

The Child in Our Midst: Reflections on Richard Norris's "Notes"

STEPHEN PAUL BOUMAN

"And he called a child, whom he put among them."

(Matt. 18:2)

A child is placed by God among the community of Jesus. That child is held over the font. You know nothing about that child except that in the waters of baptism her destiny is inextricably woven into the fabric of the community of the church. The parish raises that child, catechizes and mentors, bathes that child in the liturgical, scriptural rhythms of the community's story, stretches out their hopes for the child and turns her loose in the world. That child comes to New York. That child is a lesbian. One of the questions I asked the recent churchwide assembly of the Evangelical Lutheran Church in America is, "How can the church in New York be your partner in receiving the child, her world, issues, gifts, hopes, your hopes for this baptismal disciple you have nurtured?"

It is with such a pastoral heart that I have engaged issues of homosexuality as Lutheran Bishop of New York. I have seen the Metropolitan New York Synod of the ELCA struggle with this issue, with strong convictions on all sides, as a community of moral deliberation. We have had a sustained theological dialogue, with essays, ministeriums, guided conversations. Richard Norris's reflections are a welcome contribution to this communal conversation, and to helping the church receive "the child, whom he put among them."

This conversation over controverted moral issues in the church is not church dividing, if we have a communal rather than an issue-driven ecclesiology. In prayer we seek to discern the will of God. Such discernment requires that we deal with disagreement, that we listen to alternative voices. Our differences in matters of morality may be profound but they are not divisive of the church. An issue-driven

ecclesiology will find us always on the defense or offense, with known enemies and allies. In a communal ecclesiology we will always find ourselves at the next Eucharist, in prayer, dialogue, conversation about things that matter. The Norris paper is written from such a call for a communal rather than issue-driven ecclesiology.

Norris's article invites us into a spiritual conversation and widens the scope to include some fundamental philosophical and ethical thinking. In sections A and B he considers both the strengths and problems with a scriptural approach to sexuality issues. He traces the way scriptural depictions of war, government, slavery, divorce have taken different shape in the life and thinking of the church over the centuries. In Section B.4.3 he asks, I believe, the critical question: "What sort of principles [do] the Scriptures provide for the fruitful and humane guidance of a process of moral inquiry—guidance presumably governed by, and productive of, love of God and neighbor"?

The relation of the church to the Bible is critical in creating the distinctive possibility of a Christian moral life. This is how Lutherans read the Bible: as a holy conversation between the scriptural texts, the traditions of the church, the lived experience of the church, and the world for which Christ died. Norris's article rests on that foundation of communal biblical hermeneutics, the narrative of Scripture in conversation with Aristotle, Aquinas, Kant, Augustine, and the life of the church today.

Since Scripture is always present (sometimes as silent partner) in Norris's essay, I would like to share a Lutheran perspective on the authority of Scripture, and then on how scriptural "law" is understood in the context of today's conversation on issues of sexuality.

The Gospel Gives Scripture its Authority

"For this much is beyond question, that all the Scriptures point to Christ alone."¹

How do Lutherans put particular passages of Scripture into an appropriate context and perspective? How does the Bible have any authority at all, and what kind of authority does it have? Lutherans read the Bible in the tension between law and gospel. In defense of

¹ Martin Luther, "Avoiding the Doctrines of Men," 1522, *Luther's Works*, vol. 35 (St. Louis, Mo.: Concordia Publishing House, 1960), 132.

the article on justification, Article IV of the Apology of the Augsburg Confession states:

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 . . . and on account of him offers 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 Scriptures.²

Here is the heart of the matter. One is a Christian because one trusts the promises against the law. “The most important topic of Christian teaching which, rightly understood, illumines and magnifies the honor of Christ and brings the abundant consolation that devout consciences need”³ is that we are justified by faith in Christ and his promises, not by works of the law. One cannot trust them both at the same time. Only the gospel has the final authority for a person.

You do not need a Bible to know about the law. It is imposed by coercive power (governments, parents, and other authorities). Because of the implacable reality of death, law, as encounter with mortality and the self-justification of our existence it entails, can be known outside scriptural revelation. Death and taxes. But the good news that Jesus of Nazareth is the Messiah and that his cross and resurrection alone justify human beings cannot be imagined without the historical events that are the good news of the church. You need the narrative of Scripture for access to this good news. In Romans 4:25 Paul states that Jesus “was handed over to death for our trespasses and was raised for our justification.” In this passage Paul makes the connection between our justification and the resurrection of Jesus.

Here the primary focus of Scripture’s authority comes into view. We require the narrative of Scripture because only these documents give us trustworthy access to the history of Jesus and his resurrection. As such, the Holy Scriptures are the source of the gospel and

² “The Apology of the Augsburg Confession,” Article IV, *The Book of Concord*, Robert Kolb and Timothy J. Wergert, eds. (Minneapolis, Minn.: Fortress Press, 2000), 121.

³ *The Book of Concord*, 121.

therefore the source of the church's confession of faith. The Bible is the standard for the church's proclamation of the gospel. As such Holy Scriptures are the norm of the gospel and therefore the norm of the church's confession of faith.

"The Lutheran approach to the authority of the Bible is thus characterized by two axioms: (1) only the gospel gives the Bible its true authority; (2) only the Bible gives the gospel its normative content."⁴ We have the gospel because of the Bible, and we pay attention to the Bible because of the gospel.

Jesus alone determines the way we now think of God and how we must receive and understand the Bible. "And beginning with Moses and all the prophets, he interpreted to them in all the Scriptures the things concerning himself" (Luke 24:27).

John 1 states that Jesus is the Word of God who became flesh and lived among us, a claim grounded solely in the resurrection of Jesus from the dead. The writings of the New Testament give us access to this historical event and the resurrection appearances and serve as the standard or norm for their interpretation. The Christian gospel is that Jesus is the Messiah of Israel and the world, that Jesus is the crucified and risen Savior (Rom. 4:25), that in Jesus' cross and resurrection the reign of God has come. There is no other absolute Word of God, not even the law of God.

The law and gospel distinction is how Lutherans confess and teach what has priority as God's Word, how it is to be heard, to be applied, whom it fits. Lutherans distinguish law from gospel for the sake of the gospel.

In contrast to the law/gospel distinction, many Christians understand the basis for the authority of the Bible to be its divine inspiration. Augustine introduced the pagan Greek notion of inspiration: a divine being speaking through a human oracle. It is this view of Scripture that makes appeal to Scripture so problematic for Norris, and which undergirded much of what Augustine and others thought concerning moral issues and natural law.

There are two problems with Augustine's way of viewing the Bible. First, a doctrine of inspiration removes the Bible from its place in history and its actual historical development. Second, when the

⁴ Walter Bouman, "Lutheran Confessional Resources for the Study of Human Sexuality," unpublished monograph.

Bible is located outside of history its authority is no longer the authority of the gospel, the good news of the resurrection of Jesus from the dead. The authority of the gospel is that the cross and resurrection have the intrinsic power to draw us to Christ. "I, when I am lifted up will draw all people to myself" (John 12:32). This is the power of the humiliated, crucified Christ, the power of *kenosis*, of self-emptying love, the power of one who thought "equality with God was not something to be grasped" (Phil. 2:6). This authority has been given to the church in its *diakonia*, its servant mission in the world. It is the biblical authority of the inverted triangle (the last will be first, those who seek to save their lives must lose them, the authority of the *Magnificat*). This is the gospel quality of relationships Norris is seeking to describe.

Apart from such authority, the Bible is used in an authoritarian way, that is, with coercive power, the power of the law. Only the gospel gives the Bible its proper authority. The gospel of Christ is the Word of God. Everything else, even the "law" as the "word of God," is subordinate to the gospel, having its own subordinate and adaptable authority for Christians. This leaves us with serious questions, such as: "Can we ignore whatever else the Bible says besides the Christian gospel?" "Does this mean that the Bible has nothing to say about Christian conduct, about good works?"

Some Comments toward the Biblical Use of the Law

In Section G.2.2 of his essay, after laying a philosophical and ethical groundwork for considering homosexual relationships' contribution to moral good (especially an Aristotelian teleological ethics and a Kantian ethics of duty grounded in reason's own self-imposed law), Norris circles back to a scripturally-oriented ethics of obedience to divine law. "There remains . . . the issue of the role and character of 'commandments' or laws, and in particular of biblical laws."

There are three "uses" of the law which the Formula of Concord identifies. The law of God is used (1) to maintain external discipline and respectability against dissolute, disobedient people, (2) to bring such people to a recognition of their sins, and (3) to help those who have been born anew through God's Spirit, converted to the Lord, and had the veil of Moses removed for them, to live and walk in the law.⁵

⁵ "The Solid Declaration of the Formula of Concord," Article IV, 1, *The Book of Concord*, 587.

Biblical scholars have pointed out that the Decalogue, and indeed the Torah of which it is a part, does not have these three uses in Israel. The commandments of the Torah, including the Decalogue, have one purpose only, namely, to command behaviors that will give the Jews their distinctive identity as the People of Yahweh in the midst of the nations after the return from the Babylonian exile. They do not have a national identity because they are still a conquered people living in land often occupied by an alien military power. But they do have a behavioral identity that comes from obeying the 613 commandments that the scribes found in the Torah. Obedience to these commandments is not a burden, but a joy and a delight, as some of the Psalms indicate (for example, 1, 19, 119). Norris states this beautifully in Section G.2.2.4: “Hence God’s law is presented as a gift that marks an act of grace, of adoption. . . . Consequently the keeping of the law is no grudging gesture of submission but an act of gratitude and loyalty. . . . God’s love for Israel deserves an answering love.”

So we must ask what accuses and terrifies consciences. What does so is the encounter with mortality. For mortality makes life meaningless and raises the question, “Have I any justification for existence?” This is the “law” that all of Luther’s good works could not satisfy. This is why the works of the law cannot justify, for the righteous die as certainly and surely as the unrighteous. This is why we are directed to Christ alone because Christ is risen. “The law is the sound of approaching death, a sound that can be heard in a leaf falling to the ground.” This experience of the law as mortality with all its limits and terrors is law as the great equalizer, before which all humanity, gay and straight, stands.

It is not enough to say “the law is the way we should walk to live a life pleasing to God” if we leave out that part of the law that accuses and terrifies us. For whatever accuses and terrifies is not the will of our loving God for us. I believe that the will of our loving God for us is revealed and grounded absolutely and finally in the death and resurrection of Christ. God’s will is that life and not death is victorious because in Christ the power of death has been endured and overcome. This biblical way of thinking about the law deepens the conversation, moving it beyond the law as behaviors commanded by God.

So in what context, then, can we place the Torah, the levitical laws and proscriptions of the Hebrew Scriptures, and the statements of law and proscriptions of Paul and others in the New Testament? I turn first to the work of the outstanding New Testament scholar N. T. Wright.

What mattered, then, was not religion but eschatology, not morality but the coming of the kingdom. And the coming of the kingdom, as Jesus announced it, put before his contemporaries a challenge, an agenda: give up your interpretation of your tradition, which is driving you toward ruin. [Wright is here referring to the nationalistic agenda which sought a Messiah to deliver Israel from Roman rule.] Embrace instead a very different interpretation of the tradition, one which, though it looks like the way of loss, is in fact the way to true victory. . . .

The controversies focused not least on the purity codes; but . . . the purity codes were not simply “about” personal cleanliness, but, as the social anthropologists would insist, were coded symbols for the purity and maintenance of the tribe, the family or the race. Passage after passage in Jewish writers of the period, and indeed in modern Jewish scholarship, emphasizes that the Jewish laws were not designed as a legalist’s ladder up which one might climb to heaven but were the boundary-markers for a beleaguered people.⁶

This is what lies behind Jesus’ radicalization of the Decalogue and indeed the whole set of behaviors called for in the Sermon on the Mount (Matt. 5–7). The disciples of the risen Jesus recognized his messianic agenda for Israel by recognizing that the behaviors commanded by the Torah were not required of the Gentiles. The messianic movement of Jesus burst its rabbinic enclave. We see this in the agreement reached in Jerusalem in Acts 15:28–29:

For it has seemed good to the Holy Spirit and to us to impose on you no further burden than these essentials: that you abstain from what has been sacrificed to idols and from blood and from what is strangled and from fornication. If you keep yourselves from these, you will do well. Farewell.

Even much of this is no longer required of Gentile disciples of Jesus, as every weekend cookout demonstrates.

What we have then in the apostolic sections that can be identified with the term *parenesis* (Rom. 12–16, Eph. 4–6, Col. 3, Gal. 5:13–6:10, and so on) is the set of behaviors that identify believers in Jesus the Messiah. They are a kind of Christian “torah.” They serve the same function as the Torah of Israel, “boundary-markers for a

⁶ N. T. Wright, *The Challenge of Jesus* (Downers Grove, Ill.: InterVarsity Press, 2000), 57–58.

beleaguered people.” So disciples of Jesus the Messiah can be addressed: “I . . . beg you to lead a life worthy of the calling to which you have been called” (Eph. 4:1). Like the Torah of Israel, this is not a burden, but a joy for those who witness the great good news that Jesus is indeed the Messiah, the final judge.

Christian behavior and the law that guides it always concern how, with our behavior, we witness to the kingdom of God grounded in the ministry, death, and resurrection of Jesus. In a complex world, concern for Christian behavior and the law that guides it will plunge us into situations and contexts in which we can ask only about choices and behaviors that do the least harm, or those most conducive to loving our neighbor. Thus the “just war” doctrine is not the expression of the absolute forgiveness of enemies which Jesus and the apostolic *parenesis* teaches. So we must continue to adapt the teachings of Jesus and the apostles in new contexts and sometimes engage in behaviors that are merely the best we can do in the face of the alternatives. Put another way, Norris’s quest for the intrinsic “good” in moral living out of homosexuality may be caught by this question: “How can I witness to the resurrection of Jesus in the world by how I order and conduct my relationships?”

I believe that we are now faced with such a context with regard to the committed unions of gay and lesbian Christians. I am very mindful of the apostolic warning in 1 Corinthians 6:9–10: “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.” Assuming that the NRSV has correctly translated *arsenokoitai* and *malakoi*, we could agree that “male prostitutes” and “sodomites” are not witness to or inheritors of the kingdom of God. But what are the alternative behaviors for Christians who have a homosexual orientation? Of course these Christians are not to be promiscuous, exploitative, abusive, violent, harmful to minors. What then? To change is traumatically difficult, if not impossible for most persons who experience their homosexual orientation as not self-chosen. To require celibacy contradicts Augsburg Confession Article XXIII (requiring monastic vows). To enter into a committed union that is intended to be lifelong may be the best or certainly the least bad alternative for gay and lesbian Christians. And I can find no passage in the Bible that forbids such a committed union.

Such an understanding is not antinomian, nor does it set aside or reject the authority of the Bible. It adapts the law teaching of the Bible, as the church has done in the just war doctrine, in the remarriage of divorced persons, in the acceptance of lending money at interest, and in other areas. This understanding has, at its heart, the child placed in the midst of us, and all children of God.

