

July 26, 2009

Dear Correspondents,

During the Spring Semester I was teaching at the Evangelical Theological Seminary in Cairo, Egypt. I did not feel that it was appropriate for me during that time to engage publicly the "Report and Recommendation on Ministry Policies" of the Task Force for ELCA Studies on Sexuality and the proposed social statement, "Human Sexuality: Gift and Trust," since I was serving under the auspices of the Global Mission and Vocation and Education units of the ELCA. While in Egypt I also had difficulty obtaining materials related to the two documents.

Many people have written to ask me my view of the document and recommendations. I am using this e-mail as a way of responding.

Initially I was heartened by the greater and often more accurate attention to the Bible in the two documents. The authors either paid specific attention to my article in the September 2008 online issue of the *Journal of Lutheran Ethics* (<http://archive.elca.org/jle/>) (go to September 2008 for my contribution), or they listened to others. Some of the most egregious errors were fixed in the current materials and for that I am grateful. So, e.g., the use by Jesus in Mark 10 of Genesis 1 and 2 when discussing marriage is duly noted. I do have to say, though, how thoroughly disappointed I am in the misuse of 1 Cor 7:9 ("Report and Recommendation," lines 196-97); the document ignores the very positive things Paul says in the beginning of the chapter on heterosexual marriage.

Having said that, my basic criticisms remain.

- The Bible is underused: the Old Testament laws in particular, but also the New Testament in general. In a statement on the basis of unity, "Report and Recommendation" starkly omits the Bible (lines 424-28). It is strange that in "Human Sexuality: Gift and Trust," the section on "Sexuality and social responsibility" (lines 1069-1163) contains, if I read correctly, not one biblical passage to support what is an essentially solid section. The section presumes an anthropology based on the Bible but never discusses it.

- The documents continue to lessen the role of the Law in making ethical decisions (see paragraph 19 of my online article), but at least the Ten Commandments are discussed ("Human Sexuality: Gift and Trust," lines 226ff.).

- The "classical" passages related to same-sex sexual activity are listed but never discussed. The documents simply list the two basic approaches to the classical texts and their interpretation but never ask the key question: Which hermeneutic is normative in Lutheran circles? I would add, by the way, that Arland Hultgren and I were specifically directed not to deal with normative issues when writing "Background Essay on Biblical Texts for *Journey Together Faithfully Part Two: The Church and Homosexuality*" (Chicago: ELCA, 2003) (incorrectly dated in "Report and Recommendation," n. 11 as 2005). I almost declined the invitation to be involved in the project for that reason, but I was persuaded to

become involved in order that the traditional or orthodox reading of the texts would appear in the essay (*orthodox*, by the way, was the adjective used by an ELCA staff member for the position I have taken). I am not aware of any place during the last years of this discussion that the normative issues have ever been addressed. If they have been, I do not know it.

- The result, it seems to me, is that the documents provide no biblical or theological arguments for why the ELCA should adopt the proposed changes. To put it in other language: no agreement has been reached on a normative way to read the texts, and the texts have not been studied. What is the basis, then, for recommending dramatic changes? I simply do not know, from the documents, what they are. The section on “Lifelong monogamous same-gender relationships” (“Human Sexuality: Gift and Trust,” lines 596-677) is a good example of my concern. It cites no Bible passage in the body of the argument. (On the use of the Bible in the footnotes in that section, please see below in the section devoted to Random Comments on *Human Sexuality: Gift and Trust*.)

I find that I must repeat what I wrote in paragraph 24 of the online article:

by not engaging the debate regarding same-sex relationships, the document, I believe, has done a disservice to gay and lesbian people, as well as their family members and supporters. The document gives the impression that there is no argument to be made, only assertions to be stated. Thus any change to current practice that might be suggested will appear arbitrary and in conflict with the Bible. If the task force has a biblical argument to state, I think it needs to state it—for the sake of the ELCA, but even more for the sake of the people whose lives are most immediately affected.

I think the current documents hold gay and lesbian people up for ridicule. I understand that many in the ELCA are convinced that there should be no barriers to leadership positions, etc., for sexually active gay and lesbian people. But people who take that position need to develop a clear, step-by-step biblical and theological argument if they want to enable other people to move with them. If they are unable to do that, then the proposals for change need to be dropped as inconsistent with the commitment of the ELCA to have the Bible as the source and norm of faith and life. What is particularly surprising is that “Human Sexuality: Gift and Trust” develops most themes in laboriously long detail, but does not do the same for gay and lesbian people. I find that odd.

For similar reasons I have great difficulty with the “bound conscience” argument, since “Report and Recommendation” (lines 384-410) seems to elevate the human conscience above Luther’s understanding of being “bound in conscience by the Word of God” (line 393). If indeed those recommending change are bound by the Word of God, they owe it to themselves, to the Church, and certainly to gay and lesbian people to state what that Word of God is to which they are bound and how they understand that Word. Unfortunately, neither document begins to do that.

Random Observations

- There is now brief, but helpful material on divorce and remarriage.
- I still need help in understanding why, in documents on human sexuality from a Christian perspective, the concepts of holy/holiness and sanctify/sanctification are missing.

“Report and Recommendation”

- I need help in understanding how human sexuality is totally a matter of God's civil realm, when there are biblical directives that relate the expression of human sexuality to God's covenant with God's people.

- I find it interesting that seminaries are not listed as part of the discernment process for approval and call (lines 488-92).

- A more important observation: Lines 608-10 read: "WHEREAS, the Church of Christ sometimes has been surprised by the actions of the Spirit, as is reported in the book of Acts when the inclusion of Gentiles was affirmed." This is, frankly, a "red herring" that seems to be believed because it is so frequently repeated. What is missed is that the inclusion of the Gentiles is in the Old Testament a clear expectation of the latter days, so that what is happening in Acts is the fulfillment of an oft-mentioned promise. That promise and expectation are not paralleled in the Old Testament regarding gay and lesbian relationships. With all due respect to the many people who keep referring to Acts 10, I don't think it has anything to do with the issues we are discussing.

Human Sexuality: Gift and Trust

- Lines 162-67 quickly move past the Genesis material on male and female.

- Line 200 misuses Galatians 6:10 (which says nothing about sexuality) and Revelation 21:8, which, if anything, is a direct counter to the document: "But as for the cowardly, the faithless, the polluted, the murderers, the fornicators, the sorcerers, the idolaters, and all liars, their place will be in the lake that burns with fire and sulfur, which is the second death." I simply don't know the point the document is trying to make with this citation.

- n. 9) I continue to think that the document under-values the third use of the Law. The Law as a guide for the baptized seems to drop out (lines 219-24).

- Lines 295-303 state that sexual expression is not a matter of salvation. But does not the way we use our bodies glorify God or not glorify God (1 Cor 6:20)? One way to read Paul is to see that he is forever writing his congregations about how people are to use their bodies—not always sexually, of course, but including sexually. The paragraph, further, says that "We are able to be realistic and merciful with respect to our physical and emotional realities, not striving for angelic perfection as if our salvation were at stake." Okay to an extent, but doesn't this paragraph set people up for not worrying about a goal? What about a model or an ideal of holy Christian sexual expression?

- Lines 326-38) "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 realm." The document continues to underestimate how important the Bible is for many ELCA members, so that the proposal of actions that to many seem directly to contradict the Bible does in fact threaten the center of the faith. Many on the acceptance side seem mystified and surprised by this perspective, but it is the lead item when those on the traditional or orthodox side talk with each other.

- n. 26 (in the section on "Lifelong monogamous same-gender relationships") simply does not understand what conscience meant in antiquity, and the note makes no reference to the law, which is part and parcel of what Paul writes in Rom 2:15-16. Further, Gal 1:8 contains no reference to conscience. Still in the same note, "When 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 not, to give just one example, what Paul says in 1 Cor 5:1-5 regarding sexual misbehavior. When it cites material from 1 Corinthians and Romans, the document also ignores that in the same letters, in Romans 1 and 1 Corinthians 6,

same-sex behavior is put into a category quite different from meat sacrificed to idols or holy day rituals.

- Lines 758-65 detail how traditional teachings have been misused to harm people. True enough, but that in and of itself provides no argument for approving gay and lesbian sexual unions.

Concluding Reference

Finally, I think there is a great deal to commend in the concise and lucid way the authors of “An Open Letter to the Voting Members of the 2009 ELCA Churchwide Assembly” phrased their evaluation of the documents and their recommendations to the Churchwide Assembly.

Thank you.

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