenberg Press, 1936, revised 1944).

[87] "Prefatory Note on the Revision," *New Testament Commentary*. The difference on this particular section appears to be negligible.

[88] Andrew G. Voigt and John W. Horine, "Romans," in *New Testament Commentary: A General Introduction to and a Commentary on the Books of the New Testament*, edited by Herbert C. Alleman (Philadelphia, PA: Muhlenberg Press, 1936, revised 1944), 445.

[89] Voigt Horine, "Romans," *New Testament Commentary*, 445.

also those who encourage participation. It is an attempt to paint as "dark a picture" as possible using "the dark catalogue of sins."[90] It seems to me that this language reveals something about how Voigt and Horine perceive the sexual intimacy described in Paul's text, namely, that it is not simply "dark" but sinister—it is more than just wrong to engage, it is pagan in the worst sense. But notice, no specific act is named in the above quote or the remainder of the notes on section dedicated to verses 18–32. Rather, the commentary seems to provide a caveat when it says, "as he was aware of them." Intentional or not, this opens up room for debate. Is Paul only offering a set of historically conditioned examples or is he offering up examples that endure for all time?

The answer to that question has to be tempered by the final sentence, namely, that the picture could well represent "the pagan" world of yesterday of the "Christian world of the present."[91] Here we see a major difference between early LCMS readings and those of the precursor to the ELCA, namely, that where the LCMS was unequivocal, the pre-ELCA readings create room for equivocation. This example from the early twentieth century cannot simply be dismissed as the imposition of historical-critical methodologies on the text because as I have argued above, methodology is not the only, or even primary driver of exegesis. It suggests then, that the theological hermeneutic behind the exegesis is held differently in those ELCA precursor church bodies.[92] While this may not be essential to a discussion about the ELCA of the present, it certainly speaks to the difference that existed within Lutheran circles and is thus germane to the investigation. How a church body holds its hermeneutic is as important as the hermeneutic itself in understanding how hermeneutics shape the church. These notes suggest at a minimum that they can speak to what was their present situation. The church, then, should not assume identical

[90] Voigt Horine, "Romans," *New Testament Commentary*, 445.
[91] Voigt Horine, "Romans," *New Testament Commentary*, 445.
[92] Erik Heen makes this point about those bodies concerning their reception of the theology derived from the period of Lutheran orthodoxy. Heen, "The Bible among Lutherans in America," 18–19.

application across time but it does suggest that the text of Romans can speak to specific times. This is not merely a product of methodology, but is evidence of a hermeneutic which seeks to speak to the Christian in any context.

5.4.2.2 Hultgren's Perspective

It is one thing to consider the precursor bodies that gave way to the ELCA and another to consider readings from the ELCA itself. This too is a difficult enterprise because the ELCA does not seek to speak univocally in the same way the LCMS does and so finding a document meant to be authoritative for the church can be problematic. Take, for example, Arland Hultgren's *Paul's Letter to the Romans: A Commentary.*[93] Although Hultgren is a professor at Luther Seminary in St. Paul, Minnesota, one of the seminaries associated with the ELCA, his work was not published by Augsburg Fortress, the publishing arm of the ELCA. And yet, Hultgren's Romans commentary has an entire excursus on the verses under consideration in this chapter, much of which grows out of an address he gave to the faculty at Luther Seminary in the 1990s.[94] So, while it would be possible to explore those works, they would not be as germane to this present investigation which seeks to understand how Lutheran hermeneutics in the United States have shaped the church's interaction with society. Those documents, while interesting and important, do not have a direct line of influence on the church at large even if they would influence laity and clergy. Thankfully, though, Hultgren's work has been pressed into service in

[93] Arland J. Hultgren, *Paul's Letter to the Romans: A Commentary* (Grand Rapids, MI: William B. Eerdmans, 2011).

[94] Arland J. Hultgren, "Being Faithful to the Scriptures: Romans 1:26-27 as a Case in Point," *Word & World* 14, no.3 (Summer 1994): 315–325.

collaboration with Walter F. Taylor for an official ELCA churchwide study on the church and homosexuality in 2003.[95]

In their work entitled, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*, Hultgren and Taylor show genuine concern about situating Romans 1:26–27 in historical and literary contexts.[96] They, like Middendorf above, actually engage in alternative theories concerning the nature of the actions under consideration in that text.[97] Despite the value of the this study generally, the most germane portion of it for the present inquiry comes in its concluding paragraph.

> Paul is discussing the wrath of God against all humanity, Jew and Gentile alike, prior to speaking of the good news of the righteousness of God in Jesus Christ, by which salvation is made possible for all. The verses discussed here are not about "homosexuality" per se but about same-gender sexual activities that are a symptom of a fallen world. The question before the church is whether the activities he envisions as typical and characteristic of the Gentiles are symmetrical with those forms of same-gender sexual activities that are currently under discussion.[98]

Taylor and Hultgren speak to Paul's discussion of God's wrath on humanity coming prior to an announcement of the gospel.[99] They then speak to how the action spoken of in verses 26 and 27 is not a prohibition en masse. Rather, Taylor and Hultgren see a challenge before the church to assess the similarities and differences of what Paul is speaking about and contemporary

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[95] Arland J. Hultgren and Walter F. Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality"* (Chicago: Evangelical Lutheran Church in America, 2003).

[96] Not only does the essay make this direct claim, it spends the bulk of the discussion on this passage doing precisely this. Hultgren and Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*," 9–13.

[97] See, for example, their discussion of "nature" on page 11. Hultgren and Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*," 11.

[98] Hultgren and Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*," 13.

[99] They point out in the preceding paragraphs that this announcement comes within a broader section of Romans. "What he is doing (within the larger purpose of the letter as a whole) is exposing the situation of humanity before God, thereby explaining the basis for the wrath of God against all. When he has done that to his satisfaction, he will make a complete turn-about at 3:21 to declare that "but now" the "righteousness of God" has been revealed in the death and resurrection of Christ, by means of which God justifies all who believe in the gospel." Hultgren and Taylor, *Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two: The Church and Homosexuality*," 9.

understanding of identity and sexuality. For the purposes of the present inquiry this assertion by Hultgren and Taylor is further evidence of how they, and ostensibly the ELCA, hold their theological hermeneutic. They do not see the text as something that has to speak the exact same condemnation across the centuries even if they see that in the context of Romans Paul is condemning a practice. This is not a methodologically driven decision aimed at opening up a broader discussion of how the horizons of Paul and the present might not be identical. Rather, I would argue it is a question of the application of the text, application that happens via the Lutheran Law/Gospel distinction. Paul may be condemning in this passage, but that does not mean everything stands condemned. The hermeneutic that animates the ELCA may be the same as the one that animates the LCMS, but they do not embody that hermeneutic in the same way via their exegesis.

5.4.2.3 The ELCA Study Bible

The *Lutheran Study Bible* may indeed be the example par excellence to demonstrate the distinct way the ELCA holds the Lutheran hermeneutic of Law and Gospel. There is exactly one note that deals with verse 26 and none that address verse 27. The note on verse 26 reads, "In response to human sin, God handed over humanity to destructive behavior that alienated people from God, themselves and others."[100] This line does not excuse human sin in the least. In point of fact, it actually does the opposite. It locates human sin as the problem which led God to allow humanity to reap the "destructive" behavior it sought, namely the behavior is sin that "alienates people from God, themselves and others."[101] I would argue that in commentating on the verse this way, Walter F. Taylor, who co-wrote with Hultgren above, is actually emphasizing the need

[100] *Lutheran Study Bible*, (Minneapolis, MN), 1853.
[101] *Lutheran Study Bible*, (Minneapolis, MN), 1853.

for the Law. Sin is alienating and thus, Paul is condemning it. A general note on the same page is illustrative of this point.

> Apart from Christ, what is humanity's relationship with God? All people, without exception, are sinners and have broken their relationship with God. *Evangelical Lutheran Worship* states: "We confess that we are captive to sin and cannot free ourselves." (p.95) *Romans 1.18-3:20–22-23.*[102]

Taylor is asserting, via the hymnal of the church, the broader point Paul is trying to make concerning sin, namely, that without God's intervention, humanity would be lost. It seems to me, then, that this is the Law/Gospel hermeneutic on fuller display than usual. Nonetheless, these notes do not identify specific sins, they identify people as sinners and thus facilitate an encounter between the Law and the sinner. In so doing, the hermeneutic, through the exegesis, speaks to a broad applicability.

All of the above inquiry into Lutheran readings of Romans 1:26–27 demonstrate not a shared methodology, but a shared hermeneutic between the LCMS and the ELCA. Both approach the text from a Law/Gospel perspective in the hopes of teaching people something about their relationship to God and to the world. I argued that the LCMS does not only intend to teach people that they are sinners but aim to create a specific understanding of the sin Paul condemns in Romans thus leaving no room for nuance. This is not simply because of methodological concerns of grammar or syntax, but also because their intent is to curate a specific, and authoritative, experience of Law and Gospel via the text. By contrast, the ELCA does not seek to create a specific experience of Law and Gospel but allows for a broader opportunity by seeking to teach people they are sinners rather than condemn a specific sin. Certainly methodological considerations of history and literary context factor in to both the

[102] *Lutheran Study Bible*, (Minneapolis, MN), 1853. Emphasis original. *Evangelical Lutheran Worship* is the latest hymnal of the ELCA.

LCMS and ELCA exegesis, but that does not mean those are the primary factors. The difference in hermeneutics is not the hermeneutic itself, it is how that hermeneutic is applied. The LCMS seeks to shape the church in specific ways with specific attitudes about issues related to sexuality while the ELCA does not. It is not methodology that drives that concern, but a concern for the way the Law/Gospel hermeneutic is applied.

5.5 Study Bibles Revisited: 1 Timothy 1:9–10

This investigation into the practical result of hermeneutics would not be complete from a New Testament perspective without a brief look at 1 Timothy 1:9–10.[103] I have argued above that the difference between the LCMS and the ELCA is not primarily driven by methodology but by the application of the Law/Gospel hermeneutic. It is helpful, then, to show yet another example of the two approaches side by side. The table below puts the notes for previously explored *The Lutheran Study Bible* (TLSB) of the LCMS and the *Lutheran Study Bible* (LSB) of the ELCA next to one another. It should be noted at the outset that the ELCA study bible does not address verses 9 and 10 specifically but only the preceding verses 7 and 8. It is still a germane note as will be shown.

LCMS Study Bible (TLSB)	ELCA Study Bible (LSB)
1:9–10 The list of sins shows how God's Law is properly used, namely, to bring sinners to contrition and repentance. Each of the sins listed by Paul closely corresponds to God's	What is "the law"? Here "law" refers to Jewish Torah (the first five books of the Old Testament) or to additional Jewish laws based on the Torah. Paul called the law "holy and

[103] "εἰδὼς τοῦτο, ὅτι δικαίῳ νόμος οὐ κεῖται, ἀνόμοις δὲ καὶ ἀνυποτάκτοις, ἀσεβέσιν καὶ ἁμαρτωλοῖς, ἀνοσίοις καὶ βεβήλοις, πατρολῴαις καὶ μητρολῴαις, ἀνδροφόνοις πόρνοις ἀρσενοκοίταις ἀνδραποδισταῖς ψεύσταις ἐπιόρκοις, καὶ εἴ τι ἕτερον τῇ ὑγιαινούσῃ διδασκαλίᾳ ἀντίκειται." 1 Timothy 1:9–10. *Nestle-Aland – Novum Testamentum Graece*, 28th revised ed., edited by Barbara Aland, Kurt Aland, Johannes Karavidopoulos, Carlo M. Martini, and Bruce M. Metzger, (Stuttgart: Deutsche Bibelgesellschaft, 2012).

Law as found in the Ten Commandments… 1:3–11 This Epistle was written to stop the teaching of false doctrine among the Ephesian churches and to promote the teaching of sound doctrine. Our sinful nature often leads us to be unconcerned about the doctrines God has given us in His Word. When this happens, we are guilty of being poor stewards of the Gospel. yet, in the good news of Jesus Christ, we are given a pure heart, a good conscience, and a sincere faith—all of which enable us to receive God's gift of sound doctrine with thanksgiving and eagerness. • Dear Lord, apply Your Law to our hearts, that we might recognize our sins and be brought to repentance. Give us a love for the healthy teaching of Your Gospel, that we might be faithful stewards of all You have entrusted to us. Amen.[104]	just and good" (Rom 7:12, 16), but also taught that Christians "have died to the law" (Rom 7:4, 6) and are "free from the law of sin and death" (Rom 8:2). As God's child, Martin Luther understood himself to be free from the law. As Lutherans, we understand ourselves to be free, as well. *1 Timothy 1:7-8.*[105]

Notice how similar the language is between the two notes. First, neither of them mention sexual sins specifically in these notes despite reference to them in the actual text of 1 Timothy 1:9–10. Second, both the LCMS and ELCA speak from their perspective as Lutherans, not in spite of it. Both use language representative of Law/Gospel dynamic. Note one significant difference, the LCMS holds the Law as an enduring reality which needs to be experienced multiple times. The prayer at the end of the notes shows this by asking for recognition and the drive to be repentant. The ELCA by contrast, emphasizes the freedom from the Law. This is not to say the LCMS would disagree with the ELCA that in Christ a believer is free from the Law. I would argue, though, that the above notes show that the LCMS and ELCA emphasize different applications of the Law/Gospel distinction in their exegesis. As such, their exegesis will influence the respective church bodies in different ways. In emphasizing the enduring need for the Law, the LCMS

[104] *The Lutheran Study Bible*, (St. Louis, MO), 2068–2069.
[105] *Lutheran Study Bible*, (Minneapolis, MN), 1953.

sought to shape its people to assess all of society by the standards expressed in the past. In emphasizing freedom from the Law, the ELCA seeks to shape its people to see the Law as contextually instantiated in time.

5.6 Conclusion

To see how Lutheran hermeneutics have shaped the church's interaction with society it is necessary to consider the practical effect of those hermeneutics. I argued above that the Lutheran hermeneutic of the distinction between Law and Gospel does not necessitate a specific exegetical method. I then explored various Lutheran exegesis on three scriptural texts related to issues of sexual identity and activity: 1 Corinthians 6:9–11, Romans 1:26–27, and 1 Timothy 1:9–10. In that investigation I demonstrated that the LCMS and ELCA actually hold the shared Lutheran hermeneutic in different ways. That means in part, then, that the difference between Lutheran readings cannot be attributed solely to a difference in methodological decisions. That difference in hermeneutical application shapes each church bodies' interaction with society differently. The LCMS advocates against any form of sexual activity or inclination that could be termed homosexual. By contrast, the ELCA does not argue that what Paul spoke against in, e.g., Romans 1, is identical to issues of sexual identity and activity today. This is because of how they see the Law applied to the believer and because of how they cultivate the reading of the scriptural text. In doing so, the LCMS encourages its church membership to reject homosexuality in any sense whereas the ELCA does not. Their exegesis, respectively speaking, cultivates the readers experience differently because of the way they both hold the Lutheran hermeneutic.

6.0 LUTHERAN FRAMEWORKS FOR CULTURAL EXEGESIS AND ENGAGEMENT

6.1 Introduction

At the heart of this thesis is an exploration of the ways that Lutheran hermeneutics have shaped Lutheran interaction in society, specifically within the twentieth and twenty-first century American context. The four previous chapters surveyed Lutheran frameworks for approaching the scriptures, including the hermeneutic of distinguishing between Law and Gospel, and examined the practical fruits of the application of those frameworks via the exegesis of scriptural texts. By this point it should also be clear that Lutherans in the United States, while sharing some understanding of the Lutheran hermeneutic of Law and Gospel, do not apply that framework in a unitary, or absolute, way. Similarly, there is not a single universal Lutheran approach to cultural exegesis and engagement – by which terms I mean, the attempt by an individual or group to interpret the world in which they live and thus participate or abstain from life in that world. Specifically this thesis is most concerned with the ways Lutherans interpret and engage the society on issues related to human sexuality. Before approaching that directly, however, it is helpful to explore the frameworks that Lutherans in the United States, specifically The Lutheran Church—Missouri Synod (LCMS) and Evangelical Lutheran Church in America (ELCA), use in attempting cultural exegesis and engagement more generally. By cultural exegesis I mean the study and interpretation of society. Although not identical to scriptural exegesis, cultural exegesis implies, to some degree, a perspective from which someone reads. That perspective shapes not only how one "reads" society but also how that person interacts with society. Thus, cultural engagement and understanding are contextual, that is to say, it is shaped by the assumptions of the one seeking to understand and engage. Those assumptions, much like the assumptions one brings to the task of biblical exegesis, inform the conclusions about the value,

purpose, and meaning of particular segments or aspects of societal life and encourage or discourage participation therein.

The goal of this chapter is to explore how Lutherans employ various frameworks, such as the framework known as 'the theology of two kingdoms' (also often referred to as 'the doctrine of the two kingdoms' or of the 'two realms'), to interpret and expound the culture which they inhabit. Indeed, it is my argument that these frameworks (which I will introduce below) are employed so systemically that they should even be considered as hermeneutical principles for the task of cultural exegesis. As is the case with how Lutherans apply, to varying degrees, the distinction between Law and Gospel, hermeneutical principles function to guide the reader of scripture in making exegetical determinations about the value and meaning of a text. So too do frameworks, like the theology of the two kingdoms, guide the person who seeks to assess the value, purpose, and even response to the world in which they live. Thus, this exploration will discuss the extent to which Lutherans in the United States consider the two kingdom theology framework to be Lutheran and whether or not that framework is useful for contemporary discussions of Lutheran ethics. After considering the place of two kingdom theology within modern Lutheran thought I will explore the confessional considerations that also inform modern approaches to cultural exegesis and engagement. Finally, I will explore two areas where that theoretical framework is practically applied: first, in examining the relationship between the church and society and second, how the church responds to a specific societal issue, i.e., abortion. These areas of investigation demonstrate the practical impact of the frameworks used by the LCMS and the ELCA. The investigation of those areas will act similarly to the shorter exegetical investigations in the Old and New Testament exegesis chapters in that they will

demonstrate a pattern that can then be applied to the investigation of Lutheran responses to issues of human sexuality in the chapter that follows.[1]

6.2 Two Kingdoms: A Brief Overview

Before exploring whether or not the doctrine of the two kingdoms might rightly be called distinctively or typically "Lutheran," it is helpful to briefly explain it. Luther scholar Paul Althaus, in his classic work *The Ethics of Martin Luther,* explains Luther's understanding of the doctrine of the two kingdoms as follows:

> God rules in a twofold way … God has established two governments, the spiritual and the secular, or earthly, temporal, physical. This secular government serves to preserve external secular righteousness; it thus also preserves this physical, earthly, temporal life and thereby preserves the world. The spiritual government helps men to achieve true Christian righteousness and therewith eternal life; it thus serves the redemption of the world. God provides secular government throughout the whole world even among the heathen and the godless; but he gives his spiritual government only to his people.[2]

The twofold rule of God is also often spoken about as God's left-hand and right-hand kingdoms.[3] The kingdom of the left is that which preserves human life and the kingdom of the right is that which preserves faith. As Althaus explains, the secular kingdom is for everyone, even unbelievers, while the spiritual kingdom only exists for believers.[4] Thus for Althaus, and in some ways for Lutheran theology more broadly, the worldly kingdom seeks to restrain evil and support

[1] See sections 2.0–3.5 in the Old Testament Exegesis chapter and 3.0–5.0 in the New Testament Exegesis chapter for reference.

[2] Paul Althaus, *The Ethics of Martin Luther*, trans. Robert C. Schultz, (Minneapolis: Fortress Press, 1972; 2007), 45. This is a translation of *Die Ethik Martin Luthers* (Gütersloh: Gütersloher Verlagshaus Gerd Mohn, 1965).

[3] Here it is important to note at the outset that "left" and "right" hand do not refer to any partisan political position present in the world today. Rather, the language used above follows Luther's own terminology from the sixteenth century as well as subsequent Lutheran expression of it.

[4] Within Luther's writing two kingdoms can get confusing in part because of Luther's well-known neglect of approaching a topic systematically. For a thorough discussion of the latitude within Luther's language see: Althaus, *The Ethics of Martin Luther*, 49–62.

human flourishing and the spiritual kingdom seeks to instill and buttress faith, or salvation.[5] God rules the kingdoms differently. In the kingdom of the left he rules via the law and in the kingdom of the right he rules via the gospel. That distinction, however, is not an impassible barrier. Gerhard Ebeling, another Lutheran who sought to extrapolate Luther's idea for Lutheran thought, takes note of this in his essay, "The Necessity of the Two Kingdoms."

> It is true that that on thorough examination much more careful differentiations will have to be made in relating the distinction between the two kingdoms to the distinction between law and Gospel. Nevertheless, the co-ordination of the one *regnum* with the *lex* and the other *regnum* with the Gospel is fundamental.[6]

Though this analysis needs more nuance later, it is enough at this stage to highlight that, as Ebeling asserts, the coordination of the law with the kingdom of the left and the gospel with the kingdom of the right is "fundamental."

As will be explored below, the doctrine of the two kingdoms emanates in some degree from Luther. Whether or not other Lutherans have continued to apply it in efforts at cultural exegesis and engagement is another matter. Having established, in a broad sense, what the doctrine of the two kingdoms is, we now can ask the question of if that doctrine is rightly considered to be a Lutheran one.

6.3 Two Kingdoms: A Lutheran Doctrine?

[5] See Althaus, *The Ethics of Martin Luther,* 45–48.

[6] Gerhard Ebeling, "The Necessity of the Doctrine of the Two Kingdoms" in Gerhard Ebeling, *Word and Faith,* trans. James W. Leitch, (London: SCM Press, 1963; Philadelphia: Fortress Press, 1963), 389.

In October of 2021, Concordia Publishing House[7] released a collection of essays entitled *One Lord, Two Hands? Essays on the Theology of the Two Kingdoms.*[8] The first section of the book explores the historical foundations of the theology, or doctrine, of the two kingdoms, sometimes also referenced as two realms. The collected essays feature the work of prominent twentieth century European Luther scholars such as Heinrich Bornkamm, Gerhard Ebeling, Franz Lau, and Anders Nygren as well as more recent scholarship by Kenneth Hagen, Knut Alfsvag, and Notger Slenczka.[9] It is important to note that of the nine essays in that section, only one title references the doctrine of the two kingdoms as being typical of the Lutheran ecclesial tradition. Of the remaining eight papers, seven speak about the doctrine of the two kingdoms as specifically a doctrinal position of Luther himself, and one does not equate the theological perspective with any specific person or group. Intentional or not, the titles of these collected essays betray the reality that two kingdom theology resides primarily, though not exclusively, to the area of *Luther* as opposed to *Lutheran* studies. It should be noted that there is a difference, sometimes a stark one, between Luther's thought and, broadly speaking, Lutheran thought.[10]

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[7] Concordia Publishing House is the publishing arm of The Lutheran Church—Missouri Synod. For more information see: "Our Philosophy," Concordia Publishing House, accessed November 5, 2021, https://about.cph.org/our-philosophy.html.

[8] Matthew C. Harrison and John T. Pless, eds., *One Lord, Two Hands? Essays on the Theology of the Two Kingdoms* (St. Louis: Concordia Publishing House, 2021). It is worth noting that Matthew C. Harrison is, as of this writing, the President of The Lutheran Church—Missouri Synod and John T. Pless is a professor at one of the two seminaries associated with the LCMS, Concordia Theological Seminary in Fort Wayne, Indiana.

[9] In order of appearance those essays are: Anders Nygren, "Luther's Doctrine of the Two Kingdoms," 3–11; Gerhard Ebeling, "The Necessity of the Doctrine of the Two Kingdoms," 12–30; Franz Lau, "The Lutheran Doctrine of the Two Kingdoms," 31–50. Heinrich Bornkamm, "Luther's Doctrine of the Two Kingdoms in the Context of His Theology," 51–76; Knut Alfsvag, "Christians in Society: Luther's Teaching on the Two Kingdoms and the Three Estates Today," 77–88; Heinrich Bornkamm, "Luther on the Nation ('Das Volk')," 89–101; Heinrich Bornkamm, "Luther on the State," 102–115; Kenneth Hagen, "Luther's Doctrine of the Two Kingdoms," 116–131; and Notger Slenczka, "God and Evil: Martin Luther's Teaching on Temporal Authority and the Two Realms," 132–152. It is also worth noting that Bornkamm, Ebeling, Lau, and Nygren worked during the post-World War II era to reaffirm the viability of Luther's doctrine of the two kingdoms within Lutheran theology while defending it against fierce external opposition, most famously from Karl Barth. See: Anders Nygren, "Luther's Doctrine of the Two Kingdoms," 3.

[10] One example of this is illustrated by Heinrich Bornkamm in the aforementioned essay "Luther's Doctrine of the Two Kingdoms in the Context of His Theology." In the introduction of the piece Oxford scholar Franklin Sherman notes, "It is evident that the first task is to determine what Luther actually meant by speaking of 'two

For the purposes of this thesis, *One Lord, Two Hands?* as a whole is important for at least two reasons. First, it shows that, broadly speaking, Lutheran thought in the United States sees the work of certain European scholars from the last century as helpful for contemporary discussions. Of the nine essays published in section one, no fewer than five have been reprinted from previous books and periodicals published by a broad swath of Lutherans in the twentieth century.[11] It is no small matter that The Lutheran Church—Missouri Synod (LCMS) reprinted materials from publishing houses that now belong to the Evangelical Lutheran Church in America (ELCA). Put differently, the reprinting of texts demonstrates to some degree a shared understanding of the helpfulness of the essays by the LCMS and ELCA. Neither the LCMS reprint, nor the various original publications, suggest that the essays are included for any reason other than that they are helpful contributions to discussion concerning the doctrine of the two kingdoms. Consider the following paragraph from the introduction to *One Lord, Two Hands?*

> This volume does not claim to be an exhaustive compendium of essays on the teaching of the two kingdoms. It is a source book of significant writings on the reception and use of the theology of the two kingdoms. The editors did not set out only to include writers who

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kingdoms,' and to distinguish this from what later Lutherans may have meant by it." [Heinrich Bornkamm, "Luther's Doctrine of the Two Kingdoms in the Context of His Theology," (1966), also *Journal of Lutheran Ethics* 2, no. 12 (December 2002).] He said this because Bornkamm is contributing to a discussion about the validity and usability of Luther's concept of Two Kingdoms happening in the early twentieth century through notable figures such as Paul Althaus, Karl Barth, Dietrich Bonhoeffer, and Anders Nygren. This is but one of a plethora of examples that could be marshalled to demonstrate that something being Luther's does not imply *ipso facto* that it is Lutheran.

[11] Original publication sources for the aforementioned essays are: Anders Nygren, "Luther's Doctrine of the Two Kingdoms," *The Ecumenical Review* 1, no. 3 (1949): 301–10; Gerhard Ebeling, "The Necessity of the Doctrine of the Two Kingdoms" in Gerhard Ebeling, *Word and Faith,* trans. James W. Leitch, (London: SCM Press, 1963; Philadelphia: Fortress Press, 1963); Franz Lau, "The Lutheran Doctrine of the Two Kingdoms," *Lutheran World* 12, no. 2 (1965): 355–72; Heinrich Bornkamm, "Luther's Doctrine of the Two Kingdoms in the Context of His Theology," (1966), also *Journal of Lutheran Ethics* 2, no. 12 (December 2002); Knut Alfsvag, "Christians in Society: Luther's Teaching on the Two Kingdoms and the Three Estates Today," *Logia* (Reformation 2005):15–20; Heinrich Bornkamm, "Luther on the Nation ('Das Volk')," *Luther's World of Thought*, trans. Martin H. Bertram (St. Louis, MO: Concordia Publishing House, 1958, 2005; Heinrich Bornkamm, "Luther on the State," *Luther's World of Thought*, trans. Martin H. Bertram (St. Louis, MO: Concordia Publishing House, 1958, 2005); Kenneth Hagen, "Luther's Doctrine of the Two Kingdoms," in *God and Caesar Revisited*, ed. John R. Stephenson, Luther Academy Conference Papers 1 (Shorewood, MN: Luther Academy, 1995), it also appeared in Kenneth Hagen, *The Word Does Everything*, Marquette Studies in Theology (Milwaukee, WI: Marquette University Press, 2016), 295–313; and Notger Slenczka, "God and Evil: Martin Luther's Teaching on Temporal Authority and the Two Realms," *Lutheran Quarterly* 26, no. 1 (2012): 1–25.

> agree with one another. Readers will notice differences in interpretive detail and assessment of historical data. What all of the chapters have in common is a respect for Luther's confession of God's two kingdoms and a desire to see it fruitfully used in addressing the issues that we now encounter in the world.[12]

Per the editors, the essays were selected because of their significant contribution to the broader theological discussion. It is of no small significance that those editors are a seminary professor, John T. Pless, and the current President of the LCMS, Matthew C. Harrison. By virtue of their offices within the church, their voices are influential for both clergy and laity. Historically speaking, when a seminary professor or president of the LCMS speaks publicly on theological or cultural matters, both clergy and laity of the movement listen intently.[13] I would argue, then, that the fact that those essays come from a variety of places within the wider Lutheran landscape suggests a level of continuity on this particular topic between the LCMS and those the LCMS might, on other matters, disagree with vehemently. Furthermore, the inclusion of works approved by a seminary professor and synod president that potentially disagree with one another, as they stated in the introductory comments quoted above, creates space for creative theological inquiry.

The second reason the book is important for this thesis is because it shows the present value of two kingdom thought in the life of the LCMS. Note how the theology of the two kingdoms is framed as "Luther's confession of God's two kingdoms." The editors, and ostensibly the LCMS then, in both its ecclesial and educational wings, see the theology of the two kingdoms not as Luther's own invention but as predating Luther. Indeed, Nygren argues, it emanates from the New Testament. I would argue that the claim that the two kingdoms is fundamentally a biblical teaching is significant because it elevates the framework used to address

[12] Matthew C. Harrison and John T. Pless, eds., *One Lord, Two Hands? Essays on the Theology of the Two Kingdoms* (St. Louis: Concordia Publishing House, 2021), X.

[13] Consider the discussion of Kretzmann's Popular Commentary in Lutheran Hermeneutics in Practice: Old Testament Texts section 3.3.1 "An Emblem of the Univocal LCMS."

"the issues that we now encounter in the world."[14] For the LCMS, then, discussion on the two kingdoms does not belong primarily to the realm of Luther studies, but to the realm of cultural engagement, to life lived in the world. The editors are interested in, and pointing readers toward, discussions about the two kingdoms not because of its significance for Luther's thought, but because of its potential for engagement with the world. I would argue that they do this because they see in this theological perspective something that is essential to how God acts in the world, and moreover, is part of God's own self-revelation to the world. In other words, God has set up the system that Lutherans have called "two kingdoms" and so the value of two kingdom theology is axiomatic and self-authenticating.

Interestingly enough, though, there seems to have been debate within the ELCA at the same time about the viability of Luther's doctrine of the two kingdoms for contemporary discussions about Lutheran ethics and perhaps even a measure of scepticism as to its continuing value. As opposed to the editors of *One Lord, Two Hands,* the value of two kingdom thought is neither axiomatic nor self-authenticating. Indeed, nearly twenty years before *One Lord, Two Hands?* was published, the Journal of Lutheran Ethics, a theological journal connected to the ELCA, reprinted two of the same works by Anders Nygren and Heinrich Bornkamm.[15] Again this suggests a shared respect of the scholarly works from both denominational traditions. In the same issue as the Nygren reprint, Robert Benne affirms the value of Luther's approach to the two kingdoms, calling it, "perhaps the most difficult element in Lutheran social ethics, yet one of the most important."[16] And yet, in the month following the Bornkamm reprint, Vitor Westhelle

[14] Harrison and Pless, *One Lord, Two Hands?* X.

[15] Anders Nygren, "Luther's Doctrine of the Two Kingdoms" *Journal of Lutheran Ethics* 2, no. 8 (August 2002), https://www.elca.org/JLE/Articles/931, accessed November 5, 2021. Heinrich Bornkamm, "Luther's Doctrine of the Two Kingdoms in the Context of His Theology" *Journal of Lutheran Ethics* 2, no. 12 (December 2002), https://www.elca.org/JLE/Articles/903, accessed November 5, 2021.

[16] Robert Benne, "The Twofold Rule of God" *Journal of Lutheran Ethics* 2, no. 8 (August 2002), https://learn.elca.org/jle/the-twofold-rule-of-god/, accessed November 5, 2021.

argues that the doctrine of the two kingdoms is best understood as "a frail articulation on the part of Luther" which ultimately is best understood not as a doctrine but as, "an epistemic principle that teaches the faithful that to know Christ is to know justice."[17] These ELCA theologians therefore disagree over the value of the theology of the two kingdoms for modern Lutheran ethics. So the ELCA, although it shares an affinity with the LCMS for the works of Nygren and Bornkamm on the topic of two kingdom theology, does not speak about the value of two kingdom theology in the same way that the LCMS presently does. Thus, I would argue that the disagreement highlights the difference between the ELCA and the LCMS in approaching the usefulness of two kingdom thought for contemporary Lutheran ethics. That is not to say, though, that the LCMS or ELCA have an unequivocal understanding about two kingdom theology—internal disagreements are commonplace and expected. Rather, the comparison of the older ELCA accounts in the Journal of Lutheran Ethics with the recent publication by the LCMS suggests that the internally shared understanding of the value of two kingdom theology within the LCMS does not have an exact corollary within the ELCA. The fact that in 2016 Gary Simpson sought to unpack the usefulness of this theological perspective for the laity of the ELCA further highlights the difference.[18]

Interestingly enough, though, in 2020 the ELCA Church Council adopted a social message titled "Government and Civic Engagement in the United States: Discipleship in a Democracy."[19] That statement uses the language that is not only consistent with two kingdom theology, but openly advocates for it. Section II is titled, "God's Two Ways of Governing." It

[17] Vitor Westhelle, "God and Justice: The Word and the Mask," *Journal of Lutheran Ethics* 3, no. 1 (January 2003), https://www.elca.org/JLE/Articles/895, accessed November 5, 2021.

[18] Gary Simpson, "How Luther Helps Today's Citizens," *Living Lutheran* (October 17, 2016), https://www.livinglutheran.org/2016/10/luther-helps-todays-citizens/, accessed November 5, 2021.

[19] "Government and Civic Engagement in the United States: Discipleship in a Democracy" (Chicago, IL: Evangelical Lutheran Church in America, 2020).

begins by stating that, “Historically, Lutherans have recognized that God’s rule is experienced in two distinct but interconnected ways. These two ways for governing are necessary because of human sin. They have sometimes been described as the ‘right’ and the ‘left’ hands of God.” It goes on to note, though, that the application of this doctrine provides a means for Lutherans to take a more realistic approach to the role of government in society as well as the Christian’s engagement with it.[20] This is not, however, a clear indication that the ELCA adopts two kingdom thought in the way that the LCMS appears to. Here a footnote is especially helpful.

> Traditionally known as the “Two Kingdoms” in Lutheran teaching, this doctrine has been widely criticized for fostering political quietism in the face of tyranny and totalitarianism—particularly National Socialism. But, Martin Luther developed it as Biblical teaching… Two Kingdoms thinking avoids quietism when firm links are drawn between the right-hand and left-hand dimensions of God’s governance, as in this social message.[21]

While the document clearly affirms the value of two kingdom thought expressed above, the footnote demonstrates that the adoption of two kingdom thought cannot be done uncritically. Although they note that Luther develops a “Biblical teaching,” the ELCA recognizes that the theology has been criticized because of specific application of it in Germany during the period of National Socialism. It is only, “when firm links are drawn” that the doctrine can avoid the pitfalls. Thus, while there are instances of application of two kingdom thought being applied in the ELCA, it is not a universal or unchallengeable theological position.

The brief exploration above is important for the present thesis because it demonstrates on a small scale that contemporary Lutheran thought in the United States does not have a unified theological perspective on the two kingdoms or a shared understanding of its usefulness for

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[20] “Government and Civic Engagement in the United States,” 5–8. The concluding sentence of section II reads, “Lutherans adopt a more complex approach, a middle way confessing that government is of a fallen people, by a fallible people, but nonetheless intended by God as a blessing for all people”(8). This statement is possible only because of the way the document frames the left and right hand rule of God in the world.

[21] “Government and Civic Engagement in the United States,” 19.

present cultural engagement. Some Lutherans view the theology of the two kingdoms as primarily Luther's doctrine that may or may not prove itself to be useful. Other Lutherans bypass Luther and see a New Testament theological perspective in the theology of the two realms. This again highlights the difficulty in assigning to Lutherans the theology of Luther; there may be overlap, but the correlation between Lutherans and Luther is neither automatic nor axiomatic. If it is clear that two kingdoms is a doctrine that comes from Luther, and thus might be used by Lutherans, it is as yet unclear in this chapter if there is a perspective emanating from a broadly recognized source for Lutheran theological identity. Because there is no one universal position, establishing a common Lutheran framework requires a return to examining the confessional documents associated with Lutheranism. To that investigation we now turn.

6.4 Confessional Considerations: A Dyadic Framework

As has been established in previous chapters, both the LCMS and ELCA point to the confessional documents contained in the Book of Concord as correct and authoritative expositions of the scriptures, and thus, consider them integral to Lutheran thought and theology. How those documents are brought to bear in the modern context may differ, as was evident in the application of the hermeneutic of Law and Gospel to the reading of the scriptures. That does not mean, however, that the various application of the texts negates the necessity of investigating them. The investigation that follows begins by observing how Article XVI of the Augsburg Confession provides a dual, or dyadic, framework, suggesting two avenues of thought, for Lutheran cultural exegesis and engagement. After establishing this dyadic framework on the basis of Article XVI, I will demonstrate how other confessional documents repeat, develop, or expand the theological frameworks. This investigation will show that, apart from a theology of

two kingdoms, the Lutheran confessional documents provide clear frameworks that establish a basis for Lutherans to exegete the culture around them.

6.4.1 Article XVI of the Augsburg Confession

> Article XVI of the Augsburg Confession reads in part:
>
> Concerning public order and secular government it is taught that all political authority, orderly government, laws, and good order in the world are created and instituted by God and that Christians may without sin exercise political authority; be princes and judges; pass sentences and administer justice according to imperial and other existing laws; punish evildoers with the sword; wage just wars; serve as soldiers; buy and sell; take required oaths; possess property; be married; etc.[22]

The above quote communicates two essential realties for the confessors at Augsburg. First, it affirms that "public order and secular government" which includes "political authority, orderly government, laws, and good order" are both "created and instituted by God."[23] This does not seem to be a small point.[24] The expansive description includes seemingly all areas of public, or secular, life and essentially designates civilization as emanating from the hand of God.[25] Thus, and second, it is precisely because civic life comes from God, the article affirms, that Christians

[22] "Augsburg Confession," in *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, edited by Robert Kolb and Timothy Wengert (Minneapolis: Fortress Press, 2000), 48. The Kolb/Wengert translation is the standard translation used in the United States. The above quote is translated from the German which reads: „Von policey und weltlichem regiment wirt gelert, das alle Oberkeit inn der welt und geordente regiment und gesetze gute ordenung, von Gott geschaffen und eingesetzt, sind, Und das Christen mögen inn Oberkeit, Fürsten und Richterampt one sunde sein, Nach Keiserlichen und andern ublichen Rechten urteil und recht sprechen, Ubeltetter mit dem schwert straffen, Rechte kreige füren, streitten, keuffen und verkeuffen, auf gelegte Eyde thun, eigens haben, Ehelich sein etc." "Die Confessio Augustana," in *Die Bekenntnisschriften der Evangelisch-Lutherischen Kirche,* edited by Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2014), 110.

[23] "Augsburg Confession," *Book of Concord*, 48.

[24] The value of using a translation of the German rather than the Latin is that the German is far more expansive in its explanation of what is meant by "public order and secular government." The Latin reads, "*De rebus civilibus docent, quod legitimae ordinations civilies sint bona opera Dei."* "Die Confessio Augustana," *Die Bekenntnisschriften*, 111. The Kolb/Wengert translation renders that as follows: "Concerning civic affairs they teach that lawful civil ordinances are good works of God." "Augsburg Confession," *Book of Concord*, 49. Thus, by utilizing the German translation I aim to highlight how expansive the theological framework is for the confessors at Augsburg.

[25] As will be discussed later, this does not mean, however, that the confessors at Augsburg have in mind only Western civilization.

can engage in it. These two points, that secular order was created by God and that Christians can engage in it, shape the dyadic framework, or two avenues of thought, of what might be considered as a Lutheran theology of society. Not only does Article XVI continue to elaborate on these two points, so does the Apology of the Augsburg Confession, Luther's Small Catechism, Luther's Large Catechism, the Treatise on the Power and Primacy of the Pope, and the Formula of Concord. It is because the various documents speak to different aspects of the dyadic framework that this investigation must engage in a deeper investigation into those documents.

6.4.2 Public Order and Secular Government

One of the key components of the Lutheran dyadic framework for cultural understanding and engagement is that God instituted all political authority.[26] That is to say that government, laws, and good order, emanate from God as the Augsburg Confession states. Despite the fact that "the opponents [of the Augsburg Confession] accept article sixteen without qualification," the Apology of the Augsburg Confession restates the first key component saying, "in short, we confessed that legitimate civil ordinances are good creations of God and divine ordinances in which a Christian may safely take part."[27] I would argue, then, that this is no small point, especially because it is repeated in the Apology despite the fact that this language was accepted by the Roman Catholic theologians tasked with responding to the Augsburg Confession.[28] Although repetition alone is not decisive for importance, it does speak to the fact that the confessors at Augsburg, along with those who subscribed to its Apology, find this notion to be

[26] "Augsburg Confession," *Book of Concord*, 48.

[27] "The Apology of the Augsburg Confession," *Book of Concord*, 231. The opponents spoken of were the Roman Catholic theologians who wrote the confutation of the Augsburg Confession. For mor information see: "The Confutation of the Augsburg Confession," in *Sources and Contexts of the Book of Concord*, edited by Robert Kolb and James A. Nestingen (Minneapolis: Fortress Press, 2001), 105–39.

[28] "The Confutation of the Augsburg Confession," *Sources and Contexts of the Book of Concord*, 115–16.

foundational. Both documents use this component as the basis for their arguments on why it is good for Christians to participate in society, which is the second component of the dyad to be discussed further below.[29]

For Lutherans who subscribe to the Book of Concord, this general idea, that God is the one who creates or establishes government, laws, and good order has further implications. While it is true that, as mentioned above, there is no article within the Book of Concord dealing directly with the theology of the two kingdoms, there are several places were power in the church and power in society are clearly delineated.[30] One of the documents that attempts to separate authority within the church and within society is the Treatise on the Power and Primacy of the Pope. The Treatise begins by stating that "The bishop of Rome claims to be superior by divine right to all bishops and pastors. In addition, he claims to possess by divine right the power of both swords, that is, the authority to confer and transfer royal authority. Third, he states that it is necessary for salvation to believe these things."[31] The Treatise then frames its entire argument against the bishop of Rome by stating that, "Because he claims to exercise this power by divine right, he means it to take precedence even over God's commandments."[32] The concern of the Treatise, then, is that the bishop of Rome seeks to do what only God can, namely, create and establish ordinances or government. After recounting some of the historical record the Treatise makes this claim:

> The popes began grabbing empire for themselves. They transferred kingships. They harassed the rulers of almost all the nations of Europe, but especially the emperors of Germany, with unjust excommunications and wars.…Thus, the pope, contrary to the command of Christ, has not only violated sovereignty but even exalted himself

[29] See: "Augsburg Confession," *Book of Concord*, 48–51; "The Apology of the Augsburg Confession," *Book of Concord*, 231–33. See also section 4.3 below.

[30] For example see Articles XIV and XV of the Augsburg Confession and the Apology of the Augsburg Confession.

[31] "The Treatise on the Power and Primacy of the Pope," *Book of Concord*, 330.

[32] "The Treatise on the Power and Primacy of the Pope," *Book of Concord*, 330–31.

> tyrannically over all rulers. In this matter the act itself is not as despicable as the fact that he uses the authority of Christ as a pretext, that he transfers the keys (cf. Matt. 16:19) to worldly dominion, and that he binds salvation to these impious and heinous opinions, claiming it necessary for salvation that people believe this tyranny belongs to the pope by divine right…the marks of the Antichrist clearly fit the reign of the pope and his minions.[33]

Essentially, the Treatise is arguing that the papal office began asserting itself into temporal affairs under threat of spiritual pain. Put differently, the Treatise states that the pope, contrary to Christ, used the spiritual authority of Christ to dictate how government and society should work, thereby usurping power and thereby becoming Antichrist. While this assertion is interesting in its own right, for the purposes of this discussion I would point out that this argument in the Treatise demonstrates that for Lutheran thought the power of the bishop of Rome is limited in a way God's power is not, namely, that God alone is the one who possess the right to create laws binding on the conscience. Thus, I would also argue that the Augsburg Confession, the Apology, and the Treatise all make a similar point integral for how a Lutheran understands government, laws, and good order, namely, that God created those things and God alone is the one who possesses the right to bind people to them – not any ecclesial or civic authority.

The first component of the dyadic Lutheran framework I am attempting to describe rests squarely on the notion that God is the one who created government, laws, and good order and only God has the right to bind people to those structures. No one else, not even the pope, has the right to tell people what structures of society in which they can or cannot participate. Thus, the second component of the dyad needs to be addressed in further detail because it elucidates those structures in which a Christian can participate in society as well as asserts the ways in which a Christian should participate in them.

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[33] "The Treatise on the Power and Primacy of the Pope," *Book of Concord*, 335–36.

6.4.3 A Christian's Place in Society

It is precisely because God has established societal structures that Christians can participate in them. The Augsburg Confession expressly makes this point. It is quoted at length again for clarity's sake.

> Concerning public order and secular government, it is taught that all political authority, orderly government, laws, and good order in the world are created and instituted by God and that Christians may without sin exercise political authority; be princes and judges; pass sentences and administer justice according to imperial and other existing laws; punish evildoers with the sword; wage just wars; serve as soldiers; buy and sell; take required oaths; possess property; be married; etc. Condemned here are the Anabaptists who teach that none of the things indicated above is Christian.[34]

The Augsburg Confession seems to be asserting that the things listed in the second half of the paragraph can be participated in without sin because in some sense, they have been instituted by God. This assertion is furthered by the condemnation of the Anabaptists because, seemingly from the perspective of the Augsburg Confession, the Anabaptists do not perceive any of those things to be inherently Christian. The counterpoint made in the Augsburg Confession is not simply that Christians can participate in them, but that Christians can because those things had been instituted and created by God. The Augsburg Confession goes on to state that:

> The gospel does not overthrow secular government, public order, and marriage but instead intends that a person keep all this as a true order of God and demonstrate in these walks of life Christian love and true good works according to each person's calling.[35]

Thus, over and against the Anabaptists, the Augsburg Confession directs Christians to engage in secular life on account of the fact that such life is in part "a true order of God."

[34] "Augsburg Confession," *Book of Concord*, 48.
[35] "Augsburg Confession," *Book of Concord*, 48.

The Augsburg Confession is not the only document that asserts this point within the Book of Concord. The Apology of the Augsburg Confession expands the point by noting that the gospel does not abrogate the responsibility of a Christian to engage in societal structures.

> It [i.e., the gospel] permits us to make outward use of legitimate political ordinances of whatever nation in which we live, just as it permits us to make use of medicine, architecture or food, drink, and air. Neither does the gospel introduce new laws for the civil realm. Instead, it commands us to obey the present laws, whether they have been formulated by pagans or by others, and urges us to practice love through this obedience…. The gospel does not destroy the state or the household but rather approves them, and it orders us to obey them as divine ordinances not only on account of the punishment but also "because of conscience" (Rom. 13:5)…. Accordingly we have repeated these things so that even outsiders may understand that our teaching does not weaken but rather strengthens the authority of magistrates and the value of civil ordinances in general.[36]

For the Apology, then, not only does God institute them, but the gospel, rather than limiting engagement, actually fosters engagement in societal structures. It does this by speaking about how Christians make use of ordinances in any nation, even in those ruled by pagans. Those societal structures are not useful because of who passed the laws but because those structures have their source in God and, moreover, the gospel frees a person to participate in them. In asserting this, the Apology admits that it is, in part, strengthening governmental authority and ordinances because it is encouraging participation in them. It seems to me, then, that the Apology, in addition the Augsburg Confession, seek to encourage participation in societal structures broadly speaking, regardless of those who are in control of the passage of laws or formation of the structures because, in an ultimate way, those structures emanate from God.

The question immediately becomes, then, how does a Christian navigate participation in a structure that is seemingly diametrically opposed to God? The Augsburg Confession takes this question into account.

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[36] "The Apology of the Augsburg Confession," *Book of Concord*, 231.

> Christians, therefore, are obliged to be subject to political authority and to obey its command and laws in all that may be done without sin. But if a command of the political authority cannot be followed without sin, one must obey God rather than any human beings (Acts 5:29).[37]

The Augsburg Confession answers simply that if faced with such a situation the Christian must obey God and not the command. I would suggest that when the Apology uses the term, "legitimate" to describe "political ordinances" above, it is echoing the space created by the Augsburg Confession. In short, there is a caveat for the Christian should that person choose to use it.

One area where I would argue some Lutherans invoke this caveat is concerned with what the Formula of Concord terms as the "Third Use of the Law."[38] In the Epitome the Formula makes clear that the law of God,

> is to be diligently impressed not only upon unbelievers and the unrepentant but also upon those who believe in Christ and are truly converted, reborn, and justified through faith. For even if they are reborn and "renewed in the spirit of their minds" (Eph. 4:23), this rebirth and renewal is not perfect in this world.[39]

That is to say, the Formula sees that everyone, even Christians, need the reminder of what God requires in his law so that they may actually do it. For the purposes of this investigation, it is enough to understand that only when the following of God's law conflicts with the political law is the Christian allowed to invoke the caveat because the Christian even after conversion, according to the Formula*,* is instructed by the law of God as to how to behave in the world.

It should not be surprising that there are times when political ordinances conflict with what God is said to have established, which is why the caveat is understandable. However, the

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[37] "Augsburg Confession," *Book of Concord*, 50.

[38] "The Formula of Concord: Epitome," *Book of Concord*, 502.

[39] "The Formula of Concord: Epitome," *Book of Concord*, 502. The Solid Declaration of the Formula of Concord only expands upon this point and serves as further evidence that some Lutherans, namely those who subscribe to the Formula, the need to continually preach the law even to believers. See: "The Formula of Concord: Solid Declaration," *Book of Concord*, 587–91.

language of the Apology, namely "legitimate political ordinances," raises a question concerning what legitimate political authority actually is. Put differently, from where does the political derive its authority? The Small Catechism and Large Catechism of Martin Luther address this under the section dealing with what those catechisms number as the Fourth Commandment. The Small Catechism answers the question in brief.

> You are to honor your father and mother. What is this? Answer: We are to fear and love God, so that we neither despise nor anger our parents and others in authority, but instead honor, serve, obey, love, and respect them.[40]

Here Luther connects the authority of parents with others by expanding the commandment to include those other authorities. The Large Catechism makes this expansion clear.

> Furthermore, in connection with this commandment, we must mention the sort of obedience due to superiors, persons whose duty it is to command and to govern. For all other authority is derived and developed out of the authority of parents. Where a father is unable by himself to bring up his child, he calls upon a schoolmaster to teach him; if he is too weak, he seeks the help of his friends and neighbors; if he dies, he confers and delegates his responsibility to others appointed for that purpose. In addition, he has to have servants—men servants and maidservants—under him in order to manage the household. Thus all who are called masters stand in the place of parents and must derive from them their power and authority to govern.[41]

The essential phrase here is "all other authority is derived and developed out of the authority of the parents." Luther seeks to demonstrate the veracity of his claim by employing examples of what a parent does for a child, e.g., utilizing a schoolmaster. The crux of the paragraph above, though, is the idea that all authority is derived from the authority of parents. For the purposes of this investigation into the framework this is an important point because it shows that political authority is not instituted by humanity, and thus in automatic conflict with God, but is derived from the family unit, which Luther states in his catechisms, God commanded obedience to. Thus, to obey political authority should be thought of, in part, as obeying parents.

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[40] "The Small Catechism," *Book of Concord*, 352.
[41] "The Large Catechism," *Book of Concord*, 405–06.

To sum up this section, then, the second component of the dyadic framework Lutherans who subscribe to the Book of Concord employ when seeking to interpret and participate in societal structures sees such participation as essential to the Christian life. A Christian does not divorce themselves from political structures, even those framed by people sharing opposing religious beliefs, because those structures ultimately find their source in God. Rather, a Christian, emboldened by the belief that God has created these structures for the betterment of human life, would, particularly in context of the United States, vote and even hold office. Moreover, a Christian might be inclined to become an educator and seek employment not only at a private or Christian school but in the public school system because those systems are intended by God to be for the betterment and flourishing of human beings of every age. Furthermore, they would even be justified in doing so because in Lutheran thought all of those structures derive their authority from the family unit God commanded believers to honor and obey. If there is a time when those structures force a Christian to choose between following God and following the ordinance, then the Christian possesses the caveat to obey the law of God instead of the law of human beings.

6.4.4 The Dyadic Framework Clarified

The framework displayed in the Lutheran confessions supports engagement with societal structures because (1) ultimately God established those structures and (2) encourages faithful participation in them.[42] This framework is not identical to the theology of the two kingdoms in part because the confessions have separate articles that delineate what spiritual authority is within the church and how it is applied. It is also not identical because this framework is focused squarely upon the participation of the believer in the life of the world because of God's hand in

[42] By faithful I mean to say not only that Christians are encourage to make use of them as outlined above, but also that if there does come a time to obey God rather than human beings, Christians are allowed to make such a choice and are not bound to political structures in the same way they are to the law of God.

creating societal structures, working even through unbelievers to do so. In other words, this framework is not identical because it only focuses on the kingdom of the left and the participation of the individual in that kingdom. What seems to guide the Lutheran in seeking to exegete and then participate in society is a belief that society is something that comes from God, something that God commands obedience toward, something that God encourages participation in, but only insofar as the societal structures do not impede the Christian in following the law of God. This work is not simply interested, however, in the theory of how Lutherans attempt to engage in understanding, interpreting, and entering into societal structures, but more so in how that theory actually works itself out. Thus, in what remains of this chapter, two brief case studies will be explored so as to clarify how various Lutherans put this theory into practice.

6.5 The Dyadic Framework Applied

The foregoing discussion sought to explicate a broadly conceived Lutheran framework for cultural exegesis and show how that framework has found application in the lived experience of Lutherans in the United States in the twentieth century. The implementation of this framework is evident in practice in the ways in which Lutherans in the United States have spoken, and continue to speak, about the role of church, or the Christian, in society. Indeed, the practical implementation of the Lutheran societal engagement dyadic framework is evidenced primarily, though certainly not exclusively, in how Lutherans see the role of the church in society. The ELCA and LCMS practically apply the societal engagement dyadic framework first by clarifying how they see their role as church bodies engaging with society. Moreover, that framework is further applied when those church bodies actually approach a specific issue, e.g., abortion. It is helpful, at this point, to examine the practical application of the framework through a critical appraisal of documents related to these two areas. These two areas, i.e., the role of church in

society and abortion, are important ones to consider for the purposes of this thesis because the ways in which Lutherans, specifically the ELCA and LCMS, have responded to those issues almost directly parallels how those church bodies continue to respond to issues of human sexuality and identity. Thus, the investigation which follows will demonstrate a pattern within Lutheran circles of how the dyadic framework is applied when Lutheran church bodies attempt to shape their people to understand and engage with the culture in which they live.

6.5.1.0 The Broad and Particular Application in the ELCA

Of course, both the ELCA and the LCMS are church bodies that exist within the cultural and national context of the United States. That means, in part, that they are situated to respond specifically to issues prevalent within their own context and not to all issues in every society. At least since the early part of the twentieth century, both the predecessor bodies to the ELCA and the LCMS have made this clear through various statements to their members.[43] Throughout the twentieth century, Lutheran church bodies in the United States appeared to understand the need to speak to their moment in history, including on issues related to the role of the church in society. As will be demonstrated below, both the ELCA and the LCMS view the role of the church in society as one that is active, that is to say, engaged with the culture in which it finds itself. The role of the church is not to disengage from society or the issues confronting it, but to speak directly to them.

6.5.1.1 The Broader Understanding in the ELCA and its Predecessors

[43] See: Minutes, *Third Biennial Convention of the United Lutheran Church in America*, 1922, 414, 421; "America's Religious Liberty," *Lutheran Witness* XLI, no 20 (September 26, 1922): 5.

Two of the church bodies that eventuated in the formation of the ELCA were the Lutheran Church in America (LCA) and the American Lutheran Church (ALC). During the 1960s and 1970s, both of those church bodies spoke directly to the issue of the role of the church in society.[44] Consider the following statement by the LCA that concludes an official social statement adopted by their convention in 1966:

> We affirm the sacredness of the secular life of God's people as they worship, witness, and work in God's world. We advocate for the institutional separation and functional interaction of church and state. This position rejects both the absolute separation of church and state and the domination of either one by the other, while seeking a mutually beneficial relationship in which each institution combines to the common good by remaining true to its own nature and task.[45]

Perhaps unsurprisingly, the LCA began this statement by affirming the value of secular life, going so far as to call it sacred. They then affirm that, while in the American context church and state as separate institutions should remain separated, that church and state have a functional interplay; that is to say, they have to interact with one another, ultimately, in the words of the LCA, for the common good. I would argue that this affirmation of the need for the common is rooted in both components of the dyadic framework explored above. Namely, that God has created it and that Christians are thus free to engage it. In stating that our world is "God's world," it seems to me that the LCA asserts the divine origin of societal structures, which, is the

[44] "Church and State: A Lutheran Perspective," *Social Statements, the Lutheran Church in America* (New York: Division for Mission in North America, Lutheran Church in America), this statement was adopted by the Third Biennial Convention, Kansas City, Missouri, June 21–29, 1966; "Religious Liberty in the United States," *Social Statements, the Lutheran Church in America* (New York: Division for Mission in North America, Lutheran Church in America), this statement was adopted by the Fourth Biennial Convention, Atlanta, Georgia, June 19–27, 1968; "Church State Relations in the USA: A Statement of the American Lutheran Church (1966)," (Minneapolis, MN: Augsburg Publishing House, Office of Church in Society, the American Lutheran Church), this statement was adopted the Third General Convention (October 19–25, 1966) of the American Lutheran Church; "Christian Social Responsibility" Minneapolis, MN: Augsburg Publishing House, Office of Church in Society, the American Lutheran Church), this statement was adopted the Ninth General Convention (October 21, 1978) of the American Lutheran Church; "The Nature of the Church and Its Relationship With Government" Minneapolis, MN: Augsburg Publishing House, Office of Church in Society, the American Lutheran Church), this statement was adopted the Tenth General Convention (1980) of the American Lutheran Church as a "statement of the policy and practice of this church."

[45] "Church and State: A Lutheran Perspective," *Social Statements, the Lutheran Church in America*, 3.

first component of the dyad. By affirming the role of "God's people" in those structures, including the functional interactions between the church and state, I would argue that the LCA is encouraging continued participation in the structures that ultimately find their origin in God, which, is the second component of the dyad. Thus one can see in the few short sentences quoted above how the LCA seemingly applied the dyadic framework discussed above to the issue of how church and state should relate one to the other. Put more pointedly, the LCA sees the institutions of church and state as both belonging to God's world, and although they have a fundamental separation, that separation does not negate interaction between them. The church and the state have to do more than co-exist, they have to engage with one another for the sake of the common good. This perception was not limited to the LCA either. Just over a dozen years later, the American Lutheran Church would adopt an extraordinarily similar document to the LCA which contained these notions of institutional separation as functional interaction as well an affirmation of the divine origin of both church and state and their roles in promoting the common welfare of society.[46]

The LCA and the ALC, along with another Lutheran church body known as the Association of Evangelical Lutheran Churches, merged in 1988 to form the ELCA. In 1991, the ELCA adopted the document *The Church in Society: A Lutheran Perspective* as a statement that "sets forth affirmations and commitments to guide this church's participation in society."[47] This document, then, represents the ELCA's normative understanding of itself as a church body in terms of how it engages with society. In point of fact, the document does not seem even to allow

[46] "The Nature of the Church and Its Relationship With Government" Minneapolis, MN: Augsburg Publishing House, Office of Church in Society, the American Lutheran Church), 1–4.

[47] *The Church in Society: A Lutheran Perspective* (Evangelical Lutheran Church in America, Department for Studies of the Commission for Church in Society, 1991). This document was adopted at the Second Biennial Churchwide Assembly of the Evangelical Lutheran Church in America, meeting in Orlando, Florida, August 28–September 4, 1991.

for any option other than engagement, declaring: "The Gospel does not take the Church out of the world but instead calls it to affirm and to enter more deeply into the world."[48] Here the document establishes that the ELCA sees church's participation in society as obligatory and non-negotiable. The document also expands upon what this participation entails, saying:

> God works through the family, education, the economy, the state, and other structures necessary for life in the present age. God institutes governing authorities, for example, to serve the good of society. This church respects the God-given integrity and tasks of governing authorities and other worldly structures, while holding them accountable to God.
>
> This church must participate in social structures critically, for sin also is at work in the world. Social structures and processes combine life-giving and life-destroying dynamics in complex mixtures and in varying degrees. This church, therefore, must unite realism and vision, wisdom and courage, in its social responsibility. It needs constantly to discern when to support and when to confront society's cultural patterns, values, and powers.[49]

The ELCA thus affirms both the goodness of societal structures and the work that God does through them to serve the common good. The movement also retains the right to hold accountable the governing authorities and worldly structures, going so far as to affirm the church's role in confronting societal structures if necessary. I would argue that this statement again demonstrates the dyadic framework which sees God as originator and the Christian as one who is free and encouraged to engage in society. Not only does *The Church in Society* affirm that God has instituted governing authorities for the common good, it also encourages the participation of the church in those structures and sets apart the church as the voice which can call those structures back to their God-given responsibility. The framework for cultural engagement rests, therefore, on those two components, that God created societal structures and that Christians ought to engage in them faithfully, and it seems that this section of the statement by the ELCA reflects those components found in the Lutheran confessional documents.

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[48] *The Church in Society: A Lutheran Perspective*, 2.
[49] *The Church in Society: A Lutheran Perspective*, 3.

The 2020 social message, "Government and Civic Engagement in the United States" referenced in section 3.0 above demonstrates that the position outlined in the 1991 document *The Church in Society* is still held by the ELCA. The very first sentence reads, "Lutherans care about government because it is a gift from God intended for the safety and flourishing of human life."[50] I would submit that this language stands in concert with the dyadic framework exploration above, especially where the Article XVI of the Augsburg Confession is concerned. Consider also that the first endnote reference in the 2020 "Government and Civic Engagement in the United States" appears at the end of the previously quoted sentence. It states, "The Lutheran view of orderly government as 'created and instituted by God' was formalized in the Augsburg Confession, article XVI."[51] Thus, not only is the position described above still the position of the ELCA, it is also clear that the ELCA sees Article XVI of the Augsburg Confession as an enduring authoritative statement about the Lutheran conception societal origins and engagement.

The Church in Society, though, also develops another aspect of the role of the church in society that is not part of the dyadic framework: to wit, the ELCA understands itself as a "Community of Moral Deliberation." To explain what they mean by this designation, a longer quote is necessary.

> Christians fulfill their vocation diversely and are rich in the variety of the gifts of the Spirit. Therefore, they often disagree passionately on the kind of responses they make to social questions. United with Christ and all believers in baptism, Christians welcome and celebrate their diversity. Because they share common convictions of faith, they are free, indeed obligated, to deliberate together on the challenges they face in the world.
>
> Deliberation in this church gives attention both to God's Word and God's world, as well as to the relationship between them. This church sees the world in light of God's Word, and it grasps God's Word from its context in the world. This church must rely upon God's revelation, God's gift of reason, and the guidance of the Holy Spirit.
>
> Scripture is the normative source in this church's deliberation. Through the study of Scripture, Christians seek to know what God requires in the Church and the world. Because of the diversity in Scripture, and because of the contemporary world's distance

[50] "Government and Civic Engagement in the United States," 1.
[51] "Government and Civic Engagement in the United States," 19.

> from the biblical world, it is necessary to scrutinize the texts carefully in their own setting and to interpret them faithfully in the context of today. In their witness to God's Word, the ecumenical creeds and the Lutheran confessions guide this church's approach to Scripture, and the Church's history and traditions instruct it in its deliberation.
>
> Transformed by faith, this church in its deliberation draws upon the God-given abilities of human beings to will, to reason, and to feel. This church is open to learn from the experience, knowledge, and imagination of all people, in order to have the best possible information and understanding of today's world. To act justly and effectively, this church needs to analyze social and environmental issues critically and to probe the reasons why the situation is as it is.
>
> Deliberation in this church should include people—either in person or through their writing or other expressions—with different life-experiences, perspectives, and interests. As far as possible, people such as the following should deliberate together and with others:
>
> · those who feel and suffer with the issue;
> · those whose interests or security are at stake;
> · pastors, bishops, theologians, ethicists, and other teachers in this church;
> · advocates;
> · experts in the social and natural sciences, the arts, and the humanities.
>
> As a community of moral deliberation, the Church seeks to "discern what is the will of God—what is good and acceptable and perfect" (Romans 12:2). Christians struggle together on social questions in order to know better how to live faithfully and responsibly in their callings. Processes of deliberation need to inform and guide this church's corporate witness in society. In dealing openly and creatively with disagreement and controversy, this church hopes to contribute to the search for the individual as well as for the common good in public life.[52]

The ELCA roots its self-understanding as a community of moral deliberation in the unity of the church via baptism as well as the diversity of individuals that comprise that community. Its diversity exists, for the ELCA, within its unity and thus makes possible the ability to deliberate upon moral issues as a church, and not merely as individuals, because the participants are all united in faith. This statement also makes clear the role of scripture in the process of deliberation. The ELCA asserts that, "this church sees the world in light of God's Word, and it grasps God's Word from its context in the world." That is to say, the ELCA understands a need to contextualize both scripture and the world in relation to one another. It is because both the scriptures and the world inform not only one another but also the church that the ELCA sees

[52] *The Church in Society: A Lutheran Perspective*, 5–6.

itself as able to deliberate moral issues. In this sense, "the world" is short hand for a myriad of factors, not simply one. The goal is seemingly a life lived faithfully in the world, shaped by a multitude of things brought to bear on a particular moment, chief among those shaping factors are the scriptures and the insights of broader society. This is further explored in the advocacy of voices intimately acquainted with the issues to be addressed in the deliberation process. The ELCA understands this deliberation as the outworking of being an informed community, that is to say, a community informed by the scriptures, the confessions, academic insight, and actual lived experience. To deliberate issues as a community, then, is to begin with the affirmation of the unity of faith because from there diversity is not seen as a threat but a benefit, because through the sharing of God's word and of information, including experience, the community can learn to inhabit the world faithfully.

I would argue that this concept is significant, not simply for how the ELCA understands itself, but also for the wider agenda of this thesis. As we have seen, the idea that God created societal structures and that Christians should participate faithfully with them is a broadly conceived Lutheran idea. The idea that the church is a community of moral deliberation that allows for a multiplicity of perspectives within a united whole, however, seems to be a distinctively ELCA idea. The ELCA sees itself as being open to reshaping how the church engages with society. It is clear enough that the ELCA, and its predecessor bodies, understand the role of the church in society as non-negotiable, but what has become even more pronounced since the formation of the ELCA is its own understanding of the church as a community of moral deliberation.

Here it is helpful to understand that in all of this, the ELCA is not simply attempting to allow for society to dictate the terms by which the church functions. Crucial to the self-

understanding of the ELCA is the explicit recognition that the formation and activation of the community happens through the work of the Holy Spirit.[53] This is an integral part of the identity and cultural hermeneutic of the ELCA—that the continued work of the Holy Spirit, through word and sacrament, frees the church for life in the world. This is to say that, the ELCA expressly describes itself as a people created and used by the Holy Spirit to engage the world as it is in order that the world might be reshaped.[54]

6.5.1.2 A Particular Issue: Abortion

Perhaps no moral issue has garnered more of the national conversation over the last fifty years in the United States than abortion. The landmark *Roe v. Wade* decision on January 22, 1973 codified the right to an abortion into United States law.[55] The purpose of this section is not

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[53] This is made explicit in the opening section of the document discussed above. While the broader concern of this section details the importance of the cultural hermeneutic, the goal is not to mute the pneumatology of the ELCA. The quotation below appears in full so as to demonstrate the absolute importance and non-negotiable nature of this self-understanding:

> The Church, the baptized people of God, is created by the Holy Spirit through the Gospel to proclaim and to follow God's crucified Messiah. As the gathering of children, youth, men, and women who hear, believe, and receive the living Christ in Word and Sacrament, the Church witnesses in word and deed to Jesus as Lord and Savior.
>
> The proclamation of the Gospel as the good news of God's salvation given in the life, death, and resurrection of Jesus distinguishes the Church from all other communities. The Gospel liberates from sin, death, and evil and motivates the Church to care for neighbor and the earth.
>
> The witness of this church in society flows from its identity as a community that lives from and for the Gospel. Faith is active in love; love calls for justice in the relationships and structures of society. It is in grateful response to God's grace in Jesus Christ that this church carries out its responsibility for the well-being of society and the environment.
>
> Word and Sacrament are the originating center for this church's mission in the world through its baptized members, congregations, synods, churchwide organization, social ministry organizations, and educational institutions. Through preaching, teaching, the sacraments, Scripture, and "mutual conversation and consolation," the Church is gathered and shaped by the Holy Spirit to be a serving and liberating presence in the world. In praying for the peace of the whole world and in interceding for those who suffer and for those in authority, the Church serves the world. The Church gives thanks to God for the blessings of creation and prays to be empowered to do God's will in society. (*The Church in Society: A Lutheran Perspective*, 1–2.)

[54] *The Church in Society: A Lutheran Perspective*, 2. See especially this line: "The Gospel does not take the Church out of the world but instead calls it to affirm and to enter more deeply into the world."

55 See: Jane Roe, et al., Appellants, v. Henry Wade, 410 U.S. 113. Available at https://www.law.cornell.edu/supremecourt/text/410/113. This was true until the United States Supreme Court overturned the decision in the summer of 2022.

to investigate the legal basis for the decision or to pass a value judgement on abortion as such. Rather, this section seeks to explicate how the LCMS and the ELCA, including its predecessor church bodies, approached the issue of abortion throughout the twentieth and into the twenty-first centuries. In doing so, this investigation will demonstrate a pattern consistent with how those same church bodies approached the issue of the role of the church within society as discussed above. The value for this investigation is that it will serve as an additional example of how Lutherans have applied the dyadic framework to developing an understanding of and engagement with culture as well as be suggestive of how Lutherans approach issues of human sexuality and identity in the chapter that follows.

6.5.1.3 The Particular Understanding of the ELCA and its Predecessors

Prior to the passage of *Roe v. Wade,* a predecessor body of the ELCA, the LCA, adopted a statement on *Sex, Marriage, and Family* that spoke, in brief, to the issue of abortion.[56] In that statement the LCA asserts that,

> the key issue is the status of the unborn fetus. Since the fetus is the organic beginning of human life, the termination of its development is always a serious matter. Nevertheless, a qualitative distinction must be made between its claims and the rights of a responsible person made in God's image who is in living relationships with God and other human beings. This understanding of responsible personhood is congruent with the historical Lutheran teaching and practice whereby only living persons are baptized.[57]

The LCA approaches the issue of abortion through the lens of responsible personhood. For them, part of the determining factor in considering an abortion are the relationships of the individuals involved and the way those relationships impact and influence each other. The LCA uses this

[56] "Sex, Marriage, and Family," *Social Statements, the Lutheran Church in America* (New York: Division for Mission in North America, Lutheran Church in America), 5–6. This statement was adopted by the Fifth Biennial Convention, Minneapolis, Minnesota, June 25–June 27, 1970.

[57] "Sex, Marriage, and Family," 5.

lens while still affirming that the unborn fetus is the beginning of human life and should not be terminated without serious consideration of that fact. The LCA also notes that the idea of responsible personhood is mirrored by the lack of application of the sacrament of baptism to those who are not yet born. The LCA later clarified that this statement affirms two things.[58] First, that abortion on demand is to be opposed.[59] Second, that abortion should not be considered as a form of contraception.[60] Yet, despite this clarification, I would argue that the position of the LCA is that abortion, while not a form of contraception or something which should be accessible on demand, is permissible in certain situations although this statement does not clarify what those circumstances are.

That does not mean, however, that the LCA had nothing more to say on the issue. The LCA is intensely concerned with the idea of serious consideration and thus states:

> On the basis of the evangelical ethic, a woman or couple may decide responsibly to seek an abortion. Earnest consideration should be given to the life and total health of the mother, her responsibilities to others in her family, the stage of development of the fetus, the economic and psychological stability of the home, the laws of the land, and the consequences for society as a whole.
>
> Persons considering abortion are encouraged to consult with their physicians and spiritual counselors. This church upholds its pastors and other responsible counselors, and persons who conscientiously make decisions about abortion.[61]

In sum, the LCA understands the interconnectivity of all spheres of life and encourages people to speak with multiple people, from potentially different perspectives, as they consider an abortion. I would argue that this statement by the LCA effectively frames future conversations in the ELCA on the matter of abortion because it encourages deliberation and allows for a variety of

[58] "1978 LCA Convention Minute on the Subject of Abortion."
[59] "1978 LCA Convention Minute on the Subject of Abortion," 1.
[60] "1978 LCA Convention Minute on the Subject of Abortion," 1.
[61] "Sex, Marriage, and Family," 5–6.

perspectives on the issues, provided that those perspectives not devolve into seeing abortion as a kind of contraception or as being available at a moment's notice.

Another of the ELCA's predecessor bodies, the ALC, also issued statements concerning abortion which parallel in some ways what the LCA said on the matter. In 1974 the ALC adopted a statement which detailed a "pro-life position."[62]

> The American Lutheran Church rejects induced abortion as a ready solution for problem pregnancies. An induced abortion deliberately ends a developing human life. No one dare take such a step easily or lightly. Yet, The American Lutheran Church accepts the possibility that an induced abortion may be a necessary option in individual human situations. Each person needs to be free to make this choice in light of each individual situation. Such freedom to choose carries the obligation to weigh the options and to bear the consequences of the decision.[63]

The ALC affirms the fetus as the origin of human life and counsels against interrupting the development of that life without giving serious consideration to the action being considered. The ALC also affirms the possibility of the ending of the development of human life, and moreover, argues that people need to be able to choose to do so on the basis of their situatedness. The document clarifies that the preferred decision would be to prevent an abortion and outlines a number of ways to do so, including teaching done by the church and the development of economic programs by the government to support the newly forming life.[64]

Perhaps unsurprisingly, the ALC also affirms the value of a community in helping an individual make such a difficult decision.

> Specific compelling circumstances may cause persons to question whether a particular pregnancy should be allowed to run its natural course or be terminated. Such a decision should be informed, but not forced, by the Church, by law, by public opinion, by family, and by other trusted persons. It is a decision toward which the Christian community ought to offer its tender, embracing, and understanding love, help, and counsel.

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[62] "Christian Counseling on Abortion" (Minneapolis, MN: Augsburg Publishing House, Office of Church in Society, The American Lutheran Church), this statement was adopted the Seventh General Convention (October 14, 1974) of The American Lutheran Church.

[63] "Christian Counseling on Abortion," 1.

[64] "Christian Counseling on Abortion," 1–2.

> Competent counseling strives for an understanding of what is involved in each option, a facing of the probable effects of one or the other decision, an assessment of competing claims and rights, and a determination of how the considerations of life, health, healing, and wholeness shape the decision.[65]

According to the ALC, the individual should not be forced into a decision. It seems that for the ALC, it is only in the context of a community that weighs every factor possible that a person can or should make a decision to carry the pregnancy to term or to end it. The ALC sought to draw upon a variety of trusted sources in the context of a tender and embracing love to help a person wrestle with issues related to abortion. Moreover, later in the document the ALC affirms that the gospel should predominate all of the discussions concerning abortion.[66] Not only would I argue that this parallels the LCA's earlier statements, it also prefigures the ELCA's idea of community of moral discernment. It is difficult for me to conceive of a more apropos description of what that community of moral discernment looks like in practice than what the ALC discusses above.

What is evident in the predecessor bodies of the ELCA is also on display in the 1991 social statement adopted by the ELCA Churchwide Assembly.[67] In point of fact, the statement on abortion begins with the ECLA describing the unity and diversity that exists within the church body. This is, I would argue, a direct reference to the 1991 statement on the church in society that establishes the church as a community for moral deliberation. While recognizing that the

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[65] "Christian Counseling on Abortion," 2.

[66] "As Lutheran Christians we are deeply aware of the sinfulness in every human decision. We also are deeply confident of God's grace and forgiveness. Thereby we are freed from the anxious drive that our deeds make us right with God. We have no need to itemize a list of circumstances under which abortion is acceptable or is forbidden. We have the responsibility to make the best possible decision we are capable of making in light of the information available to us and our sense of accountability to God, neighbor, and self. For the rightness or wrongness of the decision to abort or to carry to term we rely on God's grace and His forgiveness. So freed and forgiven, so at one with the Father through Jesus Christ, we are given the Spirit's strength to work for whatever is good, positive, and wholesome in our every relationship with spouse, family, neighbor, nature, and social systems. Love and service rule our lives. Our faith directs our deeds, in the issues of abortion as in every other area of our lives under God." See: "Christian Counseling on Abortion," 3.

[67] *Abortion* (Evangelical Lutheran Church in America, Department for Studies of the Commission for Church in Society, 1991). This statement would be affirmed at the 1995, 1997, and 1999 assemblies. See: Social Policy Resolution CC.95.11.79, Social Policy Resolution CA97.06.30, and Social Policy Resolution CA99.06.33.

ELCA is part of the one, holy, catholic, and apostolic church, the document admits that there is a wide range of diverse opinions on the place of abortion within society and the role of the church in engaging with said issue.[68] It encourages that the church be willing to utilize the "gift of diversity" and so foster dialog among those who disagree.[69] The document continues to outline much of what was established by the LCA and ALC in their respective statements including how the church affirms the life of the fetus and that the church should be a community that supports the individuals involved in choosing whether or not to have an abortion. [70]Additionally, it allows for the potential to choose to have an abortion in more than just cases of rape or incest.[71] And yet the ELCA asserts emphatically that, "abortion ought to be an option only of last resort. Therefore, as a church, we seek to reduce the need to turn to abortion as the answer to unintended pregnancies."[72] The ELCA statement concludes with the following words:

> The church's role in society begins long before and extends far beyond legislative regulation. It seeks to shape attitudes and values that affirm people in whatever circumstances they find themselves. Its pastoral care, compassionate outreach, and life-sustaining assistance are crucial in supporting those who bear children, as well as those who choose not to do so. Through these and other means the people of God seek to be truly supportive of life.[73]

The ELCA affirms that the church must be engaged with those in society on this issue because doing so is how the church can be supportive of life, life which the document also confesses, comes from the hand of God.[74]

I would submit that the document explored above demonstrates how the ELCA understands the role of the church in society, not just generally, but practically in terms of

[68] *Abortion*, 1.
[69] *Abortion*, 2.
[70] *Abortion*, 3–5.
[71] *Abortion*, 7.
[72] *Abortion*, 4.
[73] *Abortion*, 11.
[74] *Abortion*, 2.

confronting an issue like abortion. First, the ELCA has affirmed in its present, as well as in its past, that life, like all societal structures, emanates from God and thus, should not be trifled with lightly. Second, the ELCA also sees the church's engagement with issues relating to life as non-negotiable, the church cannot but act in behalf of those facing the decision of whether or not to abort a pregnancy. Third, the ELCA does not wish to pre-determine the answer to the question of whether or not someone should elect to get an abortion but rather wants to walk alongside the person, in the context of a community with diverse perspective yet united by virtue of their place in the church. In this community the ELCA actually seeks to wrestle with the issues at hand which is why this social statement also has a study guide available for use at the congregational level, because the ELCA does want dialog, not merely for its own sake, but because the church is engaged with this issue and with those who are facing it.[75] This investigation matters for the overall thesis because it shows that the ELCA is actively engaged in societal issues and seeks to learn as a community how best to confront them. The chapter to follow will show the ELCA attempting to do that very thing in the context of issues related to human sexuality.

6.5.2.1 The Particular and the Broad Application in the LCMS

The exploration of how the ELCA applies the Lutheran societal engagement dyadic framework began by exploring its broad conception of the role of the church in society and then demonstrated how that conception could be focused on an issue like abortion. What follows is a structure that begins with the particular and moves to the broad. In choosing to begin the LCMS investigation with the particular issue of abortion I am seeking to highlight the difference

[75] *Using the ELCA's Social Statement on Abortion in Your Congregation: A Leader Guide Prepared by the Division of Congregation Ministries in Cooperation with the Division for Church in Society of the Evangelical Lutheran Church* (Chicago: The Evangelical Lutheran Church in America, 1994).

between the LCMS and the ELCA on this point. After doing that, I will attempt to explain why I see the difference to exist. In accounting for that difference I will demonstrate the patterned behavior of both the LCMS and the ELCA in approaching issues related to church and society.

6.5.2.2 The Particular Understanding in the LCMS

Prior to the passage of *Roe v. Wade* the LCMS voted at their 1971 convention to state the synod's position on abortion. To wit, "That the Synod regard willful abortion as contrary to the will of God."[76] In one fell swoop the synod declared a position on abortion that, I would argue, left very little room for debate. The resolution did recognize, however, "that in a fallen world it becomes necessary at times to choose between one life and another…[and] that if such a choice must be made by the children of God, they do so recognizing that it is neither our motives nor the necessity that justifies them before God, but only the grace and forgiveness of God in Christ Jesus."[77] Thus, the LCMS did leave some room for the possibility of the validity of an abortion despite the clear statement that it was "contrary to the will of God." Since that convention the LCMS has passed no fewer than seventeen additional resolutions affirming this stated position in various ways in every convention since 1971 with the exception of 2007.[78] The question is, of course, what was the exception? Unfortunately, the 1971 resolution does not state what the exception might be. Fortunately, however, a 1979 resolution reaffirming the 1971 resolution does make the exception clear: "Since abortion takes a human life, abortion is not a moral option,

[76] "Resolution 2-38," *Convention Proceedings of the 49th Regular Convention of The Lutheran Church—Missouri Synod, Milwaukee, Wisconsin, July 9–16, 1971* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1971), 126.

[77] "Resolution 2-38," *Convention Proceedings of the 49th Regular Convention*, 126.

[78] See: Res. 2-39, 1971, Milwaukee; Res. 2-19, 1973, New Orleans; Res. 3-23A, 1975, Anaheim; Res. 3-08C, 1977, Dallas; Res. 3-02A, 1979, St. Louis; Res. 3-02, 1981, St. Louis; Res. 3-04B, 1983, St. Louis; Res. 3-21, 1986, Indianapolis; Res. 3-09A, 1989, Wichita; Res. 3-10, 1992, Pittsburg; Res. 6-01B, 1995, St. Louis; Res. 3-14, 1998, St. Louis; Res. 6-01, 2001, St. Louis; Res. 6-04, 2004, St. Louis; Res. 6-02A, 2010, Houston; Res. 2-09A, 2013, St. Louis; Res. 3-04, 2016, Milwaukee; Res. 3-02A, 2019, Tampa. The one convention in 2007,Res. 6-02, 2007, Houston, dealt specifically with human stem cell research but did reference a "pro-life" stance.

except as a tragically unavoidable byproduct of medical procedures necessary to prevent the death of another human being, viz., the mother."[79] Thus, the one exception provided for by the LCMS in its official resolutions is that abortion is acceptable when it threatens the life of the mother.[80]

This exemption did not originate in the 1979 resolution. Just over a decade earlier the LCMS's Commission on Theology and Church Relations (CTCR) produced a report entitled, *Abortion: Theological, Legal, and Medical Aspects*.[81] That report details first that the LCMS understands life to be a "gift from God," that "human beings are created for eternal life," that "human life is created for fulfillment," and that "life and death belong to the province of God."[82] Thus, the LCMS prior to the passage of the resolution in 1971, anchored its understanding of the place of abortion not in the need of the individual but in response to the theological position it saw as espoused in the scriptures. That is not to say the LCMS was unaware of the situations that give rise to the need for an abortion, in fact this document outlines them in a prefatory note at the beginning of the document.[83] Rather, the LCMS chose to shape its response to the question of the place of abortion in society in light of its theology primarily. I would argue that this is not a small point. In doing so the LCMS seemingly takes as axiomatic that societal issues are first, or primarily, theological ones. This will be demonstrated in the next chapter which discusses how the LCMS has responded to issues of human sexuality.

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[79] "Resolution 3-02A," *Convention Proceedings of the 53rd Regular Convention of The Lutheran Church—Missouri Synod, St. Louis, Missouri, July 6–12, 1979* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1979), 117.

[80] Although resolutions prior 1992 repeat to some degree this phraseology, resolutions after 1995 make no mention of the exception.[80] That is not to say the LCMS has repudiated the exception in convention but only that attention has not been directed toward it in those official statements.

[81] *Abortion: Theological, Legal, and Medical Aspects, A Report of the Commission on Theology and Church Relations* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1968).

[82] *Abortion: Theological, Legal, and Medical Aspects*, 2–3.

[83] *Abortion: Theological, Legal, and Medical Aspects*, 1.

As the title of the document suggests, the CTCR begins their exploration of the place of abortion in society with theological considerations, moves to legal considerations, and then addresses medical situations, e.g., a doctor who might have to advise a patient or perform an abortion. It is within the context of the medical considerations that the caveat from the 1979 resolution first appears. "The Christian physician can in some circumstances accept and actually recommend abortion under proper medical supervision, as for example, when the life of the mother is threatened by pregnancy."[84] There is another potential situation in which an abortion would be allowable, namely, when the child could potentially be born abnormally, though the document states such a situation is a rare and difficult one to process.[85] Thus, the LCMS, even though it thoroughly affirms human life as a gift from God and abortion as contrary to the will of God allows for at least one exception.

While this position may not seem surprising, the following paragraph from the same document softens the rigidity of the LCMS's position to degree.

> Living as Christians calls for trust and obedience toward that God who, through Word and Sacrament, offers man salvation in His Son, Jesus Christ, and who reveals His will for man in Holy Scripture. Holy Scripture does not present us with a detailed set of regulations for abortion and many other complex ethical problems. It does, however, offer principles of enduring validity and authority. Responsible ethical living therefore calls for making personal choices on the basis of validly established· principles rather than following a detailed set of regulations in a servile way. Accordingly, these guidelines are intended to set forth those principles of God's revelation that should guide individuals in making decisions and judgments on the question of abortion as. a theological, legal, and medical problem.[86]

The CTCR is acknowledging that even the principles discussed in their document are not meant to be applied strictly. They are allowing for people to make decisions in an informed way, informed by the principles of the scriptures to be sure, but decisions that are personal and based

[84] *Abortion: Theological, Legal, and Medical Aspects*, 5.
[85] *Abortion: Theological, Legal, and Medical Aspects*, 5.
[86] *Abortion: Theological, Legal, and Medical Aspects*, 5.

on principles rather than regulations. It is also not possible to write off this concluding remark as only belonging to the CTCR and thus not applicable to the synod as a whole. In 1973, during the same convention that was the first convention to reaffirm the synod's position on abortion, officially, in the same resolution, commended that document to the synod.[87] I would submit, then, that for the LCMS to be consistent with its resolutions, it needs to take seriously the idea that regulations are not meant to be followed in a servile way, but that sound principles can guide individuals to make personal choices.

In 1984 the CTCR produced another document on abortion titled, *Abortion in Perspective*.[88] It is not necessary to discuss the document in its entirety because much of it repeats what the above resolutions or the previous CTCR document stated on the issue. It also included an endorsement of the 1968 CTCR document as "the principles and warnings issued in that document are still valid today."[89] In addition to updated legal and medical reference material, the 1984 document, *Abortion in Perspective*, suggests to the broader church body a number of ways that it can, at the congregational and individual level, communicate the church's position on abortion to the broader society. Some of those suggestions include addressing pro-life issues in sermons, adult bible, and Sunday school classes, establishing a local chapter of "Lutherans for Life," and even writing letters to local, state, and federal representatives.[90] What is clear in that document is that the LCMS actually wants to form and shape individuals to engage in society with a specific message, namely, that abortion is contrary to the will of God.

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[87] "Resolved, That the Synod receive the document "Abortion: Theological, Legal, and Medical Aspects" and commend it to the membership of the Synod for reference and guidance" "Resolution 2-19," *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod, New Orleans, Louisiana, July 6–13, 1973* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1973), 116.

[88] *Abortion in Perspective, A Report of the Commission on Theology and Church Relations as Prepared by the Social Concerns Committee* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1984).

[89] *Abortion in Perspective*, 5.

[90] *Abortion in Perspective*, 45–46.

Between the resolutions and both CTCR documents, as well as other published material, the LCMS has not equivocated on its position since it was established officially in 1971.[91] The caveat of abortions being potentially allowable in the case of the mother's life being in jeopardy or the call to apply principles without a servile fear do not upend the synod's position.

The synod continues to communicate to its membership ways they can engage including by participating in the yearly March for Life. Moreover, at present the LCMS has established a website called "Eyes of Life" that seeks to communicate to its membership and the world what the LCMS believes being "pro-life" means.[92] Additionally the synod has just announced the establishment of a one million dollar matching fund that will support pro-life efforts in local congregations.[93] All of this is to say that since 1971 the LCMS has not become more ambiguous about its position but that it has become more vocal about its position and has sought to equip its membership to take that message into the world.

It seems to me that this particular issue of abortion telegraphs how the LCMS conceives of the role of the church in society. First, note how it approaches the issue through a theological lens, rooting the stance in opposition to abortion in the fact that God is the author of life and questions of life and death belong to God alone. Second, the LCMS attempts to shape its membership to engage with that issue in ways that support, and not undermine, the synod's official position. Finally, that over time the position of the synod on the issue of abortion did not become more ambiguous but less so. These are important things to understand about how the LCMS approaches the issue of abortion because they parallel how the LCMS has and continues to address issues related to human sexuality. In this way, this case study suggests a pattern of the

[91] See, for example the "What About… Abortion" pamphlet produced by LCMS president A. L. Barry.
[92] Eyes of Life, The Lutheran Church—Missouri Synod, www.eyesoflife.org. Accessed February 20, 2022.
[93] "Life Ministry Million Dollar Match," The Lutheran Church—Missouri Synod, https://www.lcms.org/serve/grants/life-grant. Accessed February 20, 2022.

LCMS in deal with issues in society. It will begin with the theological considerations, shape its people to interact, and become more pronounced in its position over the course of time. Only through broadening out and investigating how the LCMS understands the role of church in society can we determine if that pattern is valid.

6.5.2.3 The Broader Understanding in the LCMS

Throughout the twentieth century the LCMS has produced a number of statements that sought to define the role of the church in society.[94] All of them recognize that the church does not disengage from societal structures but inhabits them because those structures are of divine origin.[95] Like the dyadic framework suggests, the LCMS encourages participation in societal structures on account of the fact that God is the one who has instituted them.[96] In the same way, however, that the ELCA has a unique understanding of the church's engagement with society, so too does the LCMS. In 1995 the LCMS published a statement entitled *Render Unto Caesar… and Unto God: A Lutheran View of Church and State.* That document rehearses much of what was discussed above in sections 2.0 and 3.0 concerning the concept of two kingdoms and how that concept is received. It also, however, provides an example of what the LCMS sees as the role of the church in society.[97] The document states,

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[94] Three of note are: *Report of the Commission on Theology and Church Relations: Civil Obedience and Disobedience* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1966); *Report of the Commission on Theology and Church Relations: Guidelines for Crucial Issues in Christian Citizenship* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1968); *Render Unto Caesar… and Unto God: A Lutheran View of Church and State* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1995).

[95] See: *Civil Obedience and Disobedience*, 3; *Guidelines for Crucial Issues in Christian Citizenship*, 3; *Render Unto Caesar… and Unto God*, 6–11.

[96] "Civic order is an essential ingredient of community life. At the same time it is a minimal element, whose function it is to provide the opportunity for men to work together in the task of expanding justice and freedom; for men were created to be persons, and as such they are expected to exercise that dominion which is an inherent part of the image of God," *Guidelines for Crucial Issues in Christian Citizenship*, 6.

[97] *Render Unto Caesar… and Unto God*, 31–54.

> While Lutherans have often agreed on the theological fundamentals that underlie their approach to the state, they also have disagreed frequently on what those fundamentals mean in practice. As a result, for Lutherans today, there is not only confusion because of different theological models in use among Christians generally but there is confusion also because of different ideas about how to implement a Lutheran two-kingdom model.[98]

The LCMS ostensibly understands that a "Lutheran two-kingdom model" can be implemented in different ways. I would argue that this paragraph is not inconsequential. The LCMS is admitting that shared understanding, or agreement on the "theological fundamentals" does not automatically produce a common application of those fundamentals. Thus, it leaves the door open for variety in how to apply Lutheran frameworks, like the dyadic one explained above or two-kingdoms as the document mentions.

The uniqueness of the LCMS's approach is evidenced in the latter portion of the document *Render unto Caesar… and Unto God,* in that it provides for a distinction between the role of an individual Christian in society and the role of the corporate church. The LCMS, like the ELCA, takes as a non-negotiable the position that the church will be engaged with societal structures, and more specifically, with political ones.

> The critical questions, therefore, are not whether the church should be involved with politics, or whether it can even avoid being involved with politics, but "how church and politics are and ought to be related" and "how each kind of political involvement affects the nature and mission of the church."[99]

The LCMS, then, knows that the church will be involved in the political arena but wants to consider whether and in what way that involvement will impact the unique call of the church. The statement teases out the answers to these questions by arguing that the church cannot simply say it speaks the word of God to society but that the word of God, which contains both Law and

[98] *Render Unto Caesar… and Unto God*, 55.
[99] *Render Unto Caesar… and Unto God*, 63.

Gospel, must be applied differently to societal situations and that some situations must be prioritized over others.[100]

The LCMS also seeks to make distinctions as to what it means for "the church" to play a role in society because "church" can mean the ecclesiastical body, a congregation, or an institution with tax-exempt status.[101] Ultimately, though, it argues that while the LCMS as an organization might engage in political arguments, it is individual Christians who have the largest role to play in society.

> This church, grounded in Word and sacrament, works in society from the "bottom up." It is the individual Christian, both as member of the church and citizen of the state, who is duty bound to become the primary "speaker" of the church's many social concerns. It is the individual Christian who works from the "bottom" in the public square, guided both by God's Word and by the principled persuasion of the institutional church. Therefore, individual Christians can, and must, learn to translate the concerns of God's Word into arguments appropriate for civil government. And the institutional church needs to provide opportunities for believers to study and discuss the application of their faith to the issues that confront them in daily living.[102]

The LCMS sees the individual Christian as the one who will, ultimately, influence society, including government. Moreover, the LCMS sees the role of the larger church body as being to equip the members of society to engage with the issues that confront them on a daily basis informed by, "God's Word and by the principled persuasion of the institutional church." Thus, the LCMS sees itself not as a place of moral deliberation but as a place where individuals are shaped by the positions of the institutional church and the word of God to encounter the society in which they live. The church is not there to express the values of diversity within unity, as was the case with the ELCA, but to bring a unified thought to a diverse world.

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[100] "It is tempting to say that the church's public message is simply the Word of God. But given that God's Word is both Law and Gospel, with both spiritual and temporal concerns, we must self-consciously evaluate exactly what the church has to say…. To say that all human needs are equally important is simply an evasion of the prioritizing that human life (and Christian stewardship) requires." *Render Unto Caesar… and Unto God*, 63–64.

[101] *Render Unto Caesar… and Unto God*, 66.

[102] *Render Unto Caesar… and Unto God*, 67.

I would suggest that in seeing itself as the institution that shapes the church for interaction with society, the LCMS is attempting not simply to understand the society in which its members live, but to transform that society to reflect the principles of God's word as defined by the LCMS. The LCMS undoubtedly seeks to engage with society, as Lutheran frameworks like the dyad or two-kingdoms above suggest. It also recognizes that there are a variety of ways to apply those frameworks. What is unique about the LCMS, though, is that it understands itself as a church body that intends to shape individuals in a specific way for political engagement. By that I do not mean the LCMS intends to be partisan politically, but that it intends to take the word of God, as the LCMS understands it, and shape its people for engagement in world on the basis of that understanding of the word.

6.5.3 The Established Patterns

Both the LCMS and the ELCA take as axiomatic that the church must play a role in society. That role takes different forms but it is a non-negotiable because societal structures, including political ones are established by God and the church has a responsibility to help its members faithfully participate in those structures. That does not mean, however, that the LCMS and the ELCA are completely uniform in their approach as the abortion investigation demonstrated. The ELCA self-identifies as a community of moral deliberation where people, from varying places and perspectives in society, will come together with God's word to be shaped by that diversity. Such self-identification is unique to the ELCA. In stark contrast, the LCMS self-identifies as a church that equips its members to apply God's word to the societyl in which they find themselves. This distinction between the LCMS and the ELCA is significant both for the broad and particular application of the societal engagement framework of the confessions but also for the thesis as a whole because these distinct approaches provide insight as

to why when issues like abortion or human sexuality are being discussed, the ELCA and the LCMS do not always agree.

6.6 Conclusion

This chapter sought to establish Lutheran frameworks for cultural exegesis. Toward that end it explored the concept of cultural exegesis, that is, the interpretation of and interaction with society. It also investigated whether or not Luther's doctrine of two kingdoms should be considered a Lutheran doctrine. Because Lutherans do not agree on the answer to that question, this chapter also sought to show a common dyadic framework that formed the basis for Lutheran interaction with society. That framework has two components, first, that God is the creator of societal structures and second, because God is the creator of them, Christians should participate faithfully in them. In order to demonstrate how that framework works itself out practically in the ELCA and the LCMS, I then presented two case studies. The first case study observed the role of the church in society. It showed that although the ELCA and LCMS both see interaction between the church and society as fundamental, they differ in what that engagement looks like. The ELCA wants to create a community of moral deliberation where a multiplicity of voices are brought to bear on the issue. In contrast, the LCMS seeks to shape its membership in light of the synod's theological position. In other words, it wants to help the synod speak with one voice. The second case study affirmed this pattern by demonstrating how the ELCA and LCMS have addressed, and continue to address, the issue of abortion. The ELCA and LCMS see life as emanating from God, but they differ in how the decision to end or continue a pregnancy should be made. The pattern is thus clear, Lutherans may agree that participation in society is a non-negotiable, but they do not agree on what that participation should look like. This is a valuable contribution to understanding how Lutherans in the United States see their place within that

country but it is even more valuable for the present inquiry because it has shown what someone should expect when looking at the ELCA and LCMS with regard to issues of human sexuality.

7.0 LUTHERAN APPROACHES TO HUMAN SEXUALITY

7.1 Introduction

Throughout the twentieth and into the twenty-first centuries much of the western world has broadly discussed and debated issues of human sexuality. Lutherans in the United States were not unaffected by these discussions. One of the stated aims of this thesis is the analysis of how Lutheran hermeneutics, both biblical and cultural, have sought to shape the way different Lutheran churches engage with society, specifically with regard to issues of human sexuality. As such, the previous chapters have outlined the various biblical and cultural hermeneutical perspectives in addition to appraising the practical exegesis of biblical texts offered by Lutherans in the Evangelical Lutheran Church in America (ELCA) and The Lutheran Church—Missouri Synod (LCMS). This chapter seeks to demonstrate how the theoretical framework for cultural exegesis finds its practical output in the ways the ELCA and LCMS have addressed issues relating to human sexuality. In order to accomplish this demonstration, and in order to analyze it, the chapter will begin by exploring how the ELCA and LCMS interpret issues related to human sexuality in the broader context of life in the world, specifically by exploring notions of identity and marriage. It will then examine how both groups address issues related to human sexuality in the narrower context of life in the pew and the pulpit, specifically by exploring the concepts of belonging in the church and ordination of clergy.

The goal of this chapter is not only to show how Lutherans apply a theoretical framework to a particular issue, but to show the actual ways Lutherans have patterned their interaction with society on the basis of theological perspectives that include, but are not limited to, the exegesis of certain biblical texts. As demonstrated in the previous chapter, Lutheran church bodies have drawn on resources for other issues, i.e., abortion, that include authoritative sources beyond the

biblical text. The approaches this chapter explores will demonstrate that cultural exegesis and engagement, specifically with regard to human sexuality, is undergirded by broader theological commitments as well. For example, in 1980 the American Lutheran Church (ALC), a predecessor body to the ELCA, adopted the following as part of a broader statement addressing "Human Sexuality and Sexual Behavior."

> The church has often left the impression that the "sins of the flesh" are largely sexual sins. It has neglected the implications of its understanding of the wholeness of the person—a body, mind, spirit being. It has seemed to be so fearful of the height and depth and breadth and mystery of human sexuality that it relegated sexuality to the unmentionables of precreation. Its moral pronouncements were strong on Law, weak on Gospel.[1]

While there may be more that could be said about the above quote, the very least that should be noted, and indeed is appropriate for this present enquiry, is that the ALC understood that the church needed to work through issues it had neglected to tease out the implications of, specifically with regard to human sexuality. Moreover, it contextualized the entire discussion of human sexuality in the theological commitment Lutherans have to the distinction between Law and Gospel. While this is not a definitive example for what Lutherans in the ELCA or LCMS have done, I would submit that it serves to prove the point once more that Lutherans have addressed these issues on the basis of commitments broader than the exegetical interpretations of texts. Consider again the previous chapter where, at least for the ELCA if not also the LCMS, when discussing abortion, the stated positions of the church bodies changed over time, that is, became more or less nuanced, even if the biblical exegesis of texts influencing those positions did not. It remains to be seen if the ELCA and/or the LCMS have done likewise with regard to human sexuality. To that investigation we now turn.

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[1] "Human Sexuality and Sexual Behavior (1980)," (Minneapolis, MN: Augsburg Publishing House, Office of Research and Analysis, the American Lutheran Church), this statement was adopted the Tenth General Convention (1980) of the American Lutheran Church.

7.2 Life in the World

Throughout the twentieth and twenty-first centuries, Lutherans in the United States have addressed various issues relating to human sexuality. It should be noted at the outset that the issues addressed relating to human sexuality are broader than homosexuality. It is not until the 1970s that Lutherans in the United States begin addressing homosexuality directly via the passage of resolutions at church body voter assemblies.[2] Prior to those passages, discussions of human sexuality revolved primarily around marriage and divorce.[3] Generally speaking, both the Lutheran Church in America (LCA) and the American Lutheran Church (ALC), two of the ELCA's predecessors, as well as the LCMS, grounded their theological perspectives concerning marriage in the creation narratives in Genesis, i.e., God created male and female one for another.[4] Because Lutherans in the United States have historically structured their theological

[2] In 1970, the Lutheran Church in America, a predecessor body of the ELCA, adopts "Sex, Marriage, and Family," at its Fifth Biennial Convention in Minneapolis, Minnesota. That statement addresses a myriad of issues relating to human sexuality but only one paragraph of the multi-paged document addresses homosexuality directly. This is significant because it had addressed issues of marriage, divorce, and family in 1964, and its own predecessor body, the United Lutheran Church in America, addressed those same issues in the 1930s through the 1950s without mention of homosexuality. See: "Sex, Marriage, and Family," *Social Statements, the Lutheran Church in America* (New York: Division for Mission in North America, Lutheran Church in America), 4; "Marriage, Family, and Divorce: A Series of Social Statements of the United Lutheran Church in America, 1930, 1936, 1940, 1944, 1956;" "Marriage and Family," *Social Statements, the Lutheran Church in America* (New York: Board for Social Ministry, Lutheran Church in America, 1964). The LCMS first speaks directly to homosexuality in 1973, however, they use the phrase "homophile behavior" rather than "homosexuality." See: "To Declare Homophile Behavior Sinful: Resolution 2-04," *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod, New Orleans, Louisiana, July 6–13, 1973* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1973), 110. The American Lutheran Church, another of the predecessor bodies of the ELCA, does not officially address homosexuality until its Tenth General convention in 1980 when it adopts "Human Sexuality and Sexual Behavior (1980)," which contains an entire section devoted to homosexuality. See "Human Sexuality and Sexual Behavior (1980)," (Minneapolis, MN: Augsburg Publishing House, Office of Research and Analysis, the American Lutheran Church), 8–9.

[3] See material referenced in footnote 2.

[4] This is also true of the LCA's "Sex, Marriage, and Family" and the ALC's "Human Sexuality and Sexual Behavior" referenced in footnote 2. Homosexuality was viewed as a subset of broader sexual issues which must first be discussed, i.e., the createdness of an individual and what they would frame as the proper expression of sexual identity in the context of marriage. See: "Sex, Marriage, and Family," 1–2; "Human Sexuality and Sexual Behavior," 1–8. When the LCMS releases a document entitled, "Human Sexuality: A Theological Perspective," it argues that marriage can only be understood in the context of human sexuality broadly speaking which they also

convictions of human sexuality first in terms of human sexual identity and then proceed to discuss marriage, this section of the chapter will follow a similar pattern. I will first investigate how the ELCA and LCMS have spoken concerning homosexual identity broadly speaking and only after addressing the issue of identity will I discuss how those respective church bodies have addressed the question of same-sex marriage.

7.2.1.1 Life in the World: Identity and the ELCA

In 1996, the ELCA adopted a document entitled "A Message on Sexuality: Some Common Convictions." Unsurprisingly, it followed along the lines of similar documents produced by the LCA and the ALC by rooting discussions of sexuality first in God's creative work described in Genesis 1.[5] "In Scripture we read that God created humankind male and female and '...behold it was very good' (Gen. 1:27, 31). Sexuality is a mysterious, lifelong aspect of human relationships. Through sexuality, human beings can experience profound joy, purpose, and unity, as well as deep pain, frustration, and division."[6] Two things of interest are worth noting in the opening paragraph of the document. First, the ELCA began its discussion of sexuality on the basis of biblical texts. By beginning with a scriptural reference, the ELCA is demonstrating its commitment to building theological expression, at least in part, on the basis of the scriptures. While important to recognize, this should not be surprising given the ELCA's stated commitment to the scriptures.[7] Second, though, the definition of sexuality given in the opening paragraph is not limited to a simple restatement of the cited text. In exploring the

root in the creation narratives of Genesis 1 & 2. See: "Human Sexuality: A Theological Perspective," (St. Louis: The Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 1981), 1–9.

[5] "A Message on Sexuality: Some Common Convictions," (Evangelical Lutheran Church in America, 1996), 1. The document admits in a prefatory section that it builds on the earlier documents from the LCA and ALC referenced in footnote 2.

[6] A Message on Sexuality: Some Common Convictions," 1.

[7] See section 3.0 of "A Lutheran Doctrine of the Scriptures".

positive and negative facets of sexuality, I would suggest that the ELCA is also demonstrating its commitment to take seriously the human condition. For the ELCA, sexuality may be a gift given by God in God's creative act, but it is not a gift without real world consequences that can include, "deep pain, frustration, and division." Thus, in this document, I would suggest the ELCA shows its twin commitment to the scriptures and to sources of authority outside the biblical narrative, like the experience of an individual's pain relating to sexuality. This is important, but it is, again, not surprising. As noted in the previous chapter, the ELCA understands itself as a community of moral deliberation.[8]

As the document unfolds, the commitment to being a community of moral deliberation, which is a hallmark of how the ELCA approaches the task of exegeting and engaging with the culture in which it finds itself, is on full display. Consider the following quote:

> On some matters of sexuality, there are strong and continuing differences among us. As we discuss areas where we differ, the power of the Holy Spirit can guide and unite us. Trust in the Gospel brings together people whose differences over sexuality ought not be a basis for division. We pray for the grace to avoid unfair judgment of those with whom we differ, the patience to listen to those with whom we disagree, and the love to reach out to those from whom we may be divided.[9]

One of the convictions noted in the preceding chapter was that the ELCA understood itself to be able to maintain unity despite diversity of opinion as it came together as a community of moral deliberation.[10] This quote demonstrates that self-understanding in action. The ELCA notes that differences exist, confesses that the Holy Spirit continues to guide, and claims that the Gospel, and not agreement over sexuality, is the basis for their unity. That means, then, for the ELCA, disagreement over issues of sexuality is not a cause to break fellowship because the gospel is what binds and animates the church. The items the ELCA then prays for in the above quote are

[8] See section 5.1.1 of the previous chapter, "Lutheran Frameworks of Cultural Exegesis."
[9] "A Message on Sexuality: Some Common Convictions," 7.
[10] See section 5.1.1 of the previous chapter, "Lutheran Frameworks of Cultural Exegesis."

those which contribute to their ability to be a community of moral deliberation which is not disunited despite the potential for disagreement over sexuality. In making the statement above, the ELCA is demonstrating that being a community of moral deliberation is not simply a theoretical proposition. Rather, it seems clear that for the ELCA, being a community of moral deliberation is an active and useful framework that guides their engagement of issues generally, but more importantly, actually guides their engagement of the issues surrounding sexuality in particular.

While the document does note that differences exist within the ELCA as a church body concerning sexuality, it does not actually name them. This omission, I would suggest, is intentional. Broadly speaking the document affirms that all human begins, single or married, whether they have children, intend on procreation, or not, have as part of their core identity, a God given gift of sexuality.[11] It also takes seriously the ways in which sin has marred humanity's ability to use that gift well.[12] Finally, the document expresses a desire for the church to be actively engaged against the abuses of sexuality which include: adultery, abuse, promiscuity, prostitution, practices that spread sexually-transmitted diseases, pornography, and sexuality in media and advertising.[13] The only time homosexuality is referenced in the entire document is within the context of abuse. "All forms of abuse are sinful—whether heterosexual or homosexual, whether by a spouse, family member, person in authority, date, acquaintance, or stranger."[14] Note that the ELCA is not saying homosexuality is an abuse of sexuality, it is saying that abuse, no matter if that abuse is motivated by heterosexual or homosexual desire, is problematic. This in and of itself is a departure from previous statements made by all of the

[11] "A Message on Sexuality: Some Common Convictions," 1–5.
[12] "A Message on Sexuality: Some Common Convictions," 1.
[13] "A Message on Sexuality: Some Common Convictions," 5–7.
[14] "A Message on Sexuality: Some Common Convictions," 6.

predecessor bodies of the ELCA which in their own ways declared homosexuality to be a violation of God's will for human sexual expression.[15] The lack of any other discussion concerning homosexuality suggests to me that the ELCA is intentionally leaving that question open ended.

At this point the question must be asked, what precipitated the change? First, it seems plain to me that the ELCA is not bound to theological commitments made by predecessor church bodies. There may be continuity between the ELCA and the LCA, ALC, and Association of Evangelical Lutheran Congregations (AELC),[16] but that does not mean that the ELCA is automatically required to uphold or repeat the theological positions and commitments made by those church bodies. Second, I would also suggest that it is important not to be ahistorical in asking a question concerning potential change. Prior to 1996, the ELCA had made reference to gay and lesbian people but did not pass a value judgement on their sexuality. One example of this is the 1991 assembly action that affirmed, "that gay and lesbian people, as individuals created by God, are welcome to participate fully in the life of the congregations," and yet also yearned for congregations "to engage actively in the process of deliberation and discernment that will shape the social teaching statement on human sexuality."[17] Moreover, in 1993 the presiding bishop of the ELCA, Herbert W. Chilstrom wrote a letter of support to the president of the United States, William Jefferson Clinton, who was intending to eliminate the banning of gay and

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[15] See: To Declare Homophile Behavior Sinful: Resolution 2-04," *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod, New Orleans, Louisiana, July 6–13, 1973* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1973), 110; "Human Sexuality and Sexual Behavior (1980)," (Minneapolis, MN: Augsburg Publishing House, Office of Research and Analysis, the American Lutheran Church), 8–9; "Sex, Marriage, and Family," *Social Statements, the Lutheran Church in America* (New York: Division for Mission in North America, Lutheran Church in America), 4

[16] The AELC was a group of congregations that split from the Missouri Synod and served as the impetus for the uniting of the LCA and ALC into the ELCA.

[17] "CA91.7.51," in *1991 Churchwide Assembly, Evangelical Lutheran Church in America, Reports and Records, Volume 2, Assembly Minutes*, (Chicago: Evangelical Lutheran Church in America, 1991) 605–606.

lesbian people from the military, as well as to General Colin Powell, then Chairman of the Joint Chiefs of Staff. One of the comments from Chilstrom's letter reveals his commitment to the pursuit of civil rights for gay and lesbian citizens. Speaking for gay and lesbian people he states that, "they should be judged on the basis of their conduct rather than their sexual orientation."[18] Those comments from the presiding bishop were subsequently affirmed by the 1993 churchwide assembly of the ELCA to be reflective of their position as well.[19] The resolution also made a revealing statement, "Based on prior statements issued by the Evangelical Lutheran Church in America and its predecessor churches, these letters were written to advocate for the civil rights of gay and lesbian people."[20] The prior statements referenced include the document examined in the previous chapter concerning the ELCA's perspective on the church and society which committed the ELCA to, "join with others to remove obstacles of discrimination and indifference."[21] Thus, in historical context, the ELCA had already committed itself to engaging in efforts to restore or establish civil rights for individuals facing various types of discrimination. I would submit that Chilstrom's letter and its subsequent endorsement by the churchwide assembly in 1993 demonstrates a clear commitment to that desire to eliminate discrimination wherever it is found. Furthermore, at the same churchwide assembly in 1993, the ELCA also passed a motion that spoke decisively against mistreatment of gay and lesbian people by affirming a document entitled "Harassment, Assault, Discrimination Due to Sexual Orientation."[22] What the ELCA had yet to commit itself to, despite the commitments of its predecessor bodies, is a theological value judgement on homosexuality. That theological work had yet to take place because the church

[18] "CA93.06.12: Gay and Lesbian People in the Military," *1993 Churchwide Assembly*, 292.
[19] "CA93.06.12: Gay and Lesbian People in the Military," *1993 Churchwide Assembly*, 292.
[20] "CA93.06.12: Gay and Lesbian People in the Military," *1993 Churchwide Assembly*, 292.
[21] *The Church in Society: A Lutheran Perspective* (Evangelical Lutheran Church in America, Department for Studies of the Commission for Church in Society, 1991), 7.
[22] "CA93.3.4" in *1993 Churchwide Assembly, Evangelical Lutheran Church in America, Reports and Records, Volume 2, Assembly Minutes*, (Chicago: Evangelical Lutheran Church in America, 1993), 143.

body was still attempting to be a community of moral discernment on the issue of homosexuality. It seems to me, then, that the ELCA understood a difference between the need to advocate against discrimination in society and the need to make a theological assessment of the morality of homosexuality apart from saying that someone's sexuality did not preclude membership in an individual congregation.

In 2001 the ELCA reaffirmed the necessity of being a community of moral discernment by affirming the need for open and honest discussion concerning homosexuality which would include voices that differed on the issues and yet remained united in Christ.[23] The 2001 churchwide assembly, by a wide margin, approved an action to create a study document which would help the church wrestle with issues related to the "blessing committed same-gender relationships, and rostering of approved candidates who are in committed same-gender relationships."[24] A two part document eventuated from this assembly action titled: *Journey Together Faithfully: Parts One and Two*.[25] *Part One* is essentially a version of "A Message on Sexuality: Some Common Convictions," discussed above, with guidelines and questions for study and discussion. *Part Two* intended to expose people in the ELCA to "biblical teaching, church doctrine, and present-day experience and knowledge concerning homosexuality."[26] It also included a companion document entitled, *Background Essays on Biblical Texts for "Journey*

[23] "The issues related to homosexuality continue to perplex and challenge the Evangelical Lutheran Church in America, as reflected in these and other memorials. Faithful people differ in their positions on various aspects of these issues, although these differences do not negate the unity we share in Christ Jesus." See: "CA01.06.28" in *2001 Churchwide Assembly, Evangelical Lutheran Church in America, Reports and Records, Volume 2, Assembly Minutes*, (Chicago: Evangelical Lutheran Church in America, 2001) 284.

[24] The motion passed 899–115. "CA01.06.28" in *2001 Churchwide Assembly, Evangelical Lutheran Church in America, Reports and Records, Volume 2, Assembly Minutes*, (Chicago: Evangelical Lutheran Church in America, 2001) 293.

[25] ELCA Studies on Sexuality, *Journey Together Faithfully*: *Part One* (Chicago: Evangelical Lutheran Church in America, 2002); ELCA Studies on Sexuality, *Journey Together Faithfully*: *Part Two* (Chicago: Evangelical Lutheran Church in America, 2003). For the sake of brevity, hereafter they will be referred to as *Part One* and *Part Two* respectively.

[26] *Journey Together Faithfully*: *Part Two*, 3.

Together Faithfully, Part Two: The Church and Homosexuality," which attempted to exegete more fully the relevant biblical texts under consideration in the discussion document.[27] The goal of these study documents was to move the ELCA toward the development of an official social statement on homosexuality and to address concerns of relating to the blessing of same-sex couples and the ordination of gays and lesbians.[28] What the studies did not intend to do, however, is most relevant for the present section of this chapter. *Part Two* begins with a reminder, "All people are welcome in ELCA congregations. This study does not raise the question of welcoming homosexual people into the full communion of this church."[29] In making that statement the ELCA was reaffirming a position made clear ten years prior, namely, that the ELCA does not restrict church membership only to people who identify as heterosexual.[30]

The brief historical survey above demonstrates that at least since 1991, the ELCA has maintained that people who identify as homosexual belong in the ELCA community. Moreover, the ELCA has worked, specifically in the passage of the two assembly actions of 1993 referenced above, at advocating for the equal treatment of gay and lesbian people in multiple places in society. I would conclude, then, that the ELCA understood from its inception that even

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[27] Arland J. Hultgren and Walter F. Taylor Jr., *Background Essays on Biblical Texts for 'Journey Together Faithfully, Part Two: The Church and Homosexuality* (Chicago: Evangelical Lutheran Church in America, 2003). Of note in the conclusion is the following: "As far as we can tell, the biblical writers knew nothing about 'homosexuality' as a sexual orientation. The concepts of 'homosexuality,' 'homosexual,' 'heterosexuality,' and 'heterosexual' are modern, first articulated in the latter part of the nineteenth century. As strange as it may sound, it can be said that the Bible teaches nothing concerning homosexuality….The Bible is the primary place to which Christians turn to discern God's will, but on the basis of the foregoing paragraph, it should be clear that decisions within and for the church concerning 'homosexuality' and its attendant issues cannot be arbitrated by biblical scholars alone." Hultgren and Taylor Jr., *Background Essays on Biblical Texts for 'Journey Together Faithfully, Part Two: The Church and Homosexuality*, 17–18. Thus, within the ELCA, as it prepared its people to discuss matters around homosexuality, informed by biblical studies, it was determined that the bible did not speak directly to the issue, and what is more, that biblical scholars were not to be understood as sole arbitrators of the issues at hand. This again demonstrates that the ELCA seeks to embody the notion of being a community of moral discernment that is informed by a plethora of authoritative voices on the matter at hand.

[28] See Appendix I of *Journey Together Faithfully*: *Part Two,* 37.

[29] *Journey Together Faithfully*: *Part Two*, 5.

[30] "CA91.7.51," in *1991 Churchwide Assembly, Evangelical Lutheran Church in America, Reports and Records, Volume 2, Assembly Minutes*, (Chicago: Evangelical Lutheran Church in America, 1991) 605–606.

if it had not yet determined a theological value judgement on homosexuality that it valued homosexual people in the church and in society. While the investigation into how the ELCA understood the blessing of same-sex couples or the ordination of gay and lesbian people has yet to commence in full, at this point is enough to note that the ELCA sought to be the community of moral deliberation they proclaimed themselves to be in 1991.[31] It was because the ELCA sought to demonstrate the value they held for people who identified as homosexual, in both the church and in society, that they carefully approached the issues of marriage and ordination (as will be explored below). What seems to be clear to me, however, is that even if it was unsure of how it would approach those issues of import to the life of the church, valuing gay and lesbian people, and advocating for them, was a non-negotiable. This directly speaks to how the ELCA understands the identity of a person, regardless of their sexuality, namely, that any and every individual is someone of value whose identity matters in the church and in society.

7.2.1.2 Life in the World: Identity and the LCMS

In 1973 The Lutheran Church—Missouri Synod met in New Orleans for their fiftieth regular convention. That convention became known as the Battle of New Orleans in Missouri Synod circles because of an intense internal struggle of the denomination revolving around biblical interpretation and a pair of Lutheran theological concepts. What it is not widely known for, however, is the fact that this convention passed the first resolution denouncing homosexual behavior in the history of the LCMS. Resolution 2-04 "To Declare Homophile Behavior Sinful" passed overwhelmingly, but not unanimously.[32] The resolution begins with the following

[31] See section 5.1.1 of the previous chapter, "Lutheran Frameworks of Cultural Exegesis."

[32] Fourteen delegates asked for their "negative votes" to be entered into the record. See: *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod, New Orleans, Louisiana, July 6–13, 1973* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1973), 26–27. For the full text of the resolution see: "To Declare Homophile Behavior Sinful: Resolution 2-04," *Convention Proceedings of the 50th*

statement: “Whereas, God's Word clearly identifies homophile behavior as immoral, and condemns it (Lev. 18:22; 20:13 and Rom. 1:24-27).”[33] The entirety of the assertion rests on the assumption that those passages from Leviticus and Romans are unambiguously and axiomatically true in their condemnation of certain behaviors. The resolution itself does not quote or explain the passages in anyway, it simply makes the assertion. From this one could easily surmise that the LCMS had an official position prior to the passage of the resolution that it was merely asserting.

If, however, there was an official position on homosexuality, or the unambiguous and axiomatic meaning of the texts cited in the resolution which passed, that position was not yet known to at least one congregation in the LCMS. In point of fact, Resolution 2-04 was presented to the convention as the official means of rejecting an overture, or suggested resolution, to the synod by Hyde Park Lutheran Church in Chicago, IL. That overture, titled “2-106A: To Accept Homophiles in the Church,” began with the following statement: “Whereas, There is no Scriptural basis for defining homosexuality and the homophile life-style as intrinsically sinful.”[34] The overture assumed that no scriptural references could clearly be brought to bear on issues related to homosexuality. I would argue that the resolution is framed the way it is, not because agreement actually existed in the synod, but as a way of chastising the congregation that submitted the overture. Put differently, the LCMS framed the resolution as a direct challenge to this specific overture. Two other pieces of evidence further support my claim. First, note the language of the overture, specifically the phrase “intrinsically sinful.” The overture assumed that

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Regular Convention of The Lutheran Church—Missouri Synod, New Orleans, Louisiana, July 6–13, 1973 (St. Louis, MO: The Lutheran Church—Missouri Synod, 1973), 110.

[33]“To Declare Homophile Behavior Sinful: Resolution 2-04,” *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod*, 110.

[34] *Convention Workbook (Reports and Overtures), 50th Regular Convention of The Lutheran Church—Missouri Synod, New Orleans, Louisiana, July 6–13, 1973* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1973), 78.

homosexuality was not intrinsically sinful. The resolution, on the other hand, included this specific line: "Resolved, That the Synod recognize homophile behavior as intrinsically sinful."[35] It is through the passage of this resolution that the LCMS officially recognized such behavior as "intrinsically sinful." That language is plainly borrowed from the overture as a way to reinforce the resistance to the overture itself. Finally, the resolution also officially declines the overture, something that is not a universal practice in the passage of resolutions of the LCMS. "Resolved, That the Synod decline Overtures 2-106A and 2-106B."[36]

What does the foregoing discussion have to do with sexual identity and the LCMS? First, it demonstrates that the synod spoke concerning homosexuality in direct response to a single congregation's request. In doing so, the LCMS did not undertake a study of the invoked passages and then present the exegesis to the delegates as a way of opening up a dialog. Rather, it declared unilaterally the supposed unambiguous and axiomatic meaning of the passages with regard to homosexual identity and sexual activity. Second, although the resolution does indeed make reference to the fact that LCMS values the application of Law and Gospel to the life of an individual, the bulk of the resolution's wording seems to be aimed specifically at refutation of the overture.[37] In point of fact, half of the whereas statements and two thirds of the resolved statements of the resolution were presented in full in the above paragraph. This means more of

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[35] "To Declare Homophile Behavior Sinful: Resolution 2-04," *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod*, 110.

[36] "To Declare Homophile Behavior Sinful: Resolution 2-04," *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod*, 110. Overture 2-106B is an identical overture to 2-106A, submitted by the same congregation. The only difference between 2-106A and 2-106B are the official congregation representatives who submitted it. *Convention Workbook (Reports and Overtures), 50th Regular Convention of The Lutheran Church—Missouri Synod*, 78.

[37] That specific wording is: "Whereas, The Law and the Gospel of Jesus Christ are to be proclaimed and applied to all conditions of mankind; … Resolved, That the Synod urge that the Law and Gospel of the Scriptures be applied to homophiles as appropriate with a view toward ministering the forgiveness of our Lord Jesus Christ to any and all sinners who are penitent;" "To Declare Homophile Behavior Sinful: Resolution 2-04," *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod*, 110.

the resolution was aimed at directly contradicting the overture than at speaking to application of Law and Gospel in the life of the individual. I would submit that this demonstrates that the LCMS did not anchor its official position simply in the plain meaning of a text, but in direct response to a congregation, borrowing language from the submitted overture to make a point. Ironically enough, there was another overture submitted to the convention that year, one that asked the LCMS to study issues related to human sexuality.[38] That overture was not acted on by the convention itself, but referred to the board of directors of the LCMS for further study. What is truly curious about that referral is that the overture did not simply come from an individual congregation, as the overture discussed above did, but from a district which is a collection of congregations. An overture from a district typically carries more weight than one from a single congregation, and yet, one was acted on and one was referred. A study document on human sexuality would eventually be released eight years after the LCMS had already declared its official position.[39]

Whatever else might be inferred from the passage of the resolution in 1973 one thing is clear to me, the LCMS does not view homosexuality positively. In terms of someone's identity, the LCMS would suggest, not only on the basis of that resolution but certainly in light of it, that homosexuality is a sin of which someone should repent and not an identity to embrace. Although the synod had not spoken about homosexuality prior to 1973, everything since 1973 has affirmed and expanded on that initial resolution.[40] Moreover, in 1977, the LCMS passed a resolution

[38] Overture 2-69A and Overture 2-69B, "To Study Issues of Human Sexuality" were submitted respectively by the Minnesota South District as well as Hyde Park Lutheran Church in Chicago, IL.

[39] *Human Sexuality: A Theological Perspective* (St. Louis: The Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 1981).

[40] See: Res. 3-23, 1977, Dallas; Res. 2-08, 1986, Indianapolis; Res. 7-06, 1986, Indianapolis; Res. 3-12A, 1992, Pittsburg; Res. 3-13A, 1992, Pittsburg; Res. 3-19, 1995, St. Louis; Res. 3-21, 1998, St. Louis; Res. 6-06A, 1998, St. Louis; Res. 2-08A, 2001, St. Louis; Res. 3-05A, 2004, St. Louis; Res. 6-01, 2004, St. Louis; Res. 6-03A, 2007, Houston; Res. 3-01A, 2010, Houston; Res. 3-02A, 2010, Houston; Res. 7-08, 2019, Tampa.

stating that there was a "need for the church to witness to God's judgment against public and manifest sins of the flesh, as well as to speak God's Word of pardon to penitent sinners."[41] The only two "manifest sins of the flesh" referenced in the resolution were homosexuality and abortion. As was demonstrated in the previous chapter, the LCMS has a tendency in issues relating to church and society not to recoil, soften, or rescind a position, but to solidify, sharpen, and intensify their position over time.[42] Based on the above exploration I would submit that the same is true for its position on homosexuality. What initially was a position taken in direct response to an overture was later developed into a full throated and consistent denunciation of homosexuality.

To demonstrate the point further, consider the document released by the LCMS in 1981 concerning human sexuality titled, *Human Sexuality: A Theological Perspective*[43] Four of the forty pages of the document speak directly to homosexuality. That section begins by stating that, "Homosexuality comes under a categorical prohibition in the Old and New Testaments (Lev. 18:22, 24; 20:13; 1 Cor. 6:9-10; 1 Tim.1:9-10)."[44] After it then quotes Romans 1:26–27 the document continues saying, "In a discussion of homosexuality one might stop here with the fact of the condemnation uttered in such passages."[45] The rhetorical effect intended by the LCMS seems to be that the scriptures have spoken clearly and succinctly in dissuading and condemning homosexual actions. As the resolution stated eight years prior, the LCMS unequivocally holds to a position concerning how they see the scriptures speaking toward homosexuality, namely, that

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[41] Resolution 3-23: "To Declare Synod's Position on Public and Manifest Sins," *Convention Proceedings of the 52nd Regular Convention of The Lutheran Church—Missouri Synod, Dallas, Texas, July 15–22, 1977* (St. Louis, MO: The Lutheran Church—Missouri Synod, 1977), 136.

[42] See section 5.3 of the previous chapter, "Lutheran Frameworks of Cultural Exegesis."

[43] *Human Sexuality: A Theological Perspective* (St. Louis: The Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 1981).

[44] *Human Sexuality: A Theological Perspective*, 31–32.

[45] *Human Sexuality: A Theological Perspective*, 32.

the LCMS believes that the scriptures are clear in declaring homosexuality as immoral and intrinsically sinful. It seems clear to me that this document builds on that previous resolution by restating its position. This is right in line with what I have suggested previously concerning the LCMS and how it does not rescind a position but strengthens it over time.

The document, *Human Sexuality*, does not, then, limit the scriptural condemnation to the passages cited above. It broadens the condemnation by setting the discussion of homosexuality, as well as those condemnatory passages, in the context of how the LCMS sees biblical messaging about marriage.

> If we consider homosexuality in the light of the total Biblical context regarding the purpose of marriage and the man-woman duality discussed above, however, we may come to a clearer understanding of why Christian thought has condemned and should continue to condemn homosexual lusts and acts.[46]

The LCMS anchors its position more broadly than just the few passages it believes to be an unequivocal condemnation by referencing that the purpose of marriage and the duality of male and female makes the prohibition against homosexuality even "clearer." The document expounds on this by exploring that duality briefly, noting that, "the male-female duality as the created pattern of human fellowship requires of us fidelity to our sexual identity, a willingness to be male *or* female."[47] Put differently, the LCMS believes that male and females were made one for the other.[48] Thus, the LCMS allows for no other kinds of sexual or gender expression or identity than the biological one.[49] This is not a small point to make concerning the LCMS for the sake of

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[46] *Human Sexuality: A Theological Perspective*, 33.

[47] Emphasis original. *Human Sexuality: A Theological Perspective*, 33.

[48] See the entirety of the document: *Human Sexuality: A Theological Perspective*.

[49] Not only is this affirmed in the document, it is affirmed in subsequent documents and resolutions of the LCMS in convention. See, for example: *Gender Identity Disorder or Gender Dysphoria in Christian Perspective* (St. Louis: The Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 2014). Footnote one of that document is again revealing: "As Lutheran Christians, a consideration of The Lutheran Church—Missouri Synod on this and any topic is grounded in belief in the full authority of Holy Scripture as God's infallible Word and the conviction that the Confessions of the Lutheran Church are a truthful interpretation of the Scriptures. The general perspective of this report, however, is one that is not simply that of the Lutheran theological

this chapter, or the broader aims of the thesis. As I have worked to show, the LCMS intensifies its positions over time, seemingly on the basis of scripture. By broadening the scriptural basis, however, I would submit that the LCMS is demonstrating not simply a commitment to the scriptures, but to a particular theological position, in this case concerning homosexuality. If the passages cited in 1973 resolution, the ones this document restates, were indeed unambiguous and axiomatic, there would be no need to set those condemnations in the broader scriptural witness. By rooting them in a broader scriptural witness the LCMS is trying to demonstrate just how correct, and perhaps, superior, it sees its theological position to be. It is as if the LCMS is saying in this document, not only do we have clear passages, we have passages that make the clear passages even clearer.

This push to intensify its position, and not simply to demonstrate its fidelity to the scriptures, comes into view when the document, *Human Sexuality*, speaks about that one of the major purposes of marriage, which in the mind of the LCMS, is further proof of the prohibition against homosexuality. What is this purpose? Procreation.[50] A longer quote is instructive.

> Second, and very, obviously, a homosexual relationship is non procreative, and it is so not merely by choice or accident but because the nature of the relationship itself could under no circumstances be procreative. Some, of course, may regard this as mere biological fact, irrelevant when the possibility of deep affection and love in a homosexual relation is considered. Nevertheless, the Scriptures do not place love in such "splendid isolation." "Mere" biology becomes very important when Christian teaching about human nature takes seriously the fact that we have no personhood except one that is incarnate. Furthermore, when we point to the fact that the homosexual relationship is nonprocreative, we do so against the background of the significance we found in suggesting that the one-flesh union of a man and woman is ordinarily expected to be fruitful. Hence, we can say on Christian premises that mutual consent or even genuine affection is not enough to justify a homosexual relationship. The human being is, according to the Scriptures, more than mere freedom to define what he or she will be.[51]

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tradition, but rather stands within the broad (catholic) consensus of traditional Christian teaching." Again, the Missouri Synod sets itself up as a church body, though perhaps not the only one, that roots its teaching on the basis of the scriptures.

[50] *Human Sexuality: A Theological Perspective*, 33.

[51] *Human Sexuality: A Theological Perspective*, 33–34.

The LCMS baldly states that because a homosexual relationship cannot be procreative, it is an illegitimate kind of relationship. Note the specific wording, "obviously, a homosexual relationship is non procreative… mutual consent or even genuine affection is not enough to justify a homosexual relationship."[52] I would suggest that, even if we were to ignore the callousness of the suggestion that procreative ability is intrinsically linked to the validity of a relationship, the LCMS has demonstrated that it too has at brought at least one authoritative source outside of the scriptures to bear on its position concerning homosexuality, namely what it refers to as biology.

Now, one might assume that the LCMS, then, in light of how it has clearly spoken at several points throughout the last fifty years concerning homosexuality and the validity of a homosexual relationship, would want to restrict the ability of someone to enter into a homosexual relationship. Within the context of the document, *Human Sexuality*, however, that would not be the case. The LCMS, despite passing a moral and theological judgement on homosexuality and those who identify as homosexual, did not insist in this document that the laws of the United States should mirror the church's judgement. "We should stress that the judgment made here is moral and theological, not legal. The question whether homosexual acts between consenting adults should be legally prohibited is one about which Christian citizens may disagree."[53] Thus, even if the LCMS clearly condemns homosexual desire and practice as

[52] *Human Sexuality: A Theological Perspective*, 33–34.

[53] *Human Sexuality: A Theological Perspective*, 35. The full paragraph is below: "We should stress that the judgment made here is moral and theological, not legal. The question whether homosexual acts between consenting adults should be legally prohibited is one about which Christian citizens may disagree. Not all matters of morality are fit subjects for legislation. Although law does play an educative role and must, therefore, shape moral convictions, questions of morality are especially fit subjects for legal codification when they impinge on the common good. Whether homosexual acts privately engaged in damage the common good in such a :way that public concern and control are needed is difficult to judge. Even if one felt that such relationships were not a fit subject for legislation, however, the law would still have a legitimate interest in protecting children from homosexual influence

antithetical to the scriptures and declares it to be a biologically inappropriate relationship, it does not, then, suggest that the laws of the land must match such declaration and condemnation. In this way, the LCMS demonstrates its commitment to a two kingdom theology as discussed in the previous chapter.[54] The kingdom of the right, namely the church, operates under a different set of rules than the kingdom of the left, which is society. Christians inhabiting both kingdoms are permitted latitude, including on the issue of the legality of homosexual acts and relationships.

7.2.1.3 Life in the World: Identity Revisited

The ELCA and the LCMS approached the issue of homosexuality differently. The ELCA began with a statement saying that gay and lesbian parishioners were welcome in congregations and then demonstrated a commitment to ensuring equal treatment of those who identify as homosexual in the military and in the world by advocating against their harassment and abuse. What it did not immediately do was pass a theological or moral judgement on homosexuality. Rather, in an attempt to embody its commitment to being a community of moral deliberation, sought to discuss as a church body what the teaching on the church might be concerning homosexuality. In terms of the identity of those who self-identify as homosexual, the ELCA wanted to affirm their place in society, even if had yet to speak theologically about homosexuality. But even without producing a document, I would submit that the ELCA revealed that it supported the humanity of gay and lesbian people by their advocacy. The ELCA would, of course, make this clear when it released the document *Human Sexuality: Gift and Trust*.[55] The LCMS, by contrast, not only spoke directly to homosexuality, but passed a value judgement

in the years when their sexual identity is formed. At any rate, the judgment of informed Christians may well differ as to precisely where the legal lines ought more properly be drawn." (35–36).

[54] See section 3.0 of the previous chapter, "Lutheran Frameworks of Cultural Exegesis."

[55] *Human Sexuality: Gift and Trust* (Chicago: Evangelical Lutheran Church in America, 2009). This document will be explored below in relation to discussions of marriage and ordination.

before officially studying it. Later resolutions and documents would serve to strengthen the position, not only on the basis of scripture but also on the basis of how the LCMS understood biology. And yet, the LCMS refused to suggest that laws had to mirror their theological and moral convictions. Both the ELCA and the LCMS followed the pattern set forth in the previous chapter. In that chapter I suggested that the ELCA understood itself to be a community of moral deliberation and thus would consider a myriad of authorities and authoritative experiences before making a theological judgement. Also, because of its commitment to speaking into society, it would have to speak, and in the case of issues of sexuality, the ELCA spoke as an advocate for people before it sought to discuss and deliberate and define their position. I also suggested that, just as the LCMS did with abortion, the LCMS would intensify its position over time. The convention and documentary evidence surrounding homosexuality demonstrates the validity of my suggestion. Additionally, the LCMS demonstrated its own commitment to embody a two kingdom theology in that its theological and moral judgement did not necessitate an effort to enshrine that judgement legally. It would be enough to conclude the investigation here and suggest that the LCMS and ELCA continue to follow the established patterns with regard to issues of marriage, belonging in the church, and ordination. Such a suggestion without an exploration of the evidence, however, is inadvisable because established patterns are not always followed as one might expect. To the broader investigation we now turn.

7.2.2.1 Life in the World: Marriage and the LCMS

In 2015, the Supreme Court of the United States, in the case known as *Obergefell v Hodges*, ruled that same-sex couples had the right to marry.[56] Although it became the law of the land, such a ruling did not change the position of the LCMS concerning whether or not same-sex couples should marry.[57] As one might surmise from the position of the LCMS explored above, the synod has never affirmed the validity of a same-sex marriage. The document, *Human Sexuality: A Theological Perspective*, recognized that because the LCMS did not see homosexual relationships as legitimate, those who identified as homosexual would need to remain celibate.

> We cannot conclude without noting that the discussion above suggests that Christian counsel for the homosexual is that he seek to control his sexual orientation at least in the sense that he abstain from homosexual acts. We should not overlook the burden of loneliness which this places upon the homosexual. If the discerning eye of God created woman as the answer to man's loneliness, the homosexual who abstains from the sexual relationship to which he is inclined must feel that there is no "other" to answer to his loneliness. He must be helped to bear that burden, not merely exhorted to struggle nobly against his inclinations. It is right to remember, of course, that Christian counsel to heterosexuals will also often involve asking them to restrain their impulses and refrain from acts to which they are inclined.[58]

The LCMS understands where its position on homosexual relationships, including same-sex marriage, leads someone who identifies as homosexual—not merely to celibacy, but to loneliness. The LCMS roots this reality in the creation narratives in Genesis by placing the blame for that situation on the God who created a woman to meet the needs of a man. The person who is attracted to someone of the same sex should, according to the LCMS, not act on that desire. Rather, that person must remain unfulfilled in that desire which the LCMS actually recognizes must lead to loneliness. Of course, in recognizing this the LCMS does not abrogate responsibility

[56] See: Obergefell, et al., v. Hodges, Director, Ohio Department of Health, et al. 576 U.S. 644 Available at https://www.law.cornell.edu/supremecourt/text/14-556

[57] Because this chapter focuses on human sexuality, and not necessarily gender identity, the phraseology used will reflect the language of not only the Supreme Court case but also that which the LCMS and ELCA use in discussing matters of gay and lesbian marriages.

[58] *Human Sexuality: A Theological Perspective*, 36.

for caring for the individual who feels alone. Rather, the LCMS understands the responsibility it has to care for the person. Interestingly enough, the LCMS also sees that the call to celibacy is not limited to those who have desire and attraction for the same sex. Heterosexual individuals are not given leeway by the LCMS in this regard which at the very least demonstrates a consistency with their position.

In the years following the 1981 document through the ruling of *Obergefell v Hodges* the LCMS retained this position quite publicly and clearly and has not wavered on it.[59] As recently as 2021, the Commission on Theology and Church Relations for the LCMS released a document, *Marriage Between Church and State: A Report on Clergy Serving as 'Agents of the State,'* discussing the role of the church, specifically clergy, in relation to the state, specifically with regard performing marriage rites and the signing certificates of marriage or civil union certificates.[60] Unsurprisingly, this document begins with references to the 1981 document discussed above, *Human Sexuality: A Theological Perspective* and included a cover letter referencing at least one resolution passed by the synod in convention which was itself a response to the *Obergefell v Hodges* decision.[61] This is important for the purposes of this investigation because it further demonstrates that when the LCMS interacts with society, it does not soften its views over time, but actually hardens them. *Marriage Between Church and State* wrestles at

[59] Not only does the LCMS website list several resources addressing issues of human sexuality, which have been analyzed throughout this thesis, it has passed several resolutions in convention that affirm the original 1971 resolution (a prime example of this is the 1992 Resolution 3–12A that sought "To Develop A Ministry Plan for Homosexuals and Their Families" as it did so on the basis of the 1971 resolution's declaration that "homophile behavior is intrinsically sinful"). For more information on the current LCMS stance: https://www.lcms.org/about/leadership/commission-on-theology-and-church-relations/documents/marriage-and-sexuality.

[60] *Marriage Between Church and State: A Report on Clergy Serving as 'Agents of the State'* (St. Louis: The Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 2021).

[61] "Cover Letter," *Marriage Between Church and State: A Report on Clergy Serving as 'Agents of the State'* (St. Louis: The Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 2021). See the 2016 Res. 14-04. The Report also references the 1998 Res. 3-01, the 2004 Res. 3-04A, the 2010 Res. 3-01A, the 2013 Res. 2-07A, and the 2019 Res. 11–02A.

times with whether or not clergy should continue to serve as agents of a state that defines marriage differently than the church.[62] But, as the document itself points out, even if a member of the clergy might consider avoiding the performance of a marriage rite because of the clergy's role as an agent of the state in the validation of the marriage, every single member of the clergy roster of the LCMS are barred from performing a ceremony for a same-sex couple.[63] In order to provide proof of that claim, the document references a resolution from 2016. Although previous conventions passed resolutions rejected the validity of same-sex marriage, the resolution referenced in the document, passed in 2016, is the first that explicitly barred not only clergy performing a marriage, but also all congregations from using their facilities in the service of a same-sex marriage.[64] This is an important point for this thesis not only because it continues to demonstrate the validity of the pattern I have outlined in terms of the how the LCMS continues to interact with society, but also because it suggests to me that the LCMS is not purely driven by scriptural motives. Just as the first pronouncement against homosexuality from a convention of the synod came about as a direct result of the submission of an overture and not because the LCMS had thoroughly studied the issue, see section 2.1.2 above, so too did the pronouncement barring clergy and congregation from supporting same-sex marriage occur because the synod was responding to a change in society. That is to say, it seems clear to me that the LCMS is a reactive and not proactive church body with regard both to abortion, as described in the previous chapter, and to issues surrounding the life and relationships of gay and lesbian people.

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[62] *Marriage Between Church and State: A Report on Clergy Serving as 'Agents of the State,'* 10–12

[63] *Marriage Between Church and State: A Report on Clergy Serving as 'Agents of the State,'* 11–12

[64] Resolution 14-04 "To Affirm the Right of Clergy to Continue Conducting Weddings in Accordance with Confession," *Convention Proceedings of the 66th Regular Convention of The Lutheran Church—Missouri Synod, Milwaukee, Wisconsin, July 9–14, 2016* (St. Louis, MO: The Lutheran Church—Missouri Synod, 2016), 243.

7.2.2.2 Life in the World: Marriage and the ELCA

In 2008 the ELCA produced a draft of a document entitled *Human Sexuality: Gift and Trust*.[65] This document would eventually, with minor amendment, be adopted by the 2009 ELCA Churchwide Assembly as an official social statement of the church on human sexuality.[66] The social statement explores human sexuality in much of the same way the 1996 statement, "A Message on Sexuality: Some Common Convictions," did, but with a truly notable exception. If in 1996 the church did not teach about same-sex relationships except to say that people in them should not suffer abuse, *Human Sexuality: Gift and Trust* opened the door for the ELCA to have at least four different positions on same-sex relationships. In order to explain this, it is helpful to set those positions in the context of the broader document.

The conclusion of *Human Sexuality: Gift and Trust* provides a helpful summary for this investigation in that it succinctly explains the hermeneutics that undergird the teaching of the document as a whole. The conclusion begins with the following statement.

> This social statement grows out of the foundational theological understanding that Lutherans read and understand the Bible in light of the death and resurrection of Jesus Christ. The "good news" of the Gospel that we are freed from bondage to sin (justification before God) allows us to respond to the Triune God's mercy through love for and service to the neighbor (vocation in the world). The social statement further affirms that because God's promises are trustworthy, each of us is called in Christian freedom to be trustworthy in our relationships with one another and to build social institutions and practices that create trust.[67]

In this paragraph the ELCA affirms here what has been explored elsewhere in this thesis. Two things are of note. First, the commitment to read the scriptures in light of the death and

[65] *Human Sexuality: Gift and Trust*.
[66] *2009 Churchwide Assembly, Evangelical Lutheran Church in America, Reports and Records, Assembly Minutes*, (Chicago: Evangelical Lutheran Church in America, 2009) 230.
[67] *Human Sexuality: Gift and Trust*, 36.

resurrection of Jesus Christ.[68] Second, the commitment to be a church publicly engaged in the life of the world.[69] I would suggest, then, that the ELCA is here demonstrating its commitment to how it specifically understands not only scriptural exegesis but also cultural exegesis in light of their Lutheran perspective. As noted previously in the thesis, the ELCA does not try to curate a specific experience of Law and Gospel, but knows that through the scriptures God will do the work of freeing those in bondage to sin.[70] Thus, the scriptures are not seen primarily, or perhaps even secondarily, as a compulsory moral guide.

And yet, the ELCA still understands that the work of God impels the church to be engaged in the world for the sake of the neighbor.[71] Within this context the ELCA then states:

> Because of the love of the Triune God, Father, Son and Holy Spirit, we are a people set free for lives of responsibility committed to seeking the good of all. This statement responds to this church's call for a foundational framework that will help it discern what it means to follow faithfully God's law of love in the increasingly complex sphere of human sexuality. It does not offer once-and-for-all answers to contemporary questions. Rather, it seeks to tap the deep roots of Scripture and the Lutheran theological tradition for specific Christian convictions, themes, and wisdom that will assist people of faith to discern what is responsible and faithful action in the midst of the complexity of daily life.[72]

Again this reveals how the ELCA understands the usefulness of scriptures, especially in comparison to the LCMS, in that the ELCA does not necessarily seek to give one final and enduring answer on the basis of a scriptural text. Rather, it seeks to draw from a variety of sources and as a community of moral deliberation, try and discern the potential ways faithful people could respond to sexuality in general, but also to same-sex relationships in particular. Put differently, the ELCA seeks to speak to the moment and provide a breadth of possible responses.

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[68] This was explored in both chapters that focused on biblical hermeneutics: A Lutheran Doctrine of the Scriptures? (sections 5.1 & 5.2) and The Law/Gospel Distinction as the Lutheran Hermeneutic (section 2.0).

[69] This was explored in the chapter: Lutheran Frameworks of Cultural Exegesis (section 5.1.1).

[70] For an example see: Lutheran Hermeneutics in Practice: New Testament Texts (sections 5.0 & 6.0).

[71] Again see: Lutheran Frameworks of Cultural Exegesis (section 5.1.1)

[72] *Human Sexuality: Gift and Trust*, 36.

The final paragraph summarizes the foregoing discussion.

> It proposes guideposts to direct this church's discernment as it tries to be faithful. It provides markers by which individual and communal decisions can be tested under the guidance of the Holy Spirit. It seeks to describe the social realities of this age and to address them pastorally. Insofar as it is possible, it also seeks to speak in ways that can address both religious and secular discussions of these matters.[73]

This paragraph is important for two reasons. First, in terms of the present investigation, it sets the whole of the document in context. When the ELCA speaks in this document it attempting to provide a provisional answer to the questions of the age in a pastoral manner. Second, in terms of the broader aims of the thesis, it demonstrates yet again that the ELCA is concerned with how it embodies the Lutheran perspective in the world it finds itself in by attempting to draw together various threads and hold them all in tension. The ELCA does not intend in this document, or perhaps ever, to speak once for all time, but rather seeks to be a community of *ongoing* moral deliberation. Put positively, I would submit the ELCA is seeking to be adaptive to its age. Put negatively, I would submit that the ELCA is seeking to avoid the risk of holding an unremittable position.

In terms of same-sex, or as *Human Sexuality: Gift and Trust* terms it, same-gendered, relationships, the social teaching statement allows for four possible positions. It frames these positions as being "conscience-bound."[74] In short, the ELCA affirms that where there is a

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[73] *Human Sexuality: Gift and Trust*, 37.

[74] Drawing heavily on Paul and Luther's own expression that he was bound by conscience and could not recant his position at the Diet of Worms, the document provides a footnote to explain what it means by being conscience bound. That footnote provides the basis for the summation that follows above and is here reproduced in its entirety:

> Apostle Paul testifies to conscience as the unconditional moral responsibility of the individual before God (Romans 2:15–16). In the face of different conclusions about what constitutes responsible action, the concept of "the conscience" becomes pivotal.
>
> When the clear word of God's saving action by grace through faith is at stake, Christian conscience becomes as adamant as Paul, who opposed those who insisted upon circumcision (Galatians 1:8). In the same way Luther announced at his trial for heresy, "Unless I am persuaded by the testimony of Scripture and by clear reason . . . I am conquered by the Scripture passages I have adduced and my conscience is captive to the words of God. I neither can nor desire to recant anything, when to do so against conscience would be neither safe nor wholesome" (WA 7: 838; Luther's Works 32:112). However, when

question of disagreement, provided that the salvation of a person is not at stake, the Christians can hold, or be bound by their own conscience to hold, different perspectives. That does not mean, then, that one should work simply to persuade someone to change the position they hold, but rather, that the Christian can and should respect the person and bear with them in love. The four "conscience-bound" positions, then, are as follows. First, the ELCA recognizes that some will be conscience-bound to reject same-sex relationships in totality because they seem them as a violation of biblical and natural law and any such relationship is categorically problematic, even if those seeking to engage in one should not be rejected from fellowship in the church.[75] Second, the ELCA recognizes that some will be conscience-bound to recognize that same-sex relationship, while the result of a broken world that no longer patterns itself off of God's created order, can be entered into, provided they are life-long and monogamous but hold that those relationships should not be compared to traditional marriage.[76] Third, the ELCA recognizes that some will be conscience-bound to see no biblical witness against same-sex relationships but do not hold that those relationships, which should be honored and upheld in society, should be equated with traditional understandings of marriage.[77] Fourth, the ELCA recognizes that some

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> the question is about morality or church practice, the Pauline and Lutheran witness is less adamant and believes we may be called to respect the bound conscience of the neighbor. That is, if salvation is not at stake in a particular question, Christians are free to give priority to the neighbor's well-being and will protect the conscience of the neighbor, who may well view the same question in such a way as to affect faith itself. For example, Paul was confident that Christian freedom meant the Gospel of Jesus Christ was not at stake in questions of meat sacrificed to idols or the rituals of holy days (Romans 14; 1 Corinthians 8:10–14 and 10:23–30). Yet he insisted that, if a brother or sister did not understand this freedom and saw eating this meat as idolatry to a pagan god, the Christian was obligated to "walk in love" by eating just vegetables for the neighbor's sake (Romans 14:17–20)!
>
> This social statement draws upon this rich understanding of the role of conscience and calls upon this church, when in disagreement concerning matters around which salvation is not at stake, including human sexuality, to bear one another's burdens (Galatians 6:2), honor the conscience, and seek the well-being of the neighbor.

"Footnote 26," *Human Sexuality: Gift and Trust*, 41.

[75] *Human Sexuality: Gift and Trust*, 20.

[76] *Human Sexuality: Gift and Trust*, 20.

[77] *Human Sexuality: Gift and Trust*, 20.

will be conscience-bound to see no biblical witness against same sex-relationships and firmly support the notion that those relationships should be understood on the same terms as traditional marriage has.[78] In all of these expressed positions, whether there is an affirmation or rejection of same-sex relationships, or recognizing them on the same terms as traditional marriage, the ELCA regularly notes a commitment to those who identify as gay and lesbian and explicates a desire to care for them in the context of the church.[79]

While it would be possible to analyze and critique each individual position, such a critique and analysis is not necessary for the purposes of this investigation because when taken together, these positions form a spectrum, all positions of which the ELCA claims to support. Thus, it is not necessary to analyze them individually because they are part of the whole, and it is the whole that demonstrates how the ELCA attempts to navigate the world in which it finds itself. I would submit that by holding four recognized positions, two of which are diametrically opposed and the other two of which try to be mediating, the ELCA reveals the telos of being a community of moral deliberation and discernment, i.e., to holding contradictory opinions. Perhaps the ELCA understood this when it sought to embody being this community of moral discernment because repeatedly the ELCA noted that the church could remain united despite the different perspectives individuals held. It could remain united in part because the basis for the unity of the church, for the ELCA, is the same basis for the scriptural understanding of this document, namely, the gospel of Jesus Christ.

Historically speaking, the ELCA had been wrestling with blessing same-sex relationships since 1993, well before the churchwide assembly adopted *Human Sexuality: Gift and Trust* as an official social teaching of the church. In 1993 the bishops of the ELCA were reticent to support

[78] *Human Sexuality: Gift and Trust*, 20–21.
[79] *Human Sexuality: Gift and Trust*, 20–21.

the blessing of same-sex relationships, in part because the church had not yet produced a social statement.[80] After the adoption of *Human Sexuality: Gift and Trust*, and long before the Supreme Court ruled in favor of same-sex marriage, the ELCA would allow for the blessing of same-sex relationships. In light of how the ELCA approached the advocacy of gay and lesbian people discussed above, the eventual allowance and support of same-sex relationships likely seemed inevitable. And yet, I would suggest that as inevitable as it may have been, the result leaves the ELCA in a perpetually conflicted and contradictory position. How can one be a consistent advocate for the rights of gay and lesbian people while at the same time allowing for members within their own church body to hold positions that reject the relationships gays and lesbians seek to have? While I would surmise that the ELCA might respond to such a question with reference to the gospel which binds the church together in unity, such a response leaves much to be desired in terms of how that is practically embodied.

7.2.2.3 Life in the World: Marriage Revisited

To say that the LCMS and ELCA approached the issue of same-sex relationships differently would be an understatement. And yet, given how the two church bodies approached the issue of homosexual identity, neither church body's position is ultimately surprising. The LCMS, having spoken definitively about homosexual behavior in 1973, set the course for how it would respond in subsequent years. The position would not be reconsidered but instead be reinforced, not simply with further explanation of the scriptures it chose to invoke, but also in

[80] See: "Early ELCA Synod Assemblies Address Sexuality, Other Issues," ELCA News, published 6/30/2004, available at: https://www.elca.org/News-and-Events/5240. "ELCA Task Force Hones Recommendations on Homosexuality," ELCA News, published 12/16/2004, available at: https://www.elca.org/News-and-Events/4767; "ELCA Council Drafts, Forwards Three Resolutions on Homosexuality," ELCA News, published 4/11/2005, available at: https://www.elca.org/News-and-Events/5398. All were accessed May 11, 2022.

terms how it understands biology and, ultimately, the purpose of marriage. And yet, the LCMS was aware that the rejection of same-sex relationships was condemning the person who identifies as gay or lesbian to a life of celibacy which it also recognized was a life of loneliness. By contrast the ELCA eventually came to hold not a singular position, but a spectrum of positions it understood that people could be conscience-bound to hold. The range may include diametrically opposite, or even mediating, positions, but in actuality that comports with their understanding of being a community of moral deliberation and discernment. What the ELCA believes holds its together is the gospel and, moreover, holding contradictory and mutually exclusive positions does not destroy the unity of the church. Even within those disparate positions, however, the ELCA sought to retain its commitment to gay and lesbians because the ELCA understands itself to be a church body impelled by the love of God to be engaged in the life of the world.

7.3 Life in the Church: Pew and Pulpit

Although it may seem redundant at this point, it is necessary to explore, extraordinarily briefly, how the foregoing discussions and positions of the LCMS and ELCA work themselves out practically in the pew and the pulpit. That is to say, it is worth noting how the positions have translated to congregational membership and prospects for ministering in the church, specifically with regard to ordination. This investigation does not need to be overly thorough because the positions set forth above provide a clue as to how the LCMS and ELCA approach these issues, namely, that the LCMS and ELCA will not deviate from the established pattern. And yet the investigation is worth engaging precisely because that lack of deviation demonstrates the practical effects of the position.

7.3.1 Life in the Pew and Pulpit of the ELCA

Life in the pew of an ELCA congregation in some ways remained unchanged when the ELCA adopted *Human Sexuality: Gift and Trust* in 2009. It should be remembered that since 1991 the ELCA has welcomed all people into the life of a congregation.[81] And yet, in 2009 the churchwide assembly also affirmed the desire to open the path for rostered service to all people regardless of how they understand their sexual identity.[82] It did so, however, after making a commitment to "to bear one another's burdens, love the neighbor, and respect the bound consciences of all."[83] It seems that the use of the word "all" ultimately meant to include individuals and congregations. A subsequent assembly action affirmed, "that the ELCA commit itself to finding ways to allow congregations that choose to do so to recognize, support, and hold publicly accountable lifelong, monogamous, same-gender relationships."[84] In other words, after adopting the official social teaching and affirming the need to respect the bound consciences of all individuals and congregations, the ELCA would allow for the ordination of gay and lesbian clergy but would not force those clergy on congregations who did not want them. I would submit that this again demonstrates how conflicted the ELCA appears to have been on this issue. They wanted to affirm the ordination of individuals not previously permitted the ability to be ordained but would not go so far as to place those individuals in hostile congregations. While I would agree that an ordained individual should not be foisted upon a hostile congregation, the fact that

[81] Consider again the 1991 resolution that stated, "that gay and lesbian people, as individuals created by God, are welcome to participate fully in the life of the congregations." "CA91.7.51," in *1991 Churchwide Assembly, Evangelical Lutheran Church in America, Reports and Records, Volume 2, Assembly Minutes*, (Chicago: Evangelical Lutheran Church in America, 1991) 605–606.

[82] "RESOLVED, that the ELCA commit itself to finding a way for people in such publicly accountable, lifelong, monogamous, same-gender relationships to serve as rostered leaders of this church." "CA.09.05.26," in *2009 Churchwide Assembly, Evangelical Lutheran Church in America, Reports and Records, Assembly Minutes*, (Chicago: Evangelical Lutheran Church in America, 2009) 366.

[83] "CA.09.05.23," *2009 Churchwide Assembly*, 348.

[84] "CA.09.05.24," *2009 Churchwide Assembly*, 353.

that the ELCA had to pass this caveat is revelatory. The ELCA knew it was not united on this issue and yet desired to move ahead. Colloquially speaking, it seems like the ELCA was trying to have its cake and eat it too. In the wake of the 2009 churchwide assembly some congregations would leave because of how bound their consciences were, others would stay for the same reason.[85] It seems to me that it is not necessary for the purposes of the present inquiry to explore at length the reason why some congregations left the ELCA. Mentioning it, however, simply reaffirms the reality that sometimes what an institution strives for is easily received.

7.3.2 Life in the Pew and Pulpit of the LCMS

Included in the 1973 resolution where the LCMS formally declared its position on homosexual behavior was a commitment to engage pastorally the people whose actions the resolution condemned.[86] By pastorally, I mean to say that the LCMS understood, and continues to understand, the application of Law and Gospel as the proper way to engage such persons. The goal is the application of the Gospel, but only after the Law has been allowed to condemn the sin. Even as the LCMS develops a ministry plan to care for individuals, the application Law and Gospel remain at the core of that pastoral care.[87] This being the case even today, the LCMS still

[85] It is well documented that the North American Lutheran Church exists in part because of the actions of the 2009 Churchwide Assembly of the ELCA. For example see the statement of former ELCA theologian Robert Benne: "ELCA: How Did We Come to This?" available at: https://virtueonline.org/elca-how-did-we-come-robert-benne, accessed May 11, 2022. See also: Dan Biles, "The Loyal Opposition," *Lutheran Forum*, September 9, 2009, http://lutheranforum.org/sexuality/the-loyal-opposition/, available at: https://archive.ph/20120712123818/http://lutheranforum.org/sexuality/the-loyal-opposition/, accessed May 11, 2022.

[86] "Resolved, That the Synod urge that the Law and Gospel of the Scriptures be applied to homophiles as appropriate with a view toward ministering the forgiveness of our Lord Jesus Christ to any and all sinners who are penitent;" "To Declare Homophile Behavior Sinful: Resolution 2-04," *Convention Proceedings of the 50th Regular Convention of The Lutheran Church—Missouri Synod*, 110.

[87] See Resolution 3–12A "To Develop a Plan for Ministry to Homosexuals and Their Families," adopted in 1992. It reads in part, "Resolved, That the goals to be pursued by such a plan for ministry be 1. to offer to our world biblically alternative models of sexual celibacy outside of a committed, permanent heterosexual marriage and same-gender social, but not genitally sexual, deep friendships; 2. to confront the individual with his/her sinfulness, and call him/her to repentance; 3. to help the individual recognize that God can rescue individuals from homosexual orientation and practice; 4. to assure him/her of forgiveness in Christ, contingent upon sincere repentance and faith

does not allow for the ordination of gay or lesbian people, though to be fair the LCMS does not allow for the ordination of any women. I contend that the position described above concerning the LCMS is thoroughly consistent with their biblical and cultural hermeneutics, not simply of Law and Gospel or of the idea discussed in previously that the LCMS curates a specific experience of Law and Gospel, but also of the idea that the LCMS reaffirms and increases the support for its position over time.[88] And yet, I am left to wonder if the position is one that can actually accomplish what it sets out to do for the person deemed a sinner. How often can someone hear how their behavior is problematic before they begin to see their identity as wholly problematic. Put colloquially, how can someone hear that a group loves the sinner and hates the sin without making the move to hear that if you hate the sin, you ultimately hate the sinner? Perhaps that is what the LCMS wants to do. I am not suggesting it does. Nor do I believe that is what the synod wants, and yet it remains a potentiality.

7.3.3 Life in the Pew and Pulpit Revisited

While the repercussions within the ELCA were, and are still felt, there remains one last thing to note, and that is, the continued divide between the ELCA and the LCMS. In their 2010 convention, the LCMS formally adopted a resolution that desired a formal response to the 2009 ELCA document *Human Sexuality: Gift and Trust.*[89] That response was published in 2012 and

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in Christ, and to assure him/her of the love and acceptance of the church; 5. to assist the individual to rely on Christ's love and strength to abstain from homophile behavior; 6. to help the individual to bear his/her burden without fear of recrimination and rejections by his/her sisters and brothers in Christ; 7. to find ways of ministering to families which include persons of homophile orientation; 8. to do all this patiently, persistently, and compassionately in the love and Spirit of Christ, who says, "Neither do I condemn you; go and sin no more."

[88] For those discussions see: Lutheran Hermeneutics in Practice: New Testament Texts (section 3.0 through 5.0); Lutheran Frameworks of Cultural Exegesis (section 5.2.1 through 5.3)

[89] Resolution 3-05, "To Request a Thorough Response to the ELCA Social Statement *Human Sexuality: Gift and Trust*," in *Convention Proceedings of the 64th Regular Convention of The Lutheran Church—Missouri Synod, Houston, Texas, July 10–17, 2010* (St. Louis, MO: The Lutheran Church—Missouri Synod, 2010), 117.

explores the ways in which the LCMS disagrees with the ELCA over the issue of human sexuality.[90] That same year also saw the dissolution of a longstanding relationship between the LCMS and the ELCA, as well as its predecessor bodies, to co-sponsor the training of military chaplains together.[91] This further division, however, has not been a cause for either the ELCA or the LCMS to reconsider their positions. Both church bodies seem to me to be intent on retaining their present position no matter what any congregations or church body thinks. The above brief inquiry demonstrates not simply that the pattern predicted holds true, but also that such predictably can cause relationships to calcify and fracture. Even though both the ELCA and LCMS hold faith in the gospel alone which can save sinners and unify the church, neither seems to embody it fully.

7.4 Conclusion

The goal of this chapter was to explore how Lutherans in the United States engaged issues of human sexuality in the twentieth and twenty-first centuries. I intended to show the ways that Lutherans embodied the theoretical frameworks explored in the preceding chapter as well as show the practical results of the biblical and cultural hermeneutics of the ELCA and LCMS. In doing so a predictable pattern developed. The ELCA, in being advocates for gay and lesbian people, and in attempting to amplify their voices, bless their marriages and welcome them into their pews and pulpits. The LCMS, in contrast, invites people to repent, withholds the blessing of relationships, and limits who has access to a pulpit. The ELCA reveals where being a community

[90] "Response to *Human Sexuality: Gift and Trust*: A Report of the Commission on Theology and Church Relations The Lutheran Church—Missouri Synod" (St. Louis, MO: The Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 2012).

[91] "Harrison issues 'Letter to the Church' concerning military chaplaincy ministry with ELCA," *Lutheran Reporter*, July 18, 2011, available at: https://reporter.lcms.org/2011/harrison-issues-letter-to-the-church-concerning-military-chaplaincy-ministry-with-elca/, accessed May 11, 2022.

of moral deliberation leads, ultimately to holding contradictory positions. The LCMS shows where commitment to a position leads over time, namely, to the reinforcement of it at the potential expense of the person the LCMS seeks to give the gospel. These disparate positions have also led to the continued fragmentation of relationships internally where the ELCA is concerned, but also externally between the LCMS and the ELCA. It seems clear to me that these patterns of behavior, while predictable, are also lamentable. Both the ELCA and LCMS hold positions about human sexuality that ultimately lead them to disassociate with people. Simply saying the gospel keeps the church united does not mean that such a unity remains visible. Simply saying that the law is there to serve the gospel does not mean that the gospel will ever gain a hearing. While both church bodies demonstrated an integrity to their biblical and cultural hermeneutics as expressed elsewhere in this thesis, it is plain to see that integrity comes with a cost.

8.0 WHAT DOES IT MEAN TO LISTEN?

8.1 Reassessing the Aims

At the outset of this thesis, I sought to frame the investigation that would follow in terms of Thiselton's adage, "too often we attack or defend before we have genuinely understood."[1] This framing proved useful in the thesis, not simply because my work required a reasonable suspension of value judgements, but also because it demanded careful investigation into what has actually been said. Put differently, I could not speak about the ELCA or the LCMS apart from the claims they first expressed. Well-worn caricatures and even my own personal experience in ELCA and LCMS circles had no place in the search for genuine understanding because only the ELCA and LCMS can define the positions they hold or the theology they express. This did not, and does not, mean that my own critical analysis must be suspended, but only that such critique must be set in the proper context. It is one thing to suggest that, for example, the ELCA is not being consistent with its own self-described perspective and a completely different thing to suggest that the ELCA is not being consistent with the LCMS's perspective. The former critique is a valid one, the latter matters very little, given the difference in tradition. Thus, the goal of this thesis was not to 'correct' either the ELCA or the LCMS in light of the other's perspective, but to display how the ELCA and LCMS speak about their own perspectives and to inquire as to why I think they might do this.

The above framework aided not just in the investigation and composition of the thesis, but also in helping assess the success of it. The hope is that both denominations would be able to see themselves represented effectively within this thesis. That does not mean, however, that

[1] Anthony Thiselton, "Address and Understanding: Some Goals and Models of Biblical Interpretation as Principles of Vocational Training," *Anvil* 3, no. 2 (1986): 111–112.

every person who claims to belong to either the ELCA and/or the LCMS serves as arbiter of the success of it. Rather, as previously stated, only the ELCA and LCMS by their own scriptural and cultural exegesis can determine the success. The question is not simply, does the investigation remain true to how I see the LCMS or ELCA? It is true that by necessity I have sought to interpret what the LCMS and ELCA have said about their own perspective. But, that also means that the question needs to be asked, does the investigation reflect what the ELCA and LCMS have actually said? Does it also, then, reflect the perspectives of the church bodies fairly? This matters because at the core of this investigation is the question of how those two Lutheran church bodies have, through their scriptural and cultural hermeneutics and exegesis, sought to shape their members to engage the world. This is not a matter of opinion or intuition but one of assessing the actual evidence in the form of the scriptural and cultural exegesis those respective bodies have produced.

Success and value, however, are not identical. The value of this investigation, I hope, is that it actually aided in someone's genuine understanding of how the ELCA and/or the LCMS approach issues related to human sexuality both in terms of their cultural exegesis and their scriptural exegesis. With regard to the latter, that understanding is necessary because of the danger involved in attempting to exegete the scriptures and culture for a body of believers. Thiselton once noted this danger saying:

> Any person who appeals to Scripture as the source of an authoritative directive for others bears an awesome responsibility. For on the basis of Scripture declarations, exhortations, and recommendations are put forward which actually shape and control people's lives. We may put the matter in sociological terms, quite bluntly: the use of the Bible frequently amounts to an exercise of power and social control. Many ordinary devout church people see it as an act of obedience to the lordship of God in Christ to submit their otherwise free decision to the judgment of Scripture. But very often, in practice, this understanding of Scripture is heavily, even decisively, influenced and conditioned by the interpretation of

> Scripture mediated by their local church, their ecclesiastical tradition and their parish clergy.[2]

Thiselton's clarity is unmistakable and invaluable. The ecclesiastical traditions of the ELCA and LCMS, to different extents, embrace the role of arbiters of scripture for the people, specifically where issues of human sexuality are concerned. Because the traditions serve as arbiters, they shape the ideas and understanding of the people who sit in the pews. People are not always aware of the ways that this is happening. As has been shown throughout the thesis, scriptural and cultural exegesis do not spring forth from nothing, but reveal the existence of an underlying hermeneutical framework which may not always be self-evident but is discernable through careful exploration. Hermeneutics then, can be shown not just to shape the reading of texts or the engagement of culture, but can shape the people who imbibe the exegesis because of the way in which those hermeneutics shape the actual exegesis. Thus, to understand why the ELCA and LCMS hold and express the positions they do is to understand that which seeks to shape the people in the pews. It is the hermeneutics that gives rise to the exegesis, not the other way around. And so, Thiselton's warning is even more helpful for assessing the value of this work because it reminds all readers that the exploration of hermeneutics should never be thought of as a purely academic exercise no matter how much academic exercise must take place in the investigation because, in the final analysis, hermeneutics does not simply help someone understand exegesis, it helps someone understand people. Thus, to understand the value of this work is to see that this work has not only been focused on underlining hermeneutical theory, but rather concentrates upon how this theory is mediated through exegesis and thus seeks to shape the people who profess to be part of their tradition. Of course that does not mean that the theory

[2] Thiselton, "Address and Understanding," 114.

always will shape the person as might be intended, but its aspiration to shape cannot ever be discounted because it does not accomplish that purpose.

8.2 Remembering the Value

The value in understanding the ELCA and LCMS has ecumenical implications both at the level of the church body and at the level of individual members of congregations. The paragraphs above have sought to serve as a reminder of the aims of this thesis and show how success and value of it might be adjudicated. In order to aid in that adjudication, it is helpful, then, to retread briefly the landscape of the core of the thesis, bearing in mind the adage of Thiselton that shapes the entirety of the investigation. I would be remiss, however, if that retreading failed to include a nod to the sentence that follows Thiselton's adage. He wrote, "We can live out of the convictions of our own understandings and traditions without dismissively failing to respect judgments which may in turn cause us to modify, develop, correct, or deepen our own."[3] Thus, as this conclusion will demonstrate, understanding the other should yield a refinement of the self. To genuinely understand the ELCA or the LCMS could lead to someone sitting in judgement of either or both church bodies because those bodies might fail to understand something in the same way the reader does. Perhaps, then, this thesis might also serve as an opportunity for the reader to engage in self-reflection. If the goal of this thesis is not simply to sit in judgement of the ELCA or the LCMS but in actuality to put on display what the ELCA and LCMS express on a particular issue, then the reader can use the exploration of the hermeneutics and exegesis of those church bodies to challenge their own self-understanding, whether or not that reader counts themself as one from among the LCMS or ELCA. This thesis, then, might also show how judgements can be respected without being dismissive. It is left to the reader to consider how those judgements, or

[3] Thiselton, "Address and Understanding," 112.

in the case of this thesis how the scriptural and cultural exegesis, might challenge someone to modify, develop, correct, or deepen their own perspective without an immediate need to correct the other. Whether or not this occurs in the reader, at the very least this thesis has provided the opportunity for such self-reflection to take place.

8.3 Retreading the Path

While it is necessary to retread the path of the investigation for the sake of judging its success and value, this summary does not need to be redundant. What follows is not merely a recapitulation of the material previously traversed, but also an assessment of the significance of that material within the broader aim of the thesis.

8.3.1 A Lutheran Doctrine of the Scriptures?[4]

As we saw, Lutherans, specifically ELCA and LCMS Lutherans, claim that the only rule, the only source and norm, of doctrine is the scriptures.[5] Because this is the case for both the ELCA and the LCMS, the investigation began with a inquiry into how Lutherans, much more broadly speaking, have sought to understand the scriptures. Using the Book of Concord as a starting point for the broader investigation was a natural move in so far as both the ELCA and the LCMS understand the writings contained within the Book of Concord in some way to be theologically authoritative. The goal of this chapter was not necessarily to demonstrate what *the*

[4] Chapter two of this thesis.

[5] See section 3.0 of A Lutheran Doctrine of the Scriptures? Specifically, the respective constitutions of the ELCA and LCMS make similar claims about the authoritativeness of the scriptures. See: "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America" (Chicago: The Evangelical Lutheran Church in America, 2019), 2.03; "2019 Constitution, Bylaws, and Articles of Incorporation as amended by the 2019 LCMS Convention 20–25 July 2019" (St. Louis: The Lutheran Church—Missouri Synod, 2019), II.1.

Lutheran doctrine of the scriptures is, but to show how various Lutherans, historically and globally, approach the topic of scriptural authority in order to locate the ELCA and LCMS in the broader Lutheran landscape. This is important in part because neither the ELCA nor the LCMS are wholly independent entities, that is to say, both maintain global relationships with church bodies around the world and have, to one degree or another, formed their own place within global Lutheranism. To some extent, then, both are beholden to Lutherans of various stripes but that boundness does not, as was shown, necessarily dictate how the ELCA and LCMS approach or understand the nature and purpose of the scriptures.

Historically speaking, Lutherans have not identified a singular or universally accepted doctrine of the scriptures. And yet, Lutherans today, including and importantly for the purposes of this thesis the ELCA and LCMS, use shared language to describe how they view the authority and purpose of the scriptures. The existence of this shared narrative should not be surprising, but it is important to explore. As the chapter demonstrated, both the ELCA and the LCMS understand the scriptures to be authoritative, but that does not mean they are agreed on what they mean by 'authoritative.' For example, the LCMS is clear that the scriptures are an authoritative account of history, claiming that the facticity of events is not incidental but integral to understanding the lengths to which the scriptures can and do speak. The ELCA also confesses that the scriptures are the "authoritative source and norm of its proclamation, faith, and life."[6] That does not mean, though, that the ELCA understands or expresses the necessity of historical facticity in the same way the LCMS does. The differences do not end there as the chapter demonstrated. The LCMS and ELCA do not share the same understanding of inerrancy, infallibility, and the purpose of the scriptures and nor do they express the same understanding of

[6] "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America" (Chicago: The Evangelical Lutheran Church in America, 2019), 2.03.

the relationship between the gospel and the scriptures. And yet, both do maintain, as Lutherans do, the centrality of Christ as the thing to which the scriptures ultimately point the reader.[7]

These agreements and disagreements are important to note for the thesis which seeks to, at least in part, aid in the genuine understanding of how the LCMS and ELCA seek to engage the scriptures and society. Because these denominations start with the scriptures, so too did this investigation. A further advantage of that approach, however, was that it allowed me to use ELCA and LCMS sources to define their own terms, and through this process, I was able to show the reader that shared vocabulary does not automatically mean there is a shared understanding. Indeed, the entire historical and global exploration of how Lutherans have approached the scriptures shows that simply claiming to hold a Lutheran position on the scriptures requires further clarification because of the lack of a truly universal Lutheran position. And yet, although they disagree on much, the ELCA and LCMS do agree on more than just vocabulary on issues, including, but not limited to, the centrality of Christ in the scriptures. Thus, this chapter aided in developing a genuine understanding not simply of Lutherans broadly conceived, but of the ELCA and LCMS in particular. It showed how they fit in the broader landscape but also how they differed one from the other. This chapter was not interested in clarifying a hermeneutical position, or even considering an exegetical methodology, as was explored in the subsequent chapter, because unless the investigation began with an exploration of how Lutherans generally, and the ELCA and LCMS specifically, understand the scriptures it did not begin on the terms that the ELCA and LCMS actually claim to use for determining all matters of doctrine and life.

[7] See section 5.0 “Lutherans in Dialog” of chapter two.

8.3.2 The Law/Gospel Distinction as the Lutheran Hermeneutic[8]

While it was important to begin the thesis with an exploration of how the ELCA and LCMS perceive the nature and purpose of the scriptures, because that is the place where those church bodies say they begin, it was also important in order to frame the necessary exploration of the Lutheran hermeneutic known as the Law/Gospel distinction. The view Lutherans hold concerning the nature and purpose of the scriptures is bound to their theological hermeneutic. It is precisely because Lutherans, including the ELCA and LCMS, view Christ as the center of the whole of the scriptures that they have formulated and maintained the distinction between Law and Gospel as the primary hermeneutic. I sought to use the historical inquiry at the outset of the chapter on this hermeneutic to locate both the ELCA and the LCMS within the broader Lutheran landscape, once again utilizing the texts they have deemed authoritative, namely those within the Book of Concord. This allowed me to show that the distinction between Law and Gospel was not one that could simply relegated to the past, but also has enduring significance for both church bodies.[9]

It was only after establishing the distinction as historically and currently relevant to the church bodies under consideration in this thesis that I could then move to a deeper investigation as to the function and content of both the Law and the Gospel within this hermeneutic. At the risk of oversimplifying the function, as we saw, the Law, which is the will of God as expressed in the scriptures, accuses and condemns. The Gospel, which is narrowly speaking the forgiveness of sins and broadly speaking the entire teaching of Christ, reprieves and acquits.[10] The ability to

[8] Chapter three of this thesis.

[9] See especially section 3.3 "The Necessity of the Distinction Endures" on the continuing presence of the distinction for both the ELCA and the LCMS.

[10] It is important to remember that it is only in the narrow sense that the Gospel needs to be distinguished from the Law. See section 4.2 "The Function and Content of the Gospel" in chapter three.

distinguish between Law and Gospel is not mechanical, it is an art for Lutherans. According to Lutherans, it is only by distinguishing between the two can one rightly read the scriptures. This was an important point within the chapter not only because it was meant to aid in assessing the scriptural and cultural exegesis that was to follow, but also because it provided insight into how one can actually appraise Lutheran exegesis on Lutheran terms. That is to say, without understanding this Law/Gospel distinction, it would be impossible to determine if Lutheran exegesis was being faithful to Lutheran thought. In other words, I would submit that one cannot assess Lutheran *exegesis* without a genuine understanding of the Lutheran *hermeneutic* that has had enduring significance for both the ELCA and the LCMS.

Before moving to the actual assessment of the Old and New Testament scriptural exegesis, I would suggest it helpful to remember that hermeneutics and methodology are not coterminous. While I have argued that Lutherans, despite not having a singular or universal doctrine concerning the scriptures, maintain a uniquely Lutheran hermeneutic, namely the distinction between Law and Gospel, that does not mean that there is also a uniquely Lutheran methodology for scriptural exegesis. In actuality, Lutherans (not just in the ELCA and the LCMS but also globally and historically) disagree on methodological approaches. While different methodological approaches might yield different readings, the actual exegesis is guided in Lutheran circles by theological commitments, including and most importantly, the distinction between Law and Gospel.

8.3.3 Lutheran Hermeneutics in Practice: Old Testament Texts[11]

[11] Chapter four of this thesis.

Because this thesis is interested in assessing the ways Lutheran hermeneutics have sought to shape the church's interaction with society, specifically regarding issues of human sexuality, it is only right to spend time assessing Lutheran exegesis of texts often used in discussions of human sexuality. I could not do so without first establishing how Lutherans, theoretically and theologically, approach the scriptures. In an effort to make evenhanded comparisons, I began with a short investigation into the Levitical texts connected with human sexuality. The purpose of this within the chapter, and within the thesis, was to ascertain any sort of pattern that might exist in the exegesis of the respective church bodies. What became clear to me is that although the ELCA and LCMS both maintain the scriptures as authoritative and hold to the Lutheran hermeneutic, they do not apply that theoretical or theological framework in identical ways. I would suggest this is an important point for the overall thesis because it demonstrates very clearly that Lutheran identity can express itself in completely different ways. This means, then, that before one could attack or defend either the ELCA or LCMS, they must first recognize that the ELCA and the LCMS both apply Lutheran theory and theology, but they do it differently. Any critique, then, cannot simply be reduced to one church body being "more or less Lutheran" than the other.

The bulk of the chapter inquired as to how Lutherans in the LCMS and the ELCA applied their theological and theoretical commitments to the story of Sodom and Gomorrah. Interestingly enough, although the LCMS has a longer history of exegesis that can be viewed, that history did not yield an unchanging analysis of the text in Genesis 19. Rather, overtime it seems the LCMS narrowed its position on certain elements within the story, namely, in describing what the sin of Sodom actually was, moving from what amounted to pederasty to what now some would claim to be homosexuality. The notion of rape also seemed to factor very little into their official

exegesis, unless of course it is put in relation to homosexuality with the latter seemingly being worse than the former.[12] The exegesis from the ELCA on this text was not nearly as narrowly minded nor did it demonstrate any kind of historical development akin to that in the LCMS.

One of the other discoveries in this chapter was the notion of authority within the LCMS. When it comes to something like Kretzmann's *Popular Commentary*, there was great care given to explaining that his selection to write the commentary, as well as the commentary itself, was approved by seminary faculty members. Thus, I think it should be noted, that the LCMS attempts to embody its Lutheran identity in a unilateral way. For example, because the commentary says something specific, that is not simply the perspective of the commentator, but in the case of Kretzmann, was the perspective of the church. There does not seem to be a correlating authoritative commentary in the ELCA. This is further elucidated by the analysis of their respective study bibles, both of which were published in the same year. The LCMS names their commentators but does not identify their individual contributions. This suggests that when the LCMS speaks, it tries to speak with one voice. Consider, then, how the ELCA names their commentators and identifies their specific contributions. This could just be a simple way to maintain academic respect for the contributor, but it also notes how the ELCA does not see as necessary the need to speak as if there was only one voice. This information was invaluable for the thesis, not just because it gave a pattern to be explored in the chapter to follow, but because it gave insight into how Lutheran hermeneutics and exegesis find their practical application not just in the exegesis but also in the way that exegesis is delivered to the people in the pews and the aims of the church bodies in doing so.

[12] See section 3.4.3 "A Narrow Perspective" in chapter four.

8.3.4 Lutheran Hermeneutics in Practice: New Testament Texts[13]

The investigation necessarily continued with an analysis of the exegesis for relevant New Testament texts regarding human sexuality. Again there was an attempt to demonstrate that Lutherans do not have a singular methodological approach and that no methodological approach could rightly be deemed the Lutheran one. The comparison of materials on the texts in 1 Corinthians and 1 Timothy once again yielded that there is a distinct pattern in the ELCA and LCMS concerning how the hermeneutic of Law and Gospel is applied. In the ELCA there is not a desire to formulate a specific kind of experience with the text that seems to exist within LCMS exegesis. The LCMS wants to apply the Law found within those text to the believer today without trying to mitigate the force. To put a finer point on it, the LCMS seeks to bridge the horizons between the original text and the modern reader by reaffirming the efficacy of the Law for the modern reader. The ELCA does not seem to attempt to do the same per this investigation.

Once again, the central focus of this chapter was around a single text, with the investigation of the other two as a means to demonstrate a pattern of exegetical engagement. The main text under investigation was from Romans and, as was the case with the Genesis text of the previous chapter, there was a much longer history of exegetical evidence from the LCMS than the ELCA, in part because of the fact that the LCMS is older than the ELCA. Even at that, however, some of the work from predecessor church bodies was under consideration so as to contextualize ELCA thought within its own historical situation. Doing so demonstrated further that the ELCA has in its past and in present, embodied the Lutheran hermeneutic of the Law/Gospel distinction in its own way which is decidedly different than how the LCMS does. Those who engage with the exegesis of both the ELCA and LCMS have their experience with

[13] Chapter five of this thesis.

the text cultivated, albeit in different ways. That cultivation may rightly be deemed Lutheran even if they are not identical one to the other. The importance of this demonstration for the thesis is not simply to note that the LCMS and ELCA seek to shape their people differently, but to show how and why they do. This not only contributes to a genuine understanding of both church bodies but also helps to show that both are genuinely Lutheran exegesis according to the terms set out in previous chapters. It also suggests that what is true of Lutheran scriptural exegesis could be true of cultural exegesis and engagement, namely, that disparate approaches could be understood as Lutheran and not be identical.

8.3.5 Lutheran Frameworks of Cultural Exegesis and Engagement[14]

At this point in the thesis I demonstrated that Lutheran identity does not need to be expressed through scriptural exegesis in identical ways for it to be rightly considered Lutheran because while there is a Lutheran hermeneutic, that hermeneutic does not need to be, and has not been, applied to the scriptures in a singular way in order to cultivate a Law/Gospel experience for the reader but can be applied in a multiplicity of ways to do the same. Such a reality being true of the scriptural exegesis of the ELCA and LCMS does not mean that it is also automatically true of their cultural exegesis and engagement. In order to genuinely understand and rightly assess, then, Lutheran approaches to understand, explain, and engage with the culture, it was necessary to delve historically into the theoretical approaches Lutherans have offered. This investigation began with an appraisal of Luther's doctrine of the two kingdoms. The kingdom of the left, that is the secular world, and the kingdom of the right, that is the church, are both ruled

[14] Chapter six of this thesis.

by Christ, but by different means.[15] Historically speaking, this is Luther's own understanding that subsequently Lutherans have argued, to a greater or lesser extent, is a genuine and worthwhile Lutheran approach. I would submit that this historical investigation was necessary in helping explain another difference between the ELCA and the LCMS, because the LCMS sees two kingdom theology as axiomatically and automatically the Lutheran perspective – that is to say, they often argue from it, not simply for it. The ELCA has a history, however, of questioning the enduring usefulness of the Two Kingdoms theory for modern Lutheran application.

The focus of the chapter shifted, then, to the exploration of what I have termed a dyadic framework. The purpose of the investigation of that framework was to assess if there indeed was a Lutheran framework for interpreting and engaging the world because of the dispute concerning two kingdom thought. Returning again to the documents that both the ELCA and the LCMS have deemed as authoritative, I saw within them a dyad that explained how and in what ways Christians should engage in society. One side of this dyad affirmed that public order and secular government are established by God and, thus, only God can bind people to these structures. The second side of the dyad flows from the first, in that, because God is the one who has established these structures, Christians can and should engage with and work within them. While there may be caveats, Christians are bound, according to the documents within the Book of Concord, to engage in societal structures.[16]

Exploring that dyad, though, and demonstrating that the dyad is embodied by the ELCA and the LCMS are two different things. Thus, the chapter proceeded necessarily to see if and how the ELCA and LCMS employ the framework. Through the investigation that followed I was

[15] See section 2.0 "Two Kingdoms: A Brief Overview" in the Lutheran Frameworks of Cultural Exegesis and Engagement chapter.

[16] The caveats revolve around Acts 5:29. For a fuller explanation see section 4.3 "A Christian's Place in Society" in chapter six.

able to show how the ELCA and its predecessor bodies applied the theory found within the Book of Concord to their place within the United States throughout the twentieth and twenty-first century. Neither the ELCA nor any of its predecessor bodies sought to withdraw from society but sought to live within it. This includes living within a society that deals with complex issues like abortion. At its founding the ELCA self-identified as a community of moral deliberation, including on an issue like abortion, because it sees unity as the basis for discussion of complex issues and not as the result. That is to say, the ELCA understands the church to already be united with Christ, and because it is, can wrestle with the complexity of life lived within a broken world without requiring uniformity of belief. I would suggest this echoes how it actually purports to exegete the scriptures as well, that both scriptural and cultural exegesis is meant to be an ongoing conversation between a multiplicity of voices and not the pronouncement of one voice. This is decidedly different than how the LCMS applies the dyadic framework. It too, historically, has not withdrawn from society but has sought to enter into it with one voice, including but limited to the issue of the place of abortion within society. That does not mean, however, that the voice has any nuance to it. Rather, the pattern I demonstrated shows that rather than increase in nuance, over time the pronouncements of the LCMS reduce in nuance which in turns leads to a calcification of beliefs. The necessity of this investigation for the thesis is clear in that it set forth a pattern of engagement for both the ELCA and the LCMS, one that was repeated on issues related to human sexuality.[17] Again, not only did this contribute to a genuine understanding, but it showed that Lutherans can and do apply their theological frameworks differently. In the case of both the ELCA and the LCMS, those ways are indeed genuinely Lutheran applications.

[17] See specifically section 5.3 “The Established Patterns” in chapter six.

8.3.6 Lutheran Approaches to Human Sexuality[18]

As one of the aspects of the goal of this thesis deals directly with issues related to human sexuality, the final main chapter focused exclusively on how Lutherans in the ELCA and LCMS approached those issues. With the dyadic framework in mind, the chapter began with explorations as to how the ELCA and LCMS view the nature of the identity of gay and lesbian people. Predictably, the ELCA was far more positive than the LCMS in their pronouncements. As was noted in the scriptural exegesis chapters, the LCMS offered exegesis that sought to cultivate a specific experience with the text that actually condemned homosexuality not just in the past, but also in the present. Their engagement with culture on this issue then, seemingly followed from it. Through the historical record, on the other hand, I was able to show that if the exegesis was trying to cultivate a specific reading of the texts, it was not as unilateral as was hoped. Memorials at the 1973 convention show that there was not an unequivocal and unilateral understanding within the LCMS. Post 1973, however, there has been an effort to speak with one voice concerning not just the identity and place of gay and lesbian people within the world, but also in the church, relegating them to the status of sinners who cannot get married or ordained but who also should not just be cast aside as if irrelevant. I would argue that this position dovetails with their position on the hermeneutic of Law and Gospel. As with the scriptures, they see that Law and Gospel must be applied in specific ways in order to cultivate the correct experience. The ELCA does not do the same thing, rather, as the chapter demonstrated, they seek to embody that community of moral deliberation and their historical record shows that they have. That does not mean they are above critique on their own terms where the identity and place of gays and lesbians in the world and church is concerned. They confidently claim contradictory

[18] Chapter seven of this thesis.

positions can be held without breaking unity. I showed in this chapter that both the LCMS and ELCA not only continue embody the pattern established concerning engagement with the world and on a topic like abortion where human sexuality was concerned, but also that their engagement is not beyond critique on their own terms. Neither the LCMS nor the ELCA have a monopoly on consistency with their supposed aims.[19]

8.3.7 The Path Reconsidered

While it may be true that we do attack or defend before we have genuinely understood, that does not mean that gaining genuine understanding means a complete lack of critique or analysis. One part of this investigation has been a concerted effort at letting the ELCA and LCMS speak on their own terms about how they understand the nature, function, and authority of the Scriptures. I have sought to let them define their application of the Lutheran hermeneutic and show what the practical outworking of that hermeneutic is in terms of their scriptural exegesis as well as how they embody their theory and theology in terms of cultural exegesis and engagement. This investigation was not just a general inquiry, but a specific one, in an attempt to understand how these church bodies seek to shape their constituencies on issues related to human sexuality. That did not mean a lack of critical assessment, but it did mean that I limited my critiques to what the ELCA and LCMS have said about their own positions. It has not been my goal to assess the ELCA on the basis of the standards of the LCMS or vice versa, nor will that be attempted hereafter. Rather, as one who belongs to one of these church bodies, I have sought to use this investigation as a way to assess whether and in what way the practical applications of hermeneutics are consistent with the church body itself. In that sense, I have tried to embody not

[19] See especially section 4.0 “Conclusion” in chapter seven.

just the first sentence of Thiselton's framework discussed above but also the second, that in searching for a genuine understanding of another I might understand my own church body better and so offer a critique or confirmation and in doing so, show the other how they might critique or confirm their own.

8.4 Carving a Path Forward

I have sought to temper the adjudication of the success and value of this thesis using the words of Anthony Thiselton. That does not mean, though, that such a framework is the final arbiter. In demonstrating that Lutherans in the United States embody their identity in different ways with regard to issues of human sexuality, I have also sought to explain the difference. This exploration is not meant simply to fuel the ability of either the ELCA and LCMS to critique one another, but that there might be a contribution to their understanding of themselves and the other. Put shortly, one of the reasons I undertook this thesis was in the hopes of being ecumenical. Because that was the goal, I sought to use their authoritative sources and only the scriptural and cultural exegetical statements that could be deemed as official as evidence within the investigation. Even so, I am cognizant of the reality that what the ELCA and LCMS officially say, and what their theologians, pastors, and parishioners say, is not always going to be identical. Individuals will imbibe what those church bodies produce to a greater or lesser extent, and that is not something I can necessarily account for. That is why I have framed the investigation in terms of what the church bodies *seek to do* in shaping their people and not what they *actually do*. People are not formed solely by a single source.

While I have attempted to be ecumenical, I have also sought to create something of value for the reader who may or may not be part of these church bodies. The value I intend for them is that they might see the complexity of holding a theological identity. It is never as simple as the

content matching the label. If it is true, as I have argued throughout, that genuinely Lutheran identity can genuinely be embodied in different ways, the same could also be true for any other group. Within the current political climate of the United States, this is a helpful corrective to anyone who wants to reduce someone not just to their political party, but also to reduce what the adherence to a position or party might mean. What is true of Lutheran positions of human sexuality in the United States is true of political parties, religious groups, and communal life, positions are not only more complex than what is typically thought, but there are different ways of embodying similar thoughts and belief systems.

One of the areas the work of this thesis might prove fruitful concerning both scriptural and cultural exegesis among Lutheran groups in the United States specifically with how they have approached issues connected to race relations. Both the LCMS and ELCA have different histories with regard to the interpreting of texts associated with slavery, or the abolition of it. For example, the first president of the LCMS, C.F.W. Walther, wrote in opposition to abolitionists movements during the Civil War. He did so on the basis of how he understood certain scriptural texts.[20] Moreover, there are significant differences apparent in how those church bodies sought to engage persons of color outside of the ethnically European communities to which belonged many Lutherans in the United States. Again, one can consider not only the work of the Synodical Conference and their home mission efforts but also the ways in which the LCMS and the predecessor bodies approached the topic of segregation in the aftermath of Brown v. Board of education.[21] And yet, while there are differences in how these groups historically approached the

[20] For a collection of resources applicable to this topic see: https://concordiahistoricalinstitute.org/about-chi/chi-reference-and-research/frequently-asked-questions/missouri-synod-and-the-civil-war/

[21] For a brief overview of the LCMS on these issue see: Matthew E. Borrasso, "Repentance and Hope: A Missional Appreciation and Appraisal of LCMS Educational Institutions for the Training Black Church Workers" *Lutheran Mission Matters,* Vol XXVIII, No. 2 (November 2020); Matthew E. Borrasso, "Concordia Selma Closes: Putting the Demise of The Lutheran Church—Missouri Synod's Educational Institutions for Black Ministry in Historical Perspective" *Journal of the Lutheran Historical Conference* (2019):214–230; "Racism and the Church:

issues at hand, both the LCMS and ELCA currently remain predominantly white.[22] The scriptural and cultural exegesis of this thesis provides a framework to assess these issues as well in that it has helped to demonstrate how Lutherans have thought about the role of scripture as well as how Lutherans approach issues of societal concern.

The previous point concerning how people can hold identity in different ways may not be a new contribution to knowledge but this thesis is in part an affirmation of it. To my knowledge, however, the investigation undertaken heretofore concerning Lutheran scriptural and cultural hermeneutics and the practical effects of them with regard to issues of human sexuality has not been done elsewhere. In this sense, this thesis contributes to the broader academic world by being an explicit accounting of how Lutherans in the United States can and do hold their Lutheran identity in different ways where issues of human sexuality is concerned. Going forward, this thesis also offers frameworks for both scriptural and cultural exegesis by which people can assess Lutheran thought on more than the human sexuality issues explored above. Other cultural issues, such as race relations mentioned above, in the United States throughout the twentieth and twenty-first century, can also be assessed utilizing these frameworks I have developed.

8.5 Laws of Good Listening

Overcoming the Idolatry". A Report of the Commission on Theology and Church Relations of the Lutheran Church – Missouri Synod, February 1994. https://files.lcms.org/file/preview/CF31F293-63FA-4763-9793-C227DF3867E7. For a brief overview of the ELCA on these issues see: "Freed in Christ: Race, Ethnicity, and Culture" (Evangelical Lutheran Church in America, 1993); "Assessment Report of the Synod Anti-Racism Teams in the Evangelical Lutheran Church in America" (2008).

[22] For information on the demographics of the ELCA see: https://www.pewresearch.org/religion/religious-landscape-study/religious-denomination/evangelical-lutheran-church-in-america-elca/racial-and-ethnic-composition/; for the LCMS see: https://www.pewresearch.org/religion/religious-landscape-study/religious-denomination/lutheran-church-missouri-synod/.

A twentieth century Lutheran exegete named Martin Franzmann, whose work was addressed earlier in this thesis, is someone who has influenced my own work and thought. In point of fact, without his work I likely would never have found the topic of thesis worthwhile because his work cemented within me the value of hermeneutics, not just for understanding the scriptures, but also for understanding people.[23] Franzmann once succinctly, and perhaps too simply, described hermeneutics as "laws of good listening."[24] By that he meant that the hermeneutics someone had shaped how they understood what they heard, specifically with regard to the scriptures. That does not mean, though, that he only applied those laws when listening to the text of the scriptures, he also applied them when listening to fellow exegetes, seeking to genuinely understand before he attacked or defended exegesis.[25]

Clearly, Franzmann is not the main focus of this thesis, but his notion that hermeneutics can be thought of as laws of good listening is a helpful one for the overall goal of this thesis. Throughout this work I have endeavored to be a good listener to both the ELCA and the LCMS, not simply because I wanted to genuinely understand them, but because they are church bodies who directly affect the lives of people. To listen to them leads me not only to understand them, but also to potentially understand those whose lives they touch. As I assessed the hermeneutics of the ELCA and the LCMS for both their scriptural and cultural exegesis, I hoped to listen not just their pronouncements, but how they reached those positions. To put a finer point on it, people are touched by more than just the pronouncements of individual church bodies, how those church bodies arrive at those positions, and the reasons they do, are just as important to listen to

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[23] See: Matthew E. Borrasso, *The Art of Exegesis: An Analysis of the Life and Work of Martin Hans Franzmann* (Eugene, OR: Wipf & Stock, 2019).

[24] Martin H. Franzmann, "Hear Ye Him: Training the Pastor in the Holy Scriptures," in *Toward A More Excellent Ministry* (St. Louis: Concordia Publishing House, 1964), 82–83.

[25] Martin H. Franzmann, "Hermeneutical Principles Involved in the Appraisal of the 1963 Essay on Genesis 3," in *Essays Delivered at the Meeting of College Presidents and Seminary Faculties, November 30–December 2, 1964* (St. Louis, 1964)

as the actual positions which individuals subsequently imbibe. This is why listening matters, because positions come from somewhere.

In seeking to listen to more than just what is said, but why it is said, I tried not only to model that for the reader, but also to show how that yields appropriate critique. Perhaps there does come a time for attack or defense of a position, but not until one has listened, actually listened, not only to what is said, but why it is said. There are times when what is being said is inconsistent with other things that already have been said. Those moments necessitate critique. But, disagreement with a position should not automatically necessitate an attack or a defense. Knowing when and how to speak requires that one has first listened. This is not just theory, this is how this investigation proceeded. Not only is this good academic practice, but it is also good practice for life in the world lived alongside other people who do not simply utter a position, but have a reason for uttering the position they do.

The ELCA and the LCMS both have spoken about human sexuality through their scriptural and cultural exegesis and have come out on different sides. My goal was not simply to show what was already known, but to listen to those church bodies and explore why this is the case – in part, to help one understand the other for the sake of ecumenical relationships. But, that was not the whole aim of the thesis. Rather, this effort to genuinely understand was an effort to understand people, people who struggle with their sexuality and people who do not, people who belong to the LCMS and ELCA and people who are impacted by the LCMS and ELCA. And while some might balk at the notion that different Lutherans can embody Lutheran identity genuinely even when they are on opposite sides of an issue, perhaps before attacking or defending this thesis has encouraged the reader to listen. Laws of good listening are not complex or complicated but they do demand strict adherence to hearing someone on their own terms, by

judging them in relation to the other things they have already said and not by what is inferred. In the final analysis, it is easy to attack or defend—it is far more difficult to listen for genuine understanding. But it is the latter, and neither of the formers, that yields fruit ecumenically and interpersonally. It is also the only thing that allows us to refine and critique ourselves before attempting to critique the other, no matter the issue, or rather, no matter the person that stands before us.

People—not issues—are what stand before us; people with hopes, heartaches, and questions about texts and society. What I have endeavored to do in this thesis is offer a way of being in the world, a way of listening to people. Through careful listening, I sought to understand not just what the LCMS and ELCA say but why they say it, not just how they approach the world but why they do. In doing so, I began to see that Law and Gospel, far from being static categories, actually do animate the life of a church body. That does not mean that I affirm all the ways the LCMS or ELCA seek to embody their Lutheran identity. But rather, I see the need for all of us to be honest about the laws we have for listening, both to a text and to each other. My work here does not simply speak into a contested Lutheran space; it speaks a contested world. It offers, at least in part, a plea to let not just charity, but the gospel, predominate in our interactions with texts, traditions, and with each other.

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