

## **When There Are No Biblical or Theological Grounds to Change, Don't**

The Statement and Recommendations of the Sexuality Task Force have been released, and they are as disappointing as I expected them to be, though the statement itself is much improved in some ways. It moves closer to the Lutheran way of doing Christian ethics as well as to the church's rich understanding of the centrality of marriage. Yet, the key problems remain: the statement avoids making normative judgments about homosexual conduct by neglecting the testimony of the Bible and the Christian moral tradition on that issue. In doing so it departs from the moral consensus that the church has held for millennia, a consensus that was reflected in the social statements of the predecessor Lutheran churches. We essentially will have no teaching at all on this matter. Yet, the Task Force moves forward anyway, violating the settled prudent conviction that there should be overwhelming evidence against a moral teaching and practice of long standing before it is changed. The two documents admit we have no consensus on that key issue but yet propose major changes in teaching and policies anyway. This is "journeying together faithfully?" This is more like "we respect your bound conscience by adapting those policies to which you are opposed."

### The "Bound-conscience" Doctrine

There are two erroneous judgments that anchor the statement. The first has to do with the "bound-conscience" doctrine that is so central to the documents. Both documents argue that we can have major differences in our convictions about central matters of faith and life and live with them as long as we sincerely hold different views of biblical interpretation and Christian doctrine. This relativizes Christian teaching by appeal to sincerity. Luther did not doubt that his opponents were sincere at Worms, or that they held different views of biblical interpretation and church teaching. He thought they were wrong and he was right, on the basis of the Word of God and clear reason. Further, he appealed to the teachings of earlier authorities in the church in his debates with the Church of Rome at that time. He thought the weight of Scripture and authentic Church tradition was on his side of the tough issues of that day.

Likewise, I believe it is incontestable that the Scriptures and the moral teaching of the Christian church throughout the ages—and presently that of the ecumenical church—proscribe homosexual relations of any sort.\* (Conversely, I am quite certain that the revisionist side

\*I want to make it clear that clear public teaching on these matters does not preclude compassionate and even flexible pastoral care in private. The issue at stake is what the teaching of the church should be. The revisionists in the ELCA aim at changing our teaching and public practice, not primarily at deepening and enriching its pastoral care.

believes it is right and I am wrong.) Thus, I am not satisfied with appeals to sincerity and tolerance, especially since I think Christian teaching is clear. And I am certainly not satisfied with those appeals when the recommendations of the Task Force lead to no teachings at all on the subject, but yet lead to sharp changes in practice. Appeals to sincerity will not do. We may have

to separate amicably rather than journey faithfully, since the right construal of the faith is at stake.

Another dubious facet of the “bound-conscience” doctrine is the claim that the revisionist side will respect the convictions of the orthodox or traditionalist side over time. Richard Neuhaus famously opined: “Where orthodoxy is optional, in time it will be proscribed.” He hit the nail on the head. The revisionists already control the “commanding heights” of the ELCA—the headquarters, the Church Council, the majority of the Sexuality Task Force, most of the seminaries and colleges, the publishing house, and many Synods. They make sure that outspoken proponents of orthodox teaching on these matters do not disturb the near consensus they have forged. (If you keep quiet about these things, you may get hired or appointed, but you must remain quiet in order not to be shunned.) I have been in so many ELCA contexts where this process of selection has been at work that I don’t have space to enumerate them. Let’s just say that the most of the cards are held by those in the “commanding heights” and they will not respect those with orthodox convictions who might threaten their hand. And in time those orthodox convictions will not even be allowed to surface. This, by the way, has been the trajectory of those orthodox voices in the Episcopal Church. Finally, orthodox voices were so marginalized that they began another church.

A cynic might charge that the appeal to respect consciences is a convenient instrument to mollify those orthodox among the laity who are very upset by the moves being made. The revisionists do not want those laity to bolt the ELCA or send their money elsewhere. So the statements promise that their consciences will be respected. But beyond the congregational level, such respect will be hard to come by in a few years. Indeed, it already is.

### The Demotion of the Law

While this draft definitely bolsters the role and evaluation of the Law of God—his commandments—in the first part of the draft, it forgets about them theologically and practically when the chips are down. First, Lutherans have always believed that the Word of God includes both the Law and the Gospel. Indeed, one could say that the full meaning of the Gospel includes the Trinitarian faith—the revelation of God as Father, Son, and Holy Spirit. Without the first and third persons of the Trinity, the Gospel of justification is either unintelligible or leads to cheap grace. The first part of the new draft does affirm the Law in principle, but when it comes to disagreement over what the Law commands, it says that such disagreement is not church-dividing. This reduces the importance of the Law and makes agreement on justification the sole source and sum of our unity. “Thus, we recognize that this church’s deliberations related to human sexuality do not threaten the center of our faith, but rather require our best moral discernment and practical wisdom in the worldly (left-hand kingdom) realm.” (10:326) Likewise, Task Force Chairman Peter Strommen states that “This ought not to be church-dividing, even if there are differences.” Stanley Olson, representing the ELCA, follows this line of thinking: “...Our Christian unity does not depend on agreement about ethical matters.”

This is quite a novel teaching. Would it be church-dividing if the ELCA suggested we alter the Sixth Commandment to allow adultery if the two spouses agreed upon the practice? Did the Lutheran World Federation allow the Apartheid-supporting Lutheran Church in South Africa “to journey together faithfully” with the rest of the Lutheran churches? If I remember correctly, denouncing Apartheid became a matter of *status confessionis*, and that little church was tossed out of the LWF. Did the Christians of the Barmen Declaration resist the Nazis because they attacked the doctrine of justification? Hardly. Rather, they resisted because the Nazis demanded that they violate the First Commandment by recognizing the Nazi regime as a higher authority than God. Did the southern and northern branches of the Lutheran Church divide over the doctrine of justification during the Civil War? Indeed, did not the Episcopal Church split over violations of Christian moral teaching, something we Lutherans seem eager to imitate?

There definitely is a sense in which we can live with our differences when it comes to public policy. Lutherans live with all sorts of differences in social and political ethics. The left-leaning pronouncements of our Bishop and the ELCA in this realm are merely irritating, not church-dividing. Most agree that Christians of good will and intelligence can come down differently on the issue of recognizing civil unions in society. But the sexuality issues under discussion have to do with the teaching and practice of the church. They strike much closer to the core of Christian life and teaching—what does it mean to love the neighbor in sexual matters? What does it mean to confess Jesus as Lord in our personal life? Are the Commandments a guide in these matters, two of which assume the heterosexual nature of the marriage?

The demotion of the Law and the isolation of justification from repentance and amendment of life will not do. These disagreements are far more serious than the statement suggests. Further, as in the case of the Episcopalians, disagreement on the matter of the Law reveals other differences, especially on the authority of Scripture and the church’s tradition of moral teaching. The Episcopal shipwreck had little to do with disagreements about justification.

#### A Continuing Problem: Aversion to Form in Christian Ethics

I complained about the formlessness of the first draft of this document. I called it an “Ethic for Tele-tubbies” because it refused to recognize formal principles in ethics: male and female forms, ethical rules, the Commandments, different forms of love, the created forms in which those different forms of love are properly expressed, and the God-intended forms of marriage and family. This statement bolsters that formal element by recognizing and explicating the Commandments of God as a guide for the Christian life (6: 204ff. and the footnote on 6) and extolling marriage as an institution established by God.

But, oddly, I believe, it relies on the concept of “trust” to make the case for right relationships in personal and social life. However, “trust” is not really a principle of moral guidance; rather, it is the quality in a relationship that arises when moral actions elicit trust. It is the proper actions and the guiding principles and intentions lying behind them that elicit trust. Trust is not the active principle but rather the response. Thus, love in its various forms elicits trust—the love of God

for each sinner, loving actions among friends, between husband and wife, between parents and children, and so forth. But it is very clear in Christian ethics that different forms of love are appropriate to different forms of relationship. Erotic love does not and should not elicit trust if it is directed from parent to child. Such love is also forbidden for those outside the marriage bond. Filial love is directed toward parents but does not include erotic love. The love of friends is of yet another sort. Agape love, the crown of Christian ethics, seems appropriate in all forms of relationships that need mending and/or mercy.

It is on this issue that the statement fails. By relying on “trust,” it avoids the Christian moral tradition’s distinctions about forms of love and their appropriate expression. The Bible and Christian sexual ethics throughout the ages prohibit sexual love with those who are too close to us (incest), those who are too different from us (bestiality), those who are too different in age and maturity (pederasty), and those who are too much like us (homosexuality). One part of that settled Christian moral consensus is now being challenged and that is a very serious matter, one that is likely to be church-dividing. (Logically, once the prohibition against homosexual conduct goes it seems unlikely that other challenges can be resisted. Trust can emerge in all of those forbidden relationships. It is the actions that are morally illicit.)

Further, in the long section on family life the statement seems unable to affirm the God-intended pattern of a mother and father bearing and nurturing children. It grudgingly accepts the “nuclear” family’s ability to “foster the development of trust in children and youth,”(20: 727ff) but it cannot bring itself to hold up that triad as the ideal for Christians. (By this I do not mean that we should be uncaring or unwelcoming of other forms of family, but in this confused world we should be able to impart a normative vision of what God intends for his creation.)

The statement also shows reluctance to employ rules regarding pre-marital sex. It relies on the principle that “degrees of sexual intimacy should be carefully matched to degrees of growing affection and commitment.” (27:1005) But that convenient principle leaves it up to the individual to decide the level of commitment present in a relationship. Does sex come with a promising relationship, with “going-steady,” with engagement, with living together, none of which are “non-monogamous, promiscuous, or casual?” (27:1012) Fairly fuzzy teaching, that.\*

Likewise, the statement is pretty fuzzy on cohabitation. While “this church does not favor” cohabitation, it offers many reasons why it might be tolerated or even allowed. (28: 1045-1066) It certainly muddles the C.S. Lewis’ famous summary of the rule of Christian sexual ethics: “Complete fidelity within the marriage bond; complete abstinence outside it.”

Finally, how can a statement on sexuality avoid the issue of abortion, particularly when we will soon have legislative efforts before congress to strike down all limits on that practice? If men and women have sex, children are often the result. The classic Christian understanding of marriage is that it is a one-flesh union of complementary beings (man and woman); oriented toward new life; and a protection against sexual sin. This would have been a perfect time to

offer a strong endorsement of the sacrality of all nascent human life, which should be taken only for the weightiest of reasons.

\*I offer a course in Christian sexual ethics at the end of which I survey student opinion on the issues discussed above. The students often turn out to be more “traditional” than I expect. I also ask them if the church’s teaching should be more “realistic,” more accommodated to their opinions. To a person they say “no,” they want the Christian sexual ethic in all its challenging grandeur to be taught and encouraged. They want something clear to aspire to and, if they fail, something before which to repent and amend their lives.

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