

**Some Biblical, Theological and Pastoral Reflections On
The ELCA Sexuality Task Force Proposed Social Statement -
Human Sexuality: Gift and Trust (HSGT)
and Report & Recommendations on Ministry Policies (RRMP)**

Regarding Procedural Matters

1. Some of the dynamics fueling considerable concern and discussion going into the 2009 ELCA Assembly are the procedural and parliamentary parameters that will be used in addressing the issues raised by the proposed Social Statement - Human Sexuality: Gift and Trust (HSGT) and the Report & Recommendations on Ministry Policies (RRMP). Of particular concern is the question as to whether the proposed changes regarding ministry policies should be adopted on the basis of a simple majority or by a two thirds super-majority. The ELCA Legal committee recommended to the ELCA Church Council earlier this year that a two thirds super-majority be used regarding recommendations relevant to Ministry policies. However, the ELCA Church Council chose to opt for a simple majority and is recommending this option to the ELCA Assembly this summer. Needless to say, the ELCA Church Council's recommendation that a simple majority be used to possibly change such foundational, controversial, and pivotal matters as the rostering and ordaining of homosexual persons in committed, monogamous, life long relationships has generated considerable ferment and controversy across the ELCA.
2. It should be noted that this issue was discussed at the N.C. Synod Council meeting March 13-14, 2009. The Synod Council adopted a resolution by an overwhelming majority, recommending that the 2009 N.C. Synod Assembly memorialize the 2009 ELCA National Assembly to adopt procedures that require a two thirds, super-majority be used for the adoption of issues regarding Ministry Policies. However, the N.C. Synod Assembly failed to adopt this resolution but by a reasonably close vote.

Concern for The Unity of the Church and the Possibility of Schism.

1. In addition to affirming the reasons that were articulated by the ELCA Legal committee for using a two thirds, super-majority for the adoption of Ministry policies, the Synod Council was also concerned about the impact these decisions may have on the long term faithfulness, health, life and mission of the ELCA. If we take Jesus' high priestly prayer seriously and his concern for the oneness and unity of the Church as witnessed in the 17th. Chapter of John's Gospel (John 17:1-26), and, if we confess that the Church, despite its foibles, failures, brokenness and faithlessness, is, by God's grace, truly the body of Christ in today's world (I Corinthians 12:27 ff, Ephesians 4:12 ff), then no decision can be understood as a single, isolated act. Because of the biblical, theological and communal nature of the Church, no action or decision takes place in a vacuum. The merits and demerits of any decision must also be evaluated in light of the impact it will have on the long term faithfulness, life, health and mission of The Church, both locally and ecumenically. Consequently, any decision should also be approached prayerfully and mindful of our calling to minimize the likelihood of schism and, if schism is unavoidable, to at least minimize the scale, scope and rancor with which the body of Christ is fragmented and divided.
2. Given the fact that the Task Force itself repeatedly acknowledges that the ELCA is deeply divided and there is no clear consensus over the issues surrounding the ordination of homosexual persons in faithful, monogamous, life long relationships¹, the use of a simple majority for adopting major changes

leaves open the possibility that major, foundational and controversial decisions could be decided on the slimmest of margins. If such a scenario were to occur, the likelihood of a disastrous and dreadfully destructive schism for the ELCA would be greatly increased.

3. In contrast, the use of a two thirds, super-majority would likely delay the making of a decision. Despite the frustration a delay may cause for some, such a delay would also give The Holy Spirit additional time to work in our midst, for new insights to emerge and for the Church to pray, study, reflect and more faithfully discern God's will. Moreover, a two thirds majority vote would, assuming the ELCA voting members at any given ELCA National Assembly accurately reflect a faithful congruence between the love and will of God and the mind and heart of the ELCA, (an assumption that itself may be open to some debate), there would at least be a recognizable and workable consensus of thought and unity which could take ownership for the burden of the decision and responsibility for its implementation. There would no doubt still be schism, but it would more likely be through a "peeling off" of those holding more extreme and intractable positions in contrast to a "down the middle schism" that would have a high probability of setting in motion the eventual disintegration of the ELCA.

The Proposal for the Exercise of Structured Flexibility Represents a "local option" Polity by Default and a Major Departure from the historic Lutheran Understanding of The Nature of the Church which Poses Enormous Difficulties for Implementation

1. The recommendation to use structured flexibility or a "local option" with respect to the foundational issues related to the rostering of clergy places the church in a situation that is troublesome at the very least. In many respects, what we have is a direct move toward a congregationalist polity. In *The Lutheran Confessions*, there has always been a distinction between biblically grounded foundational doctrines, teachings, and practices related to worship, the office of Word and Sacrament ministry, spiritual formation and the Baptismal call to life and ministry, which are constitutive and normative for the Church, and, therefore to be held in common throughout the Church. Other issues are classified as *adiaphora*,² which may be important, beneficial or peripheral, but around which there can be considerable variety and flexibility. For example, the canonical books of the Old and New Testament, the three ecumenical creeds, the Ten Commandments, The Lord's Prayer, The Sacraments of Baptism and Holy Communion, the Book of Concord (often referred to as *The Lutheran Confessions*) which includes the Small Catechism, and the clear teachings and practices that flow from these sources are considered foundational for the faith and life of The Church. The distinction between foundational matters and *adiaphora* is also reflected in the Model Constitution for ELCA congregations. Some sections of the Model Constitution are mandatory, while other sections give considerable flexibility to the local congregation. Lutheran theology also recognizes that the oneness of the Church is grounded in Jesus Christ, and that "there must be and remain one holy, Christian Church. It is the assembly of all believers among whom the gospel is purely preached and the holy sacraments are administered according to the gospel."³
2. The proposed use of a "local option" for living out and implementing foundational biblical and theological issues regarding the rostering of clergy in homosexual relationships sets the ELCA on a path toward a congregationalist polity that is logically and theologically incoherent in relation to *The Lutheran Confessions*, will become difficult if not impossible to implement and will seriously undermine a Lutheran ecclesiology and understanding of the nature of the Church.
3. The use of a "local option" for determining and administering foundational matters introduces a

theological inconsistency in the life of the Church and will likely institutionalize and exacerbate ongoing conflict throughout the Church because there will be two criteria for the rostering of clergy, neither of which will be affirmed nor accepted across the whole Church. After having previously affirmed that the ELCA is deeply divided on these matters and there seems to be no clear consensus, such gyrations by the Task Force and ELCA Council tend to call into question the logical consistency, theological integrity and faithfulness of the Church by engaging in what appears to be an attempt to “have it both ways.”

4. In changing the rostering policies in *Vision and Expectations*, and then invoking a “local option” for its implementation, the Church undermines its integrity and undercuts its ability to affirm and make normative the laudable portions of *Visions and Expectations* that we as a Church agree are fitting and proper. Likewise, such an inconsistency creates conditions that are difficult, if not impossible, to administer. It places bishops, synods, candidacy committees, seminaries, pastors, congregations and call committees in an untenable situation. If the Church chooses to permit individuals, congregations, etc. “to selectively implement” portions of a revised *Visions and Expectations* that pertain to issues of homosexuality, then on what grounds does the Church have for calling into question or addressing others who for various reasons may choose to invoke the “local option” as a legitimate rationale for totally ignoring the Church’s expectations for marital fidelity, single celibacy, financial honesty, theological competency, spiritual maturity, emotional soundness, ethical integrity or the many other qualities and virtues which are viewed as normative by the Church for ordination?
5. The use of a “local option” for the implementation of *Visions and Expectations* changes *Visions and Expectations* from being primarily a normative document to that of an instructional document, and signals a significant departure from the current Lutheran ecclesiology and understanding of the nature of the Church. It should be noted that the nature and structure of the Church has generated considerable debate and discussion since the time of the New Testament. And certainly a thorough discussion of these topics is beyond the scope and focus of this document. However, it should be noted that *The Lutheran Confessions* do affirm and ground the Lutheran Church in the One Holy Catholic and Apostolic Church of Jesus Christ as confessed in the *Apostles’, Nicene and Athanasian Creeds*. Luther and *The Lutheran Confessions* rightfully challenged an authoritarian and hierarchical church of their day which had usurped the ultimate truth and the normative authority of the Gospel of Jesus Christ. However, in challenging such a hierarchical understanding of the Church, neither Luther nor *The Confessions* sanction an understanding of the Church that could be defined in today’s terminology as that of factionalism, sectarianism or autonomous congregationalism.
6. A sizeable number of Lutheran scholars, past and present, insist that Luther and *The Confessions* argue for an alternative understanding of the Church which moves beyond both a hierarchical authoritarianism on one hand and an autonomous congregationalism on the other. The Bible and *The Lutheran Confessions* affirm that the Church is not a human creation or collection of like minded people who have decided to come together to do good things. Rather, The Church is a covenant community created by God through the waters of Baptism, nourished through the power of God’s Word proclaimed in the preaching of the Gospel and enacted in the sacraments, and sustained by the work of the Holy Spirit who calls, gathers, enlightens, sanctifies and keeps the Church in the one true faith. (*The Small Catechism*).⁴ There is a God given, transcendent and unfathomable mystery to the nature of the Church -- the Body of Christ. (Romans 12:5, 1 Cor. 12:27, Ephesians 4:1-16). The Church is more than the sum of any particular configuration of its constituent parts -- it is a chosen race, a royal priesthood, a holy nation, God’s own people. (1 Peter 2:9). Currently in the ELCA and

in the history of the predecessor churches that formed the ELCA, the above understanding of the nature of the Church is described in modern terms, albeit somewhat imperfectly, within the concept of interdependence. This understanding has helped the Lutheran Church embody an alternative ecclesiology in contrast to both hierarchical authoritarianism and autonomous congregationalism. In suggesting the use of “a local option” for the implementing of a revised version of *Visions and Expectations* the Task Force sets in motion a precedent that likely would generate forces and dynamics capable of undermining the interdependent understanding of the nature of the Church and set the ELCA on the path toward a congregationalist ecclesiology which is much less reflective of both the Scriptures and *The Lutheran Confessions*.

7. By invoking the use of a “local option” for the implementing the foundational issues inherent to a revised *Visions and Expectation*, the ELCA sets in motion a treacherous precedent. By permitting congregations, synods, candidacy committees, etc. to invoke a “local option” on foundational matters with respect to the rostering of homosexual persons, the Church opens the door for appeals to having other equally foundational matters reduced to “a local option.” Given this precedent, the ELCA would have little grounds for opposing appeals for a “local option” from other factions or groups within the church who may find objectionable or irrelevant the use the ecumenical creeds in worship, the teaching and practice infant baptism, the use of confession and forgiveness in the worship life of the congregation, or a host of other foundational matters they may regard as optional or disposable. In such an environment, an ecclesiology of congregational autonomy comes to full flower. Each congregation becomes an autonomous entity unto itself, that can do whatever it decides is appropriate, is separated from and is no longer accountable to the biblical vision of the One, Holy Catholic and Apostolic Church that both includes and transcends the local congregation as well as the categories of time and space. An autonomous congregationalist ecclesiology is an understanding of the Church for which there is only marginal biblical support. Moreover, such notions are alien to the understanding of the nature of the Church as reflected in *The Lutheran Confessions*.⁵
8. The proposed use of “a local option and flexibility” for implementing a revised version of *Visions and Expectations* would place bishops in an untenable position. By making bishops the central entry point in the process of granting or denying “a local option”, the church will further politicize and polarize the office of bishop. In light of such an arrangement, a person’s stance on issues regarding the rostering and ordination of persons in a committed, monogamous homosexual relationship will likely become a “litmus test” for electing bishops, often overshadowing many other legitimate qualities and concerns and further skewing the selection of bishops.
9. The proposed use of structured flexibility or “a local option” would likely intensify the polarization and divisiveness across the Church. This arrangement would further politicize both the exercise of leadership and the selections of leaders across the Church and replicate it at every level of church life: in congregations, call committees, congregation councils, synod councils, candidacy committees, etc. In such an arrangement, a person’s stance on the rostering of persons in homosexual, committed, monogamous relationships would likely become the recurring and single most significant factor in determining a person’s selection or election to leadership at every level of Church life. Moreover, in the absence of any clear Church wide foundational policy, the local option would always leave open the possibility that any local decision could likewise be overturned, thus creating a perpetually politicized environment and leadership structure at every level of church life centering largely on a single issue. Both the Scriptures and *The Lutheran Confessions* affirm the Good News of the Gospel, the celebration of the Sacraments of Baptism and Holy Communion⁶, the Great Commission, the

faithful proclamation of Christ's life, death and Resurrection and faithfulness to Christ's call to discipleship as central in the life of the Church. In a highly politicized climate fostered and exacerbated by the arrangements being proposed, it would not be difficult to imagine a system in which leadership would be shaped and selected by the dominance of a singular concern (a person's understanding of Christian marriage and stance regarding the rostering and ordination of persons in committed, monogamous homosexual relationships) to the neglect of, or even worse, the eclipsing of the biblical teachings cited previously which ground, define and shape the One Holy Catholic and Apostolic Church of Jesus Christ. There is legitimate cause for concern that the results of such a scenario may possible result in one of history's most intriguing ironies in which a church, in the name of The Gospel, chooses to adopt policies and implement practices that set in motion forces and events that end up displacing The Gospel and centering the ELCA's focus and energy on a preoccupation with sexual orientation.

The Role and Function of Individual Conscience

1. Repeated appeals by the ELCA Task Force to individual conscience bring into focus one of the more difficult and vexing paradoxes in the Christian Faith. Of all people, Lutherans -- mindful of Luther's passionate appeal to conscience at the Diet of Worms⁷ -- should have a special appreciation for the significance of conscience in matters of faith and life. However, it is imperative to keep in mind that neither the biblical witness, Luther nor *The Lutheran Confessions* view conscience solely as the function of the subjective autonomous self. The human conscience does not exist nor operate in a vacuum. Even Luther's passionate appeal to conscience at the Diet of Worms affirmed that his conscience was captive to the Word of God. For the Christian, appeals to conscience should always be tethered to, grounded in and informed by the content and substance of biblical, transcendent and revealed truth whose authority and origin reside outside the self.
2. Appeals to conscience which are not grounded in and shaped by revealed truth, all too easily degenerate into mere sentiment, unsettling or misguided emotional eruptions or terribly flawed action. Even more vexing is the conundrum that confronts Christians who are locked in passionate argument over issues around which they disagree. Each party may insist that their conscience is bound to the Scriptures. Yet it is conceivable that while both may be conscience bound to the Scriptures one may be bound to an accurate and faithful interpretation of the Scriptures and the other to an inaccurate and less faithful interpretation. The mere fact that both consciences are bound does not necessarily give a clear vision of who may more accurately bear witness to the truth. History is littered with the pathetic legacy of many people whose passionate appeals to conscience were horribly misguided because their conscience was either severed from the content and substance of revealed truth or linked to notions, ideas and convictions that were sincerely held but later proven to be dead wrong.⁸ The great temptations afflicting the modern world are to deify the autonomous self, to deny the paradoxical linkage of conscience to the substance and content of revealed truth and to view all appeals to conscience as being self validating and having equal weight.

The Foundational and Pivotal Issue

1. Before we can resolve the issues of the rostering and ordination of homosexual persons in committed, monogamous, homosexual relationships, we must first ask and answer a more basic question, namely: **Is there sufficient biblical and theological grounding for granting to committed, monogamous,**

life long homosexual relationships a level of biblical status and ethical legitimacy equal to that of heterosexual marriage?

2. It would be wonderful if we had a specific biblical account in the New Testament where Jesus directly addressed the issues of homosexuality and homosexual relationships and from which we could draw a clear teaching that would settle the present issues once and for all. Such a definitive teaching would spare many people on all sides of the issue much agony. Unfortunately, that is not the case. In fact, all attempts to gain guidance on these issues from the lips of Jesus fall into the category of “arguments from silence.” Both the revisionists and the traditionalists attempt in vain to garner support for their position from the silence of Jesus on the topic. The revisionists argue that the Scriptures do not include any examples of Jesus addressing homosexuality because it just was not that big of an issue. The traditionalists retort by arguing that there is no positive discussion of homosexuality attributed to Jesus precisely because such a notion would have been “unthinkable” much less discuss-able in the time of Jesus. Both arguments have a degree of plausibility but because they are “arguments from silence” attempts to break the tie become illusive. Such a “standoff” simply underscores the difficulty of attempting to build a normative theological and ethical teaching upon a biblical source that is either silent or ambiguous.
3. In the absence of a clear and direct teaching from Jesus on these matters, guidance from Jesus is gleaned on the basis of inference and conjecture which is taken from the life and teachings of Jesus on other subjects and issues.
4. Unlike the issues of slavery and the status and eventual ordination of women both of which have a documentable history of theological debate and discussion “pro and con” internal to the Scriptures themselves, no such documentable debate regarding homosexuality nor homosexual relationships is found within the biblical witness. There are no ambiguous narratives in the Scriptures which speak a clearly positive and affirmative word regarding homosexual relations.⁹ The most common biblical narratives that are often cited as relevant to these issues include: Genesis 1-3 (The Creation Narratives); Genesis 9:20-27 (Ham and Noah); Genesis 19:4-11 (The narrative of Sodom and Gomorrah); Judges 19:4-11 (The narrative describing the Rape of the Levite’s Concubine); Leviticus 18:22 and 20:13 (Cultic and Ritual Laws); Romans 1:1-3:20 (Narratives describing human nature and the manifestations of Sin); I Cor. 6:9-10 (List of questionable behavior) and I Timothy 1:8-11 (List of questionable behavior). All of the biblical references that address issues of homosexual activities seem to cast them in a negative light, ranging from outright condemnation to milder degrees of suspicion.
5. Of the eight biblical narratives cited previously, the following three are often cited by many scholars as being especially relevant to the discussion of homosexual behavior.

Genesis 1-3 (The Creation Narratives)

The Creation narratives place discussions of human sexuality within the context of the “order of creation” and the wider context of marriage, family and human community. In these texts, the predominant focus, references and assumptions are linked to heterosexual orientation and relationships. No reference, per se, is given regarding homosexuality.

Genesis 19:4-11 (The narrative of Sodom and Gomorrah)

There is considerable debate and discussion surrounding this narrative regarding the nature of “the

great offense” in this text. Some commentators argue that the primary “offense” was not homosexual relations but the chronic and gross lack of hospitality on the part of the residents of Sodom and Gomorrah toward the sojourners traveling through and visiting in these cities. Paul Jersild argues that there is sufficient ambiguity surrounding the “offense” described in this text to render the text not very helpful or relevant to current discussions of homosexuality.¹⁰ Other scholars insist that “the great offense” was the preponderance of homosexual relations accompanied by episodes of gang rape. In the opinion of a considerable number of biblical scholars (Wold, Grenz, Springett, Nissinen, Edwards, Greenberg, Scroggs and Young),¹¹ a major factor in understanding this text turns on both the context of the narrative and on the proper meaning of the Hebrew word **עָדָה** (yaw - dah)¹² which occurs in verses 5 and 8. This Hebrew verb can be translated both “to get acquainted with” and “to have intercourse with”. Hence, as in the case of numerous biblical narratives, the context is often crucial in helping discern which nuance of meaning is intended. The context of this narrative suggests that a sexual connection is implied.¹³ Other scholars argue that Lot’s willingness to go to such extreme measures as to offer his daughters to the strangers for sexual relations rather than have the visitors engage in homosexual acts with other men, dramatically underscores the extent of biblical repugnance to homosexual intercourse and behavior. The yield of the narrative provides, at the very least, a message of silence regarding homosexual relations and, in the view of some scholars, a very negative view toward homosexual behavior.

Romans 1:1-3:20 (Narratives describing human nature and the manifestations of Sin)

For many scholars, this narrative is one of the most pivotal, relevant and significant. The primary discussion and debate turns on how Paul understands and uses the concepts of “human nature” and “natural” with reference to our humanity. Significant in the interpretation of this text, is the meaning of the Greek phrase *παρὰ φύσιν* (para physin) which occurs in Romans 1:26-27 and is translated “contrary to nature”.¹⁴ Some scholars argue that in this narrative Paul assumes an “atomized” and “individualized” human nature.¹⁵ Other scholars insist that on the basis of the Greek text, Paul in referring to a more generalized and universal understanding of human nature.¹⁶ The way one answers this question has a major impact on the relevancy of this text to the discussion of human nature and sexual orientation. Still other scholars argue that Paul would have viewed homosexual behavior as unacceptable, but insist that we simply set Paul’s thinking aside and adopt a new perspective.¹⁷ If it is assumed that Paul means an “individualized” human nature, rather than a generalized or universal notion of what it means to be human, then a person could, theoretically, follow a wide variety of desires and exhibit an almost endless mix of behaviors with the understanding that such actions were simply reflections of a person’s individual nature. Indeed, to do anything other than this would be “contrary to one’s individualized nature.” The problem with such an interpretation is twofold. First, such a view runs counter to other biblical texts and the overall biblical paradigm which reflects the orders of creation as well as the interrelated and complementary dimensions of human sexuality. Second, this understanding completely relativizes both human nature and human behavior, making it virtually impossible to provide any meaningful or coherent basis for determining what distinguishes the healthy from the unhealthy, the natural from the unnatural, the ethical from the unethical, truth from falsehood, sinfulness from righteousness, etc.

6. Few would dispute the claim that a committed, monogamous, life long homosexual relationship is morally preferable to a life of loneliness, despair and self-loathing that is on the way to ruin through a constant string of chaotic, exploitive, promiscuous, dangerous and his risk homosexual escapades. However, given the biblical context in which homosexual relationships are framed, it seems difficult

to argue at least on biblical and theological grounds that the status of committed, monogamous, life long homosexual relationships can be given equal status and parity with heterosexual marriage.

7. In a Church, world and culture that grants equal biblical and theological status and parity to both homosexual and heterosexual marriage, a new paradigm will have been set that will likely take the Church to future places and situations for which it will have few if any credible options from which to speak and act. If the Church can develop a rationale for setting aside the biblical Mount Everest of sexual orientation and gender which have been normative and pivotal for more than two millennia and grant to committed, monogamous, life long, homosexual relationships an equal biblical status and moral parity with heterosexual marriage, then it seems there is little chance that the Church would be able, given the obscure but nevertheless biblical narratives that report multiple wives, to cite the biblical foot hills of number (one man and one woman) with any degree of biblical, theological or moral authority to prevent a pastor or other groups from insisting that the Church grant equal status and legitimacy to polygamy or any other variant combination of relationships thereof.

**Analogies and Comparisons between Divorce / Remarriage and Homosexual Marriage
Are Limited In Accuracy and Congruence**

1. Arguably one of the benefits of the ongoing debate surrounding the status of homosexual relationships has been a sobering reexamination of the Church's history and stance toward a whole range of ethical and theological issues attendant to heterosexual marriage, family life and human sexuality in general. Some of the positive aspects of this struggle and reexamination are reflected in the proposed Social Statement, *Human Sexuality: Gift and Trust (HSGT)*. The statement addresses a number of troubling ethical concerns including contemporary society's reduction of human sexuality to mere entertainment and a commodity for hedonistic and economic exploitation, the fostering of sexually driven social stereotypes, stigmatization and discrimination and society's obsession with economic and materialistic concerns to the neglect and detriment of marriage, family life and the nurture of children.¹⁸ In particular, the Church has been challenged to explain and examine the stark contrast between its enormous concern and expenditure of energy over the issues surrounding homosexuality with what has often appeared as a rather casual attitude and tepid response regarding the alarming status of heterosexual marriage and the escalating rate of divorce in contemporary society. Fortunately, this is one of the few observations that most people on all sides of the current debate tend to affirm. The Church needs a more comprehensive, biblically grounded, theologically informed, Christ centered, ethically rigorous and balanced examination of the totality of human sexuality, period.
2. However, the Church's rather anemic response to the alarming status of heterosexual marriage and the escalating divorce rate is in no way sufficient grounds for continuing to be theologically lax and biblically slack regarding the proposals that have been placed before the ELCA. Indeed, one could argue there are strong biblical grounds that the exact opposite needs to happen and that the Church could benefit from a more rigorous, biblically faithful and theologically informed examination of its earlier attitudes, policies and practices. Often analogies and comparisons are made between the Church's acceptance of divorce and remarriage with the assumption that the Church can and should accept with equal ease the notion that committed, monogamous, homosexual relationships should be granted biblical parity and status equal to that of committed, monogamous, heterosexual marriage. Such a notion fails to acknowledge that two vastly different theological and biblical realities are involved.

3. Certainly, in the case of divorce and remarriage, there is the reality of Sin, human brokenness, the need for confession and forgiveness and the Baptismal call to death of the old sinful self and the Resurrection to New Life in Christ. However, in divorce and remarriage there is a return to, an affirmation of, and a re-embracing of the same biblical norm from which one had previously fallen short of and missed the mark as described by the biblical image implied in the Greek New Testament word ἁμαρτία (*harmatia*) which is translated “to miss the mark” or sin.¹⁹ In the case of conferring to committed, monogamous, homosexual relationships equal status and parity with committed, monogamous, heterosexual marriage there is not a return to a clearly identifiable biblical norm, rather a new and radically different definition and form of marriage is being placed alongside the established biblical norm for marriage. It is precisely at this point that analogies and comparisons between divorce / remarriage and homosexual marriage fail and become incongruent.

The Biblical Understanding of Heterosexual Marriage Reflects a Transcendent, Ontological, Anthropological, Ecumenical and Eschatological Dimension

1. Certainly the rostering and ordination of persons in committed, monogamous, homosexual relationships raise a number of issues regarding social ethics and justice which should and must be addressed. Were these the only issues involved, the matter likely would not be so convoluted nor controversial. However, this is not the reality we face. The gravity and magnitude of what is being proposed goes far beyond the scale, scope and focus of social justice. Efforts to address social justice issues related to homosexual persons and homosexual relationships which are inseparably linked to a revision of the biblical definition and understanding of marriage as noted in pivotal biblical narratives such as: Genesis 2:18-25, Mark 10:6-9, Matthew 19:4-6, move us beyond the categories of social justice and into transcendent, ontological, anthropological, ecumenical and eschatological dimensions.
2. The creation narratives in Genesis affirm that the universe did not just spontaneously emerge out of nothing by its own efforts but is the awesome handiwork of a loving and creative God who is the creator of all things, seen and unseen. Also central to the biblical understanding of creation is the affirmation that God brought forth order out of chaos. From a biblical and theological perspective, creation involves not only the making of all things out of nothing (*creatio ex nihilo*), material and otherwise, but also the bringing of order out of chaos. Central to God’s creative activity is the ordering of the structures and dynamics of creation which is not only a past event but part of God’s continuing creation and redemptive activity. God’s ordering of the creation not only makes life possible but also gives meaning, purpose and an eschatological direction and destiny to all creation.²⁰ The creation narratives affirm our God given creatureliness and insist that our coming into being (ontology) is not our own doing but the splendid work and a gracious gift of a loving God. For both Luther and *The Lutheran Confessions*, the orders of creation are central and pivotal in understanding the foundational and God given realities central to our life in relationship to God. Moreover, in the orders of creation we already see revealed elements of God’s loving will and begin to sense how God desires that we order our lives as God’s people.²¹ Foundational to both the orders of creation and the biblical narratives of creation is the teaching that marriage is understood to be a committed relationship between man and woman.
3. In the New Testament, Jesus not only affirms and gives continuity to the order of marriage and family but Jesus further defines marriage as a life long, monogamous relationship between a man and a woman (Mark 10:6-9, Matthew 19:4-6). However, Jesus does not stop here. After having defined and affirmed the biblical order and description of marriage, Jesus goes on to “up the ante” so to speak, by

explicitly affirming the God given sacredness of marriage with the following teaching: “*Therefore, what God has joined together, let no one separate.*” (Mark 10:9 and Matthew 19:6). One of the defining theological gifts Lutherans bring to the ecumenical Church is a clear understanding of Jesus Christ as God’s living Word (John 1:1-18). For Lutherans, those biblical narratives that point to Christ or teach Christ (*treiben Christ*) are to be viewed with the highest degree of authority and integrity.²² The teachings of Jesus regarding the biblical order and definition of marriage bring together the transcendent, ontological, human, ecumenical and eschatological dimensions which contribute to the enormous cumulative biblical and theological weight regarding Christian marriage. The yield of these realities means that definitions and configurations of Christian marriage are not trivial nor casual matters that humans have the authority to rearrange and redefine at random. The enormous burden of argument and proof remains with those who would propose that these normative teachings be revised, replaced or overturned. And to a secular and fallen world often obsessed with and captive to idolatrous, atheistic and nihilistic philosophies that flatten and reduce all truth, Christian teaching and The Scriptures to mere human constructs, the message of these biblical teachings, the Gospel and the Church is a loving, persuasive and unambiguous, NO!

4. Without a doubt, both biblically and theologically, a committed, monogamous, homosexual relationship is far better morally and much more preferable, psychologically, socially, spiritually and pastorally than a life of despair, loneliness, self loathing, desperation and promiscuity which is on a path to ruin and self-destruction. However, the fact that such an arrangement is morally superior to many lesser options does not necessarily mean that the Church has the biblical and theological grounds and authority to bestow on such relationships a biblical standing that is equal in status and parity to committed, monogamous heterosexual marriage as described in the Scriptures. Such a leap would introduce a number of serious complications in our ecumenical relations with other Church bodies both within the *Lutheran World Federation* and the global Christian community. In other cases, the adoption of the proposed changes would move beyond mere complications and would constitute a potentially schismatic and apostate stumbling block for many within the ELCA and across the Church. These concerns have been voiced in the recent writings by the world renowned Lutheran theologian, Wolfhart Pannenberg,²³ The Right Reverend Rowan Williams, Archbishop of Centebury,²⁴ and by the world renowned New Testament scholar and Bishop, N.T. Wright.²⁵

Both Documents Could be Strengthened Through a More Rigorous and Consistent use of Central Biblical Themes and Foundational Evangelical (Lutheran)Theological Concepts.

1. *The Lutheran Confessions* simply refuse to blur the distinction that the Scriptures and Christ make between the sinner whom God loves and saves and the Sin that God declares repugnant -- a distinction that applies equally to all people, straight or gay, male or female, Jew or Gentile, slave or free, and without regard to one's race, ethnicity, status, rank, intellectual capacity, educational pedigree, technical prowess, or socio-economic standing in life. Furthermore, the distinction between the sinner whom God loves and redeems and the Sin God declares repugnant is a distinction that many scholars and theologians from various theological traditions, including the Lutheran fold, insist is far more faithfully understood and managed biblically, theologically and pastorally through the dialectics of Law and Gospel, saint and sinner, confession and forgiveness, the theology of the cross and the Baptismal rhythm and paradigm of dying to our old sinful self and being raised to New Life in Christ, than through a liberal, revisionist philosophical hermeneutic, a Zwinglian hermeneutic of enthusiasm or a Schleiermacher driven hermeneutic of abstract, universal, subjective human sentiments.

2. Lutherans of all people should be well informed regarding the distinction between the sinner whom God forgives and the Sin that God declares repugnant, especially in light of the pivotal work of Dietrich Bonhoeffer. Writing as a Lutheran pastor and theologian, Bonhoeffer railed against his fellow Lutherans for their downward spiral into “cheap grace” which was not content with the forgiveness of the sinner but also degenerated into a destructive paradigm that fostered the justification of Sin.²⁶

3. The tendency of liberal protestant theology is to foster a rationalistic hermeneutic (a method of scriptural interpretation) which approaches the Scriptures with philosophical presuppositions and abstract concepts which in some cases may not always be clearly grounded in the Scriptures and which may not always be biblically applicable to the issues at hand. Nowhere has this tendency been more clearly documented than in the theological legacy of liberal Protestantism’s overly optimistic view of human nature and its difficulty in taking seriously the often uncomfortable and troubling reality surrounding the radicality of Sin. When liberal Protestantism runs amuck it has a tendency to read into the Scriptures *a priori* philosophical constructs and biblically questionable assumptions which result in a hermeneutic that often resorts to every conceivable gyration in a desperate attempt to force from the Scriptures a word of blessing for practices and behaviors that the Scriptures clearly regard as falling short of the biblical norm for marriage and view in less than positive terms. Regrettably, conservative and fundamentalistic theologies often fall prey to the same dynamics yet with different but equally suspect presuppositions. Luther often described the yield of such suspect hermeneutics as twisting and turning the Scriptures into a "wax nose."²⁷

4. The Evangelical (Lutheran) dialectics of Law and Gospel, saint and sinner, confession and forgiveness, the theology of the cross and the Baptismal rhythm and paradigm of dying to our old sinful self and being raised to New Life in Christ are dialectics inherent to the Scriptures. The use of these biblical paradigms minimizes the need and the temptation to resort to external philosophical and quasi biblical categories for the proper interpretation of Scripture. In its better moments, the Evangelical (Lutheran) use of the above biblical dialectics of Law / Gospel, etc. is more inclined to let the Law expose the contours of a fallen creation, diagnose the radicality of Sin and let the chips fall where they may. In contrast to liberal Protestantism, the Evangelical answer to the judgement, harshness and uncomfortableness generated by the Law is not to nibble away at the integrity, authority or relevance of the biblical narrative, nor to in some way attempt to minimize the radicality of Sin by resorting to fanciful notions of inherent human goodness, but to move to the biblical paradigms of Gospel, forgiveness, the theology of the cross, the daily Baptismal rhythm and paradigm of dying to our old sinful self and being raised to New Life in Christ.

5. In the 17th. Chapter of John’s Gospel, Jesus also provides a foundational paradigm for the mission and ministry not only of his disciples but also for the Church which is a paradoxical call to be *in, but not of* the world.²⁸ Jesus prays for his disciples and the Church who will be sent into the world but declares that they are not of the world. Liberal Protestantism’s tendency to rely on a hermeneutic wedded to abstract philosophical constructs often derived from and heavily influenced by the cultural and ideological ethos of the moment renders Liberal Protestantism vulnerable to falling off of the biblical, paradoxical and difficult call to be *in, but not of* the world. When liberal Protestantism goes astray, it often does so by becoming captive to the prevailing culture, obscuring the Church’s distinctive and unique identity, message, mission and purpose by becoming too much of the world. H. Richard Niebuhr’s description of liberal Protestantism’s failings are as telling and relevant today as they were in 1937 when he wrote, “A God without wrath brought human beings without sin into a kingdom without judgment through ministrations of a Christ without a cross.”²⁹

Areas of Pastoral Concern

1. The legacy of public discrimination, resentment, hatred, ostracism, scorn and contempt directed against homosexual persons on the part of the Church and the wider society has been and continues to be a great injustice and tragedy.
2. There is a need to develop and strengthen a pastorally sensitive and caring environment which holds homosexual persons in intercessor prayer and from which they can explore a range of possible options for their life. Included among the range of possibilities should be psychological, pastoral and spiritual counseling to discern and confirm one's sexual orientation within an environment which at least holds open the possibility of re-orientation in some cases. Also included should be the exploration of the possibilities of celibacy for those who are irreversibly oriented homosexually. Furthermore, if all other options prove unworkable, there is a need to help all persons sense the prudence of cultivating a faithful, caring, loving, life long, monogamous relationship as a healthier and morally preferable alternative to the hazards, dangers and ethical ambiguities associated with either a life of isolation, loneliness, despair and destructive self-loathing on one hand, and tenuous, superficial, exploitative, promiscuous and serial relationships³⁰ on the other.
3. Amidst the current struggle within the ELCA, we also need to be open to explore new and as yet unexamined possibilities and ways for finding a biblically grounded, theologically faithful and pastorally sensitive path through the present conundrum. Of particular significance is the recent Pastoral Letter sent by Bishop James Mauney to the members of the Virginia Synod.³¹ Focusing on the New Testament metaphor of Sin as "missing the mark" as reflected in the Greek New Testament word, ἁμαρτία (*harmatia*), Bishop Mauney explores the biblical grounding and the possibilities for moving beyond the present impasse.
4. Regardless of one's view and stance with respect to homosexuality and homosexual behavior, there seems to be an emerging consensus that the legacy of discrimination, resentment, hatred, ostracism, scorn and contempt directed against homosexuals is an injustice and a tragedy which we need to move beyond. Regrettably, this legacy of contempt and scorn has and continues to compound the pain, hurt, shame and despair which has burdened homosexual persons and their families.
5. While the issues surrounding the possible rostering and ordination of persons in committed, monogamous, homosexual relationship are foundational, pivotal, serious and possibly Church dividing, they are not salvific. Our salvation is not determined by the accuracy of our theology, the moral rectitude and correctness of our ethical deliberations, nor our level of self generated righteousness as good and admirable and God-pleasing as these attributes may be.
6. The Gospel reminds us that our salvation is dependant solely and completely upon God's amazing grace made visible and possible in what God has already done for us in the life, death and resurrection of Jesus Christ. *"But God proves his love for us is that while we still were sinners Christ died for us."* (Romans 5:8 ff.) *"We love, because God first loved us"* (I John 4:19). The Gospel calls us to a life of love and servanthood. Nowhere is this seen more clearly or persuasively than in John 15:9-17. In this narrative, Jesus washes the feet of the disciples and gives a new command that we are to love one another as he has loved us. The Greek vocabulary word the New Testament uses consistently throughout this narrative in reference to God's love is ἀγάπη. This is a love that is infinite, unconditional and transformative of everything that it embraces.³² This narrative provides an excellent

summary of the Gospel. We are to love ἀγάπη (agape) one another, not to earn or gain God's love and favor but because, in Christ, we have already been loved (agaped) by God. Certainly, conscientious Christians of sound mind and noble convictions can disagree about many things and are, likewise, called to resist Sin and Evil. Yet, in the midst of such challenges and disagreements the Good News of the Gospel reigns supreme: We have been loved and have been drawn into the struggle to love one another.

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ENDNOTES

1. Report and Recommendation on Ministry Policies - A proposed report and set of recommendations submitted by the *Task Force for ELCA Studies on Sexuality*, (Chicago: ELCA Dept. of Church and Society: 2009), pg. 2.
2. Kolb, Robert and Timothy J. Wengert, The Book of Concord, *The Formula of Concord: Epitome*, Article X (Minneapolis: Fortress Press, 2000), pp. 515-516.
3. Kolb, Robert and Timothy J. Wengert, The Book of Concord, *The Augsburg Confession*, (Minneapolis: Fortress Press, 2000), pg.42.
4. Kolb, Robert and Timothy J. Wengert, The Book of Concord, *The Small Catechism*, (Minneapolis: Fortress Press, 2000), pg.355.
5. Kolb, Robert and Timothy J. Wengert, The Book of Concord, *The Apology to the Augsburg Confession*, (Minneapolis: Fortress Press, 2000), pg.174.
6. Kolb, robert and Timothy J. Wengert, The Book of Concord, *The Augsburg Confession*, (Minneapolis: Fortress Press, 2000), pg. 42. (In the *Augsburg Confession*, Luther, Melancthon and the early reformers defined the Church as, "The assembly of all believers among whom the gospel is purely preached and the holy sacraments are administered according to the gospel." The very nature, life and mission of the Church are inseparably linked to and grounded upon the proclamation of the Gospel and the celebration of the Sacraments of Baptism and Holy Communion. Hence, the neglect, obscuring or displacement of the Gospel and the celebration of the Sacraments by other concerns, doctrines, issues or priorities represent a serious corruption of the Church and a diversion from its primary biblical calling and mission.)

7. Luther's Works on CD ROM, Vol. 32, (Philadelphia: Fortress Press, 1958, 2001), pg. 109. (Under interrogation at the Diet of Worms, Luther made his famous speech refusing to recant of his teachings and writings citing that his conscience was bound to the Scriptures. "Here I answered: 'Since then your serene majesty and your lordships seek a simple answer, I will give it in this manner, neither horned nor toothed: Unless I am convinced by the testimony of the Scriptures or by clear reason (for I do not trust either in the pope or in councils alone, since it is well known that they have often erred and contradicted themselves), I am bound by the Scriptures I have quoted and my conscience is captive to the Word of God. I cannot and I will not retract anything, since it is neither safe nor right to go against conscience. "I cannot do otherwise, here I stand, may God help me, Amen."")
8. John 19:5-7. See also: Matthew 27:15-31, Mk. 15:6-20, Lk. 23:13-25. The biblical witness gives numerous accounts of people who held passionate and conscience driven convictions but were horribly mistaken. No more telling examples exist than the Gospel accounts of the crowd who was convinced that Jesus was a blasphemer who should be condemned and who shouted before Pilate, "Crucify him! Crucify him!"
9. Pannenberg, Wolfhart. "*Should We Support Gay Marriage?*" Translated by Markus Bockmuehl for publication in the Church Times; Copyright Wolfhart Pannenberg. (Reprinted on line with permission in Good News Magazine and accessible via a Google Search under the entry: Wolfhart Pannenberg.).
10. Paul Jersild, Spirit Ethics: Scripture and the Moral Life (Minneapolis: Fortress Press, 2000), pg. 136.
11. The Bible and Homosexual Practice: Texts and Hermeneutics, pg. 74. (Of particular significance is note 91, pg. 74).
12. Bushell, Michael S. BibleWorks for Windows (Big Fork, Montana: Hermeneutica, 1998), Gen. 19:4-11 with reference supplied for the meaning of יָדָה (yaw - dah) as listed in Brown Driver Briggs - Gesenius Hebrew Lexicon, 1997).
13. The Bible and Homosexual Practice: Texts and Hermeneutics, pp. 73-74.
14. BibleWorks for Windows, Romans 1:26-27 (with reference supplied for the meaning of παρά φύσιν (para physin) as listed in the Friberg Analytical Lexicon of the Greek New Testament, 1994.)
15. Ibid., pp. 137-142.
16. The Bible and Homosexual Practice: Texts and Hermeneutics, pp. 254-258.
17. Robert A.J. Gagnon, "Gays and the Bible: A Response to Walter Wink", *The Christian Century*, Aug. 14-27, 2002, pg. 40. (In this article Gagnon engages in a spirited exchange and discussion of homosexual behavior with noted, biblical scholar, Walter Wink. Wink, who generally supports a change in the church's position on homosexual behavior, concedes in the article that Paul would not have accepted a homosexual relationship. Wink's position is that Paul's objections are neither persuasive nor binding and that a new judgement about homosexual behavior needs to be adopted.)
18. Human Sexuality: Gift and Trust (HSGT) – A proposed Social Statement submitted by the *Task Force for ELCA Studies on Sexuality*, (Chicago: ELCA Dept. Of Church and Society, 2009), pp. 28-31.

19. Bushell, Michael S. BibleWorks for Windows (Big Fork, Montana: Hermeneutica, 1998), ἁμαρτία hamartia {ham-ar-tee'-ah} **Meaning:** to be without a share in, to miss the mark, to err, be mistaken, to miss or wander from the path of uprightness and honor, to do or go wrong, to wander from the law of God, violate God's law, sin, that which is done wrong, sin, an offence, a violation of the divine law in thought or in act, collectively, the complex or aggregate of sins committed either by a single person or by many. (With reference supplied as listed in the Friberg Analytical Lexicon of the Greek New Testament, 1994.)

20. Ted Peters. God – The World’s Future: Systematic Theology for a New Era, Second Edition. (Minneapolis: Fortress Press, 2000) pp. 134-138. (In this section, Peters gives a comprehensive examination of the biblical understanding of creation in light of modern scientific discoveries and developments. Of particular significance is the linkage Peters underscores between God’s creation from nothing (*creatio ex nihilo*), God’s continuing creation and redemption and God’s eschatological future which gives meaning, purpose, direction and destiny to all creation and human history.)

21. William Lazareth. Christians in Society - Luther, the Bible and Social Ethics. (Minneapolis: Fortress Press, 2001) pp. 63-71. (Lazareth provides one of the most insightful and comprehensive treatments on the orders of creation to appear in recent years. Of special significance are the biblical teachings reflected in both Luther’s writings and in *The Lutheran Confessions* regarding the order of marriage and family.)

22. Carl E. Braaten. Principles of Lutheran Theology, Second Edition. (Minneapolis: Fortress Press, 2007) pp. 10.

23. Pannenberg, Wolfhart. “*Should We Support Gay Marriage?*” Translated by Markus Bockmuehl for publication in the Church Times; Copyright Wolfhart Pannenberg. (Reprinted on line with permission in Good News Magazine and accessible via a Google Search under the entry: Wolfhart Pannenberg.)

24. The Right Reverend Rowan Williams, The Archbishop of Canterbury, “*Communion, Covenant and our Anglican Future*” - Reflections on the Episcopal Church's 2009 General Convention from the Archbishop of Canterbury for the Bishops, Clergy and Faithful of the Anglican Communion, published July 27, 2009. Copyright Rowan Williams. Published on line, with permission and available by hyperlink at *The Lutheran Forum* website www.lutheranforum.org.

25. The Rev. Dr. N.T. Wright, Bishop. *Unpacking the Archbishop’s Statement*. Published Thursday, July 30, 2009. The Anglican Communion Institute, Inc. Copyright © 2009 All Rights Reserved. Published on line, with permission and available by hyperlink at *The Lutheran Forum* website www.lutheranforum.org.

26. Dietrich Bonhoeffer, The Cost of Discipleship (New York: MacMillan, 1975), pg. 53. (Included in this section is Bonhoeffer’s railing at his fellow Lutherans for their failure to take seriously God’s message of grace. “We Lutheran have gathered like eagles round the carcass of cheap grace, and there we have drunk of the poison which has killed the life of following Christ.” pg. 57.)

27. Luther’s Works on CD ROM, Vol. 39, (Philadelphia: Fortress Press, 1958, 2001). Luther, Martin: Pelikan, Jaroslav Jan (Hrsg.) ; Oswald, Hilton C. (Hrsg.) ; Lehmann, Helmut T. (Hrsg.): Luther's Works, Vol. 39 : Church and Ministry I. Philadelphia : Fortress Press, 1999, (Luther used this colorful and graphic image to describe how easily humans can twist and pull the Scriptures to reflect whatever message and interpretation we desire. “Thus we see how excellently the Romanists deal with Scripture, making whatever they want out of it, as if it were a wax nose to be pulled to and fro.”, pg. 81).

28. The 17th Chapter of John's Gospel is often described as "The High Priestly Prayer of Jesus." Not only does Jesus describe the oneness of He and The Father as a basis for the oneness of the Church but Jesus also provides a biblical paradigm for the ministry and mission of the disciples and the Church in the paradoxical and difficult call to be *in, but not of* the world. One of the most exhaustive explorations of this paradigm from a thoroughly Evangelical (Lutheran) perspective can be found in the monumental work: Christians in Society - Luther, the Bible and Social Ethics by William H. Lazareth. Minneapolis: Fortress Press, 2001.
29. H. Richard Niebuhr, The Kingdom of God in America (Paperback Edition: Oct. 1, 1988 with introductory commentary by Martin E. Marty. Available from *Amazon.com*)
30. Helmut Thielicke, The Ethics of Sex (Grand Rapids: Michigan: Baker Book House. Reprinted with permission from Harper and Row, Publishers, Inc., New York, New York, 1964), pp. 269-292. (In this section, Thielicke, the noted Lutheran theologian and ethicist, provides an informed, insightful and persuasive discussion of the options facing homosexual persons).
31. A Pastoral Letter sent to the Members of the Virginia Synod of the ELCA by Bishop James Mauney available via a hyperlink on the Lutheran Forum website at www.lutheranforum.org
32. Anders Nygren, Agape and Eros (New York: Harper and Row, 1969), pg. 210.