

**THE DIFFICULTY OF  
THINKING WELL TOGETHER:  
NOTES ON WRITING ABOUT  
HOMOSEXUALITY IN THE ELCA**

by Christian Scharen

**Introduction**

I have been asked to reflect on responses to my book, *Married in the Sight of God*, and subsequently, to my article in *The*

*Lutheran*, “Gay

Christians: Symbols of God’s New Creation.”<sup>1</sup>

In these few paragraphs, I intend to accomplish the following. First, I will rehearse the argument of my book. Then I will discuss responses to the book, as well as the article in *The*

*Lutheran*. Lastly, I will reflect on responses to the article and where we are in the ELCA in dealing with how we regard our gay and lesbian sisters and brothers.

**What the Book Says**

*Chapter One* is method, laying out my tools before I start digging into our Lutheran past. I began with this quote: “The stupid canon lawyers want to apply laws that were framed in other times and for other reasons. They say, ‘Thus it is written in the book,’ and they don’t see that the times have changed and that former circumstances and laws have passed away.”<sup>2</sup>

This quote provides a summary of the approach in the book. I think that on issues of sexuality today, “the times have changed” but “stupid canon lawyers” keep trying to apply laws from another time to today’s circumstances. In an effort to seek a middle road on a tough issue, I suppose, in retrospect, it was not so wise to begin the book calling on Luther’s own strident voice, but there it is.

*Chapter Two* discusses Luther on sexuality and marriage. Here, I show how Luther came to reject mandatory clergy celibacy and affirm marriage as a high calling. I highlight the way Luther drew on his pastoral experience of people’s suffering, even as he read the Bible for its truth on the issue. “As Scripture and experience show” was a common phrase in Luther’s argumentation. Luther cannot be claimed as an advocate for gay and lesbian unions and for priestly vocation while living in such unions, yet his way of thinking, his

method, does have much to recommend for our use. Rather than use Luther’s actual teaching to justify mandatory celibacy for gay and lesbian clergy, I argue that we might use Luther’s method and spirit to seek a way to speak of the goodness of sexual desire and of a “place of responsibility”<sup>3</sup> for gay and lesbian Christians. The formal ELCA position requiring mandatory celibacy for gay and lesbian clergy is iron-

ic, to say the least, given Luther’s view of celibacy as a “rare gift” and sexual desire as fundamental, similar to hunger or thirst.<sup>4</sup>

*Chapter Three* sets forth an analysis of the ELCA and its two main predecessor bodies, sifting through decades of social thought to see how they developed arguments against homosexuality. Picking out the “orders of creation” theo-

logy as the center of this body of thought, I trace its use in social statements from Harold Haas’ argument against the emerging women’s movement and its implications for gender roles and family life in the 1950s. By the 1960s the “orders of creation” theology provided the foundation for the rejection of homosexuality.

The debates into the 1970s and 1980s show growing willingness to listen to science and experience as a means to moderate conservative interpretations of Scripture and tradition. Too often, however, the rush to halt threatening social movements resulted in inaccurate readings of Luther. Rigid interpretations of the orders theology trumped more progressive alternatives that were developing.

*Chapter Four* highlights a case study in this process of regressive retrieval of the orders theology. I examine the ELCA’s development of a candidacy process and a guide for it in *Vision and Expectations*. This process, precipitated by public disclosures that openly gay candidates had been approved for ordination and congregations had openly called such persons, was crisis driven. The shape of the candidacy process focused on the question about sexual expectations and this question was rooted in the orders theology of the previous generation. It represented an effective social mechanism discouraging the ordination of gays and lesbians and enshrining a 1950s version of orders theology as eccle-

siastical policy.

*Chapter Five*, then, argues that our policy is regressive and the theology upon which it is based is suspect. Thoughtful Lutherans ought to reexamine our policy and theology, working out positions that reflect what we understand of our life in Christ today. On face value, Scripture and the Lutheran tradition only speak negatively about same-sex acts. Luther calls them “this monstrous depravity”<sup>5</sup> and the predecessor documents call it a “denial of,” “departure from,” and “contrary to” “God’s intention in creation.”<sup>6</sup> So on what basis do we say this theological position and tradition needs revision? Four points here:

**Content:** This is a kind of argument from natural law and biology. Lutherans have found in previous studies that science has changed our understanding of what is natural and of how biology works. Should this not then be reflected in our theology, reshaping what we claim God intended?

**Form:** As typically argued, this orders theology has a timeless quality, a sort of conversation-stopper form, as in “Well, that’s how God wanted it from the beginning. End of debate.” Yet careful biological and anthropological work shows the diversity of animal and human sexual relationships. Are these all, except a “one man, one woman,” “life-long covenant of fidelity,” the result of sin and a broken creation?

**Context:** In almost every case, our theology of sexuality, as adopted in ecclesiastical policy, has come from one crisis or another, as a reaction against feared social trends. Those wishing to preserve a traditional position tend to throw up this theology as a bulwark against change.

**Effects:** In its current version, embodied in our ELCA policy documents, it has become a tool for the rejection of a whole class of persons. Do we want a candidacy process centered on discernment of sexual identity? Do we want to replicate among gay and lesbian people called to ministry today all the problems of a mandatory celibate clergy in Luther’s time? I think not.

One could take each of these four points and reverse them to ask how a more adequate theology might be developed. I do this, showing how following Luther’s method might allow an inclusive theology (*continued on pg6*)

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that is faithful to Scripture and tradition, while also making room for openness to blessing gay unions and calling those living in such unions to pastoral office. The crux of the issue here is whether one can say that certain traditional purposes of marriage are fulfilled also in same-sex unions. These purposes would include voluntary promises of fidelity between two people for the fulfillment of basic human needs, the protection against abuse, and the provision of structures of trust and stability.<sup>7</sup> This might constitute what the LCA statement, *Sex, Marriage and the Family*, spoke of when it said that although the marriage of one man and one woman in a covenant of fidelity is the norm, other forms of marriage might be possible and beneficial to individuals and society.<sup>8</sup>

I end the book with a conclusion on theology and social change. I talk there about the power of personal stories to offer at least motivation, if not the reasons, for changing one's mind about homosexuality. I argue that, short of this "transformation of the heart," arguments of theology will not change minds. I am less convinced of this than I used to be. I think we need very clear, serious, Scriptural and confessional writing that makes the argument for change. I think this even if there seems to be a divide between those who *want* to think that homosexuality is intended by God as a part of created life, like left-handedness, and those who *want* to think that homosexuality is a result of sin, of misdirected desire, like pedophilia or bestiality. The fact is *no* scholarship is neutral; all science and research is deeply shaped by the personal beliefs of the researcher.

These reflections move into the discussion of how the book was received, so let me turn to that now.

### The Life of a Book

I hoped people would read and think with

me. For some readers, this might still lead to an affirmation of traditional positions, but hopefully with more nuance and sophistication. That would be better than what we regularly have in public debate from the traditional side. The appeals from traditionalists often make it seem that Scripture and tradition are pure and unequivocal sources, not impacted by interpretation and experience. For other readers, this might lead to an affirmation of a progressive position, but hopefully with more serious grounding in our traditional sources than is often the case. Appeals to personal experience and disregard for tradition are most common among those who hold this position.

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I am not sure who read the book beyond my friends. But friends were instrumental in its relatively wide readership in the ELCA. Largely because of the advocacy of Drs. Timothy F. Lull and Martha Ellen Stortz, my teachers at Pacific Lutheran Theological Seminary in Berkeley, leaders in the ELCA began reading it, especially after the 2001 Churchwide Assembly voted for a study of human sexuality and especially of homosexuality.

Dr. Merton Strommen's book came out in 2001 and began attracting attention in the Midwest.<sup>9</sup> The Task Force for ELCA Studies on Sexuality picked Strommen and me for their pro/con books to read together. Subsequently, *The Lutheran* asked us each to write an article addressing the question, "Can homosexuality be considered another expression of God's creation?" The title of Strommen's article, "Not Part," signals his perspective. I tried to say "Yes, Part." That is what *The Lutheran* wanted, and that is what they got.

But what I got in response is depressing. Friends and strangers who agreed slapped me on the back in congratulations. Others who disagreed called me names in disgust. Almost none seemed to engage the ideas and dig for the truth. This sort of name-calling moves me toward some reflection about where we are in the ELCA just now.

### The Current ELCA Debate

Most readers of this newsletter will know that the Task Force for ELCA Studies on Sexuality has sent out *Journey Together Faithfully, Part Two: The Church and*

*Homosexuality*. Upon its release, I immediately sat down and read it through. It will not create the sensational headlines that *The Church and Human Sexuality: A Lutheran Perspective*<sup>10</sup> did when it was released to the press in 1991 (cf. "Lutheran Report Supports Gay Marriage"<sup>11</sup>). But it may not provoke the kind of interest that the previous draft study did, either. From the start, the work of this Task Force has seemed to me to be seeking unity above truth, and to be more focused on process than content. Don't mis-read me. I am about to mention the importance of charitable speech. We need structures that foster it. But the discussion *so* values parity of voice that it seems like a quota system has been set up for public speech.

Look at the volume edited by Dr. James Childs, *Faithful Conversations: Christian Perspectives on Homosexuality*. In the introduction, Childs says, "These essays are slanted more toward service to the church's study and deliberation than toward advocacy for a specific viewpoint."<sup>12</sup> How odd to oppose seeking truth and service to the church! If proposing a specific viewpoint were not service to the church, Luther's Ninety-Five Theses would never have sparked the Reformation! The biblical addendum to *Journey Faithfully, Part Two: The Church and Homosexuality* exhibits the same tendency. Two scholars, who really do disagree, do evenhanded work in "service to the church's study and deliberation."

Just as we are a church in danger of losing the ability to speak charitably, so we are a church in danger of losing the ability to speak the truth of our convictions in vibrant and compelling terms. Are we not the church begun by a firm "Here I stand?" Why are we not able to engage in debate similar to the Anglican Church's dialogue over the St. Andrew's Day Statement, where Professor Oliver O'Donovan and the Archbishop of Canterbury, Rowan Williams, strongly disagree about homosexuality and yet love each other still, commending one another for seeking fruitful means of debate.<sup>13</sup>

Let me close with an example of how this type of constructive dialogue might happen, but usually does not. I deeply respect Dr. William Lazareth, having learned a tremendous amount from him and having read nearly everything he has written on Lutheran theology and ethics. Yet I dis-

agree with his position on homosexuality. He wrote a response in *Lutheran Forum* to reviewers of his recent book on Luther's ethics.<sup>14</sup> In this response, he (re)articulates his social-ethical position on homosexuality. He argues for protection of gay people under civil law, even as the law theologically condemns gay "practice" (sex) as intrinsically disordered and sinful. He cites the biblical condemnation of same-sex acts and God's mandate for the heterosexual order of creation. Then he argues that gays are saints under the justification of Christ's redemptive grace. But since the Gospel's teaching for the Christian life offers marriage as a holy order only for heterosexuals, gays must be celibate "cross-bearers."<sup>15</sup>

In the next issue of *Lutheran Forum*, Dr. Paul Hinlicky sent in an appreciative letter regarding Lazareth's clarification of his "stance against antinomianism" and his articulation of a "moderate, pastoral, evangelical approach to ministry with and for gays and lesbians who are Christians and who wish to be active in the church." In the process, he argues that the Gospel does not allow us to abolish either the moral laws of creation or the eschatological goal of creation's redemption, as the ELCA proposals for ordination and blessing of gays and lesbians

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would. He also says, in passing reference to my article in *The Lutheran* in March, that "in a time when *The Lutheran* can publish a feature article celebrating purposeless sexual desire—otherwise known as the will to power—I see nothing ahead but a fork in the road."<sup>16</sup>

Issue one: Dr. Lazareth and Dr. Hinlicky have raised crucial theological issues relative to the ELCA discussion. They in effect are saying, don't confuse Law and Gospel. The Gospel redeems, but does not remove the Law. The traditionalist position echoes Jesus, who says to the woman who was about to be stoned, "go and sin no more" (John 8:11). Their complaint

about antinomianism is a complaint against those who use the Gospel to welcome gays and lesbians, when they (the traditionalists) argue that Gospel welcome is not the problem. The problem is rather the Law, relative to homosexuality in creation, and what we ought to commend to baptized gay and lesbian members in their effort to live faithfully.

Laurie Jungling, a doctoral student at the Graduate Theological Union, helped me in seeing that we are facing two differing views on the Law and the doctrine of creation.<sup>17</sup> Some think the moral law, the law of creation, the natural law in Catholic parlance, absolutely prohibits same-sex relationships. This tends to be rooted in an appeal to a physical understanding of natural law (physical complementarity) used to interpret Genesis 1 and Matt. 19 and bolstered by the texts from both testaments that condemn same-sex acts. Cross-bearing celibacy is the only spiritually and physically responsible answer for those who cannot change their orientation.

Opponents of this approach shift the moral law argument along the lines of the relational reinterpretation of natural law, which says "natural" has more to do with relationships, intention, and the fruits of the action in line with the law of love, as the foundation of natural law. Many gay people testify that they cannot change, have stable erotic desire for persons of the same sex, and experience this as natural. Thus they claim that some people are gay, not as a result of a broken and sinful creation, but as a part of the good diversity of all creation, like left-handedness. Gay people are subject to God's Law and sinners only as all people are. Their actions should show forth fruits in agreement with the law of nature, which is the law of love, thus ruling out promiscuity, sexual violence, exploitation, infidelity, molestation, and all such abuses.

It seems incredible to say that homosexuals are persons beloved by God, that we ought to protect their rights under civil law, that we welcome them under the Gospel in our common baptism and life in Christ, while saying in the same breath "one of your most basic desires, like hunger and thirst, is so disordered and evil, that you may never act upon it." Can a person be created,

loved, and redeemed by God, and yet be so fundamentally disordered? The ELCA Bishops' letter of 1996 is caught in this dilemma, as is the Vatican's 1986 letter on pastoral care of homosexual persons.<sup>18</sup> But it is clarifying to say that the real center of the debate is not willingness to be welcoming, and the dilemma is not Gospel. The dilemma is law and life in Christ. We who want and argue for change need to face this.

Issue two: Dr. Hinlicky has significant views to contribute on this issue. So do most others who seek to uphold the teaching of Holy Scripture and the Church's tradition on same-sex unions and the ordination of those in such unions. But he, like so many in our church today, falls victim to the temptation to use complaint categories such as "Protestant-Gnostic sectarian" and "antinomian," terms that condense—and may muddy—their intended meaning, especially when read by those not intimately involved in the debate. Such labels can be understood to mean "bad" but that does not point us to the substance of the disagreement. After reading Hinlicky's letter in *Lutheran Forum*, I wrote to him suggesting substantive dialogue on my article and his response. He graciously responded with his most pressing concerns and our dialogue is ongoing. I hope that such private dialogue will also find forums in public, so that we can model and encourage dialogue across supposed divides in the ELCA.

If we want to foster such dialogue we need something like what the late British Dominican, Gareth Moore, offers as a set of principles to guide the argument. Let me close by quoting only a few of these principles, while commending the whole book to you:

Bad arguments need to be avoided. These do not convince, and give the impression there are no good arguments. We sometimes have the tendency not to examine too closely arguments that support our own position. Bad arguments can be used to make us feel more comfortable in pre-conceived positions that may be false. We need to be on guard against ourselves, conscious that we want to be more comfortable, to have our positions reinforced. To safeguard against error, we need to accept that our own position is open to scrutiny, both from those sympathetic to us and from those opposed to us. We often learn most from our opponents.<sup>19</sup>

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It is not easy to write a calm and thoughtful response on controversial issues. We need more than rules for the process of talking about homosexuality and Christianity. Rather we must find ways to think well, deeply, and with charity across divides of deeply held conviction.

<sup>1</sup> Christian Batalden Scharen, *Married in the Sight of God: Theology, Ethics, and Church Debates over Homosexuality* (Lanham, Maryland: University Press of America, 2000); and Christian Batalden Scharen, "Gay Christians: Symbols of God's New Creation," *The Lutheran* (March, 2003): 22-23.

<sup>2</sup> Martin Luther, "Marriage Laws Must Be Adapted to the Times (1539)," in *Table Talk, Luther's Works, American Edition 54* (Philadelphia: Fortress Press, 1967), 349.

<sup>3</sup> This is the term used to translate the theological sense of "orders of creation" theology, in Robert Benne, *Ordinary Saints: An Introduction to the Christian Life, Second Edition* (Minneapolis: Fortress Press, 2003), 63ff.

<sup>4</sup> Martin Luther, "To the Christian Nobility of the German Nation (1520)," *Luther's Works, American Edition 44* (Philadelphia: Fortress Press, 1966) 178.

<sup>5</sup> Martin Luther, "Lectures on Genesis 15-20 (1535)," *Luther's Works, American Edition 3* (Philadelphia: Fortress Press, 1961), 252.

<sup>6</sup> "denial of," "departure from," and "contrary to" are from, respectively, the United Lutheran Church in America's 1956 statement, "Marriage and Family Life," the Lutheran Church in America's 1970 statement, "Sex, Marriage and Family," and the American Lutheran Church's 1980 statement, "Human Sexuality and Sexual Behavior." All are available on the ELCA's website. See [www.elca.org/faithfuljourney/resources](http://www.elca.org/faithfuljourney/resources).

<sup>7</sup> Cf. Jeffery John's booklet, *Permanent, Faithful, Stable: Christian Same-Sex Partnerships* (London: Darton, Longman, and Todd, 2000).

<sup>8</sup> Martin J. Heineken, "Sex, Marriage, and Family: A Contemporary Theological Perspective," in *Sex, Marriage, and Family: A Contemporary Christian Perspective*, New York: Board of Social Ministry, Lutheran Church in America, 1970, p. 50

<sup>9</sup> Merton P. Strommen, *The Church and Homosexuality: Searching for a Middle Ground* (Minneapolis: Kirk House Publishing, 2001).

<sup>10</sup> "The Church and Human Sexuality: A Lutheran Perspective," Division for Church in Society, Evangelical Lutheran Church in America, October, 1993.

<sup>11</sup> Don Lattin, *The San Francisco Chronicle*, Thursday, 21 October 1993, sec. A, p. 10.

<sup>12</sup> James M. Childs, Jr., ed. *Faithful Conversations: Christian Perspectives on Homosexuality* (Minneapolis: Fortress Press, 2003), 3.

<sup>13</sup> Rowan Williams, "Knowing Myself In Christ," pp. 12-19, and Oliver O'Donovan, "Homosexuality in the Church: Can There Be Fruitful Debate?" pp. 20-36, in Timothy Bradshaw, ed., *The Way Forward? Christian Voices on Homosexuality and the Church*, 2nd ed. (London: SCM Press, 2003).

<sup>14</sup> William H. Lazareth, *Christians in Society: Luther, the Bible, and Social Ethics* (Minneapolis: Fortress Press, 2001).

<sup>15</sup> William H. Lazareth, "Antinomians: Then and Now," *Lutheran Forum* 36 (Winter 2002): 18-22. The language of "cross-bearers" comes from the Congregation for the Doctrine of the Faith, "On the Pastoral Care of Homosexual Persons," Letter to the Bishops of the Catholic Church, October 1, 1986. See Eugene F. Rogers, Jr., ed., *Theology and Sexuality: Classic and Contemporary Reading* (New York: Blackwell, 2002), 249-258.

<sup>16</sup> "Hinlicky to Lazareth," *Lutheran Forum* 37 (Spring 2003): 5.

<sup>17</sup> For more on this distinction in natural law teaching, see Richard Gula, *Reason Informed By Faith: Foundations of a Catholic Morality* (Mahwah, New Jersey: Paulist Press, 1989).

<sup>18</sup> The ELCA Bishops' letter can be found at [www.elca.org/faithfuljourney/resources](http://www.elca.org/faithfuljourney/resources).

<sup>19</sup> Gareth Moore, O.P., *A Question of*

*Truth: Christianity and Homosexuality* (New York: Continuum, 2003), 4-5.

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## WITNESS OUR WELCOME, 2003

*Editorial Note: The information in this article comes from four persons who attended the 2003 WOW Conference and wrote reports on it. They are Adam DeBaugh, Editorial Director at Chi Rho Press, Winston-Salem, NC, Dirk Selland, Co-Chair of Lutherans Concerned/North America, Baltimore, MD, Shenandoah Gale, Director of the Steinbruck Center for Urban Studies, Washington, DC, and Paul Tidemann, Pastor of St. Paul-Reformation Lutheran Church, St. Paul, MN.*

Over 1,000 lesbian, gay, bisexual, transgendered, and straight people from Canada and the US attended the WOW (Witness our Welcome) Conference, held in Philadelphia, at the campus of the University of Pennsylvania, last August 14-18. The theme of the conference was "God's Deliverance Is For All."

WOW is an ecumenical gathering of LGBT Christians and their straight supporters, who are part of the Reconciling Church movement, those congregations in the mainline denominations which have made a public welcome to the LGBT community. The Reconciling movement operates in the United Church of Canada, the United Methodist Church, the Baptist Church, the Church of the Brethren, the Mennonite Church, the Metropolitan Community Church (MCC), the Presbyterian Church, the Disciples of Christ, the United Church of Christ, and the Evangelical Lutheran Church in America. Elder Marco Grimaldo, an openly Gay Presbyterian, and the Rev. Wanda Floyd, of Imani MCC in Durham, North Carolina, were the co-chairs of the Conference.

## We Worshipped

The worship experience provided a variety of traditions, more on the Gospel-evangelical than the liturgical side. They were well done and held in several different churches in the area.

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