

**Comments on the
"Draft Social Statement on Human Sexuality"
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"ELCA social statements are theological and teaching documents that assist members in forming judgments on social issues. They offer a framework for moral discernment. They also set policy for this church, guide its advocacy, and aid its life as a public church" (I). This means that a social statement does many things: teach, assist members in forming judgments, set policy, and above all provide a "framework for moral discernment." Needless to say, it is difficult for any statement to do justice to all of these aspects. Therefore this draft invites responses, and the following lines are meant as a response.

First of all the question must be asked why it is necessary for the ELCA to provide a social statement on human sexuality. Here the ELCA follows other mainline churches that have human sexuality – especially homosexuality – high on their agenda. But their members do not seem to honor this concern, since mainline churches continue to lose members. A very different agenda might come from the New Testament gospels. There Jesus admonishes the people to repent, amend their ways, and prepare their lives for entrance into the kingdom. It may seem strange to many sex-obsessed people today, but Jesus never mentioned human sexuality except in the context of marriage or in its breach. Even Martin Luther's famous 95 Theses started with the call for repentance as a life-long process and not the proclamation of the liberating gospel. This may parenthetically show how far we have strayed away not just from the Lutheran Reformation, but also from Jesus' own proclamation.

When we read the draft on human sexuality, we notice at once that only in a very small section does it deal with homosexuality, even eschewing the term completely by talking about same-gender committed relationships.

Following a brief introduction, the statement provides an extensive theological foundation for its deliberations. As a Lutheran, one wonders, however, when one reads: "We ground our ethics in Scripture and the living voice of the gospel" (100). Does this mean a dual foundation of Scripture and tradition, as in Roman Catholicism? Conservative Lutherans who emphasize the *sola scriptura* may certainly have some questions about this sentence.

Then there are many statements that sound more like rhetoric or lifeless abstractions. For instance, we read that "we need something other than laws and guidelines to free us from this captivity" of sin (227-8). What is the statement directed toward or against? Or we read: "A Lutheran sexual ethic looks to the death and resurrection of Christ as the source for the values that guide it" (315-6). Does this statement really want to say that Christ's death and resurrection provide values for a sexual ethic? At least in my New Testament, Christ's death and resurrection are intimately connected with providing salvation and not sexual morality. Then we read: "Particularly in the area of sexuality, the Bible can be misused to support an ethics of legalism on the one hand or an ethics of relativity on the other. For this reason Lutheran Confessions are particularly focused on protecting the purity of the gospel and properly distinguishing God's promises from God's commands" (412-416). The drafters of the Lutheran Confessions certainly did not have in mind the misuse of the Bible in the area of sexuality. One may also wonder about the headline of Section 3, "Sexuality as part of God's

creative activity" (436). In contrast to Near Eastern fertility cults, in the Judeo-Christian tradition sexuality has never been understood to be part of God's creative activity.

But this section also contains comments that are worthwhile to ponder. For instance: "What is acceptable behavior in one social or historical context may not be acceptable in others. ... The encounter with beliefs and practices of different communities – common in today's pluralistic society – may lead to conflict and uncertainty" (547-9, 553-5). Also the emphasis in IV on "strong families as a ground and a source of trust" (630-1) is well-taken. Yet then the statement also mentions "families with same-sex parents" (692). There it claims: "The central issue is whether a family performs the indispensable personal and social tasks that families are intended to accomplish" (692-4). Even if the state provides legal provision for same-sex partners to be "married", one wonders whether the church needs to try to catch up with the state and also call such arrangements "families". There are single mothers and there are single fathers, but there are no same-sex parents because such an arrangement is biologically impossible and biblically ungrounded. Furthermore, the sexual image that such "same-sex parents" provide does not lend itself to establishing future heterosexual commitments. Indeed, it points in the homosexual direction. The box on the same page, however, states: "The central issue is whether a family performs this indispensable personal and social tasks that families are intended to accomplish." But with "same-sex parents" a modelling of father and mother is strictly impossible, whereas with single parents this is at least a potentiality.

On the other hand, it is good that also in terms of sexuality the church rediscovers its teaching function, as exhibited in lines 968-980 and the concomitant box. There the church affirms that marriage is the most appropriate place for physical intimacy, and the church "does not support non-monogamous, promiscuous and transient sexual relationships or casual sexual encounters." Yet "the purpose of marriage is not solely to legitimate genital relations, but to create long-term, durable communion for the good of others" (1018-9). While this church does not close its eyes to the presence of sin and failures in marriage, it recognizes that "the Christian tradition placed great emphasis on the value of marriage" (1035-6). Also the issue of cohabitation is treated with care (1055-1090).

The next section on "same-gender committed relationships" is much more controversial. The statement states that "after many years of study and conversation, this church does not have consensus regarding loving and committed same-gender relationships" (1116-8). The statement also recognizes that "in their pastoral response, some pastors and congregations will advocate repentance and celibacy. Other pastors and congregations will call our same-gender-oriented brothers and sisters in Christ to establish relationships that are chaste, mutual, monogamous, and life-long" (1142-1145). This means the statement does not really take sides, though the affirmation of same-gender couples is much more extensive than the rejection of that lifestyle.

A strong tenor in this statement is the sexual abuse of others, especially of children, including the cases involving the pastoral office. The exploitation of sexuality in public life and in commerce is rightly denounced and strongly rejected. In conclusion the statement says that "based on the theological foundation established in the social statement, this church should continue to engage in moral deliberation regarding human sexuality" (1422-24). Indeed, such deliberation is certainly needed, as it is on other issues of human life. Yet one wonders whether the emphasis on love for others is not seen in a one-sided and condoning way if it is

not prefaced with Jesus' statement concerning the unconditioned love for God, from which follows the love for oneself and for the neighbor.

When one looks at this statement in Mk 12:29-31, it is clear that Jesus proclaims nothing new with this commandment of love. He simply combines two Old Testament statements (Deut 6:4f. and Lev 19:18). Should this really be the core of Jesus' message? If it is, we should not forget that the unreserved love of God stands in the center. The Social Statement on Sexuality, however, has a different theological starting point regarding "the ethics of sexuality": "In this respect, the incarnation of Christ and the justification of the sinner as the starting point for moral discernment provide both a guard and a guide" (432-4). Starting with incarnation and justification may sound good. But what does incarnation have to do with sexual ethics? How often did Jesus mention sexuality, or what do we know about his own sexuality? We can gain nothing for the ethics of sexuality by starting with the incarnation of Christ except for the truism that Jesus became human. But could we conclude that this sanctions human actions with respect to sexuality? Hardly.

What then about the justification of the sinner? Again, justification of the sinner sounds good. But sinners are not justified to continue sinning. The sinners are justified to amend their ways. What does this mean for sexual ethics? Are the justified sinners those who should continue to sin boldly with regard to their sexual practice? Except for an ethics of permissiveness, which, I assume, the statement does not want to advocate, the starting point of the justification of the sinner is again amiss. Why does the statement avoid starting with the ethical precepts of the gospels, the Sermon on the Mount? True, that Sermon has a long tradition of being considered inconvenient for the church; yet is an ethical teaching ever convenient? The Statement could also have started with the Pauline imperatives or the ethical exhortations in the Pastoral Letters. Again, no mention is made of them. With this amazing silence and the advocating of truisms (incarnation, justification of the sinner), which do not help in founding a sexual ethic, we are left wondering whether the Social Statement provides a good starting point for subsequent deliberations on an ethics of sexuality.