



The Normative Character of Scripture for Matters of Faith and Life: Human Sexuality in Light of Romans 1:16-32*

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SINCE ROM 1:16-32 IS THE FOCUS OF OUR DISCUSSION IT WOULD SEEM THAT THE most appropriate way to honor it would be to read it. It may just be that hearing it will go a long way toward answering our question, just as Paul intended so long ago....¹

Do we really need to ask about the "normative character" of those words? If we have heard them at all, should we not rather ask, "Who shall deliver us?" And this is only the first leg of Paul's law sermon in which he is going to end in the mighty crescendo, "There is none righteous, no not one." I would think, therefore, that the first question is really not whether we shall presume to honor the normative character of scripture. The primary question is rather just who is exegeting

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¹What J. L. Martyn says about Galatians holds also, I would expect, for Romans: "Paul wrote Galatians in the confidence that *God* intended to cause a certain event to *occur* in the Galatian congregations when Paul's messenger read the letter aloud to them....The author we see in the course of reading Galatians is a man who *does* theology by writing in such a way as to *anticipate* a theological event." "Events in Galatia," in *Pauline Theology*, vol. 1, ed. Jouette M. Bassler (Minneapolis: Fortress, 1991) 161.

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whom? Are we exegeting the scriptures first and foremost, or are we being exegeted by the scriptures? Who is the acting subject in this matter? We? Or the Spirit who speaks through the scriptures? Perhaps the question for this session ought to be rephrased. Will scripture exercise or be allowed to exercise its normative character among us in the midst of our conflicts?

I. TWO MODELS FOR INTERPRETATION

Broadly speaking, there are two fundamentally different models operative in the interpretation of scripture. In the first and perhaps most universally assumed model, the exegete as “subject” stands over against the text as the “object” to be interpreted. The interpreter occupies the space between the text and the reader or hearer. The immediate problem with such a model is subjectivism or potential arbitrariness. How can we be sure the interpretation is correct, i.e., not distorted by the biases of the interpreter? At this point one usually appeals to authorities beyond or above the individual, to the tradition perhaps, and ultimately, as in Roman Catholicism, to a teaching office or a pope. The model seems to drive inexorably toward some place “where the buck stops.” Where there is no such place, the model founders. Protestants, as we are all aware, have tried to make scripture itself the place where the buck stops by appealing to doctrines of scriptural inerrancy. But exegesis itself soon undermines such claims. So in the end we are left only to hope in some more collective instance of authority, perhaps in scholarly consensus—hardly a likely or even a pleasant prospect!—or, of late, perhaps even the pronouncements of a task force, an attempt on the part of the church, it would seem, to reclaim its lost teaching office. But such attempts meet with little success. While this model has been useful in answering questions about the basic “what” of the text, it leaves us in the lurch when we come to disputed issues, the “so what.” Where the exegete stands as interpreting subject over against the text as object to be interpreted, the threat of subjectivism is never really overcome. Pluralism appears as our only recourse. Then either the conflict rages on with no prospect for resolution or it grinds to a halt under the weight of repressive tolerance or just plain ennui.

The second model is much more subtle and perhaps difficult to operate with. It is the model proposed by the reformation understanding that sacred scripture interprets itself (*Scriptura sacra sui ipsius interpres*).² To make a long story short, this means that the roles of the text and the interpreter are essentially reversed. The

²A helpful recent study on the matter is Walter Mostert, “*Scriptura sacra sui ipsius interpres*,” *Lutherjahrbuch* 46 (1979) 60-96. The claim that scripture interprets itself is not to be confused with the concept of the perspicuity of scripture. That simply means that scripture does not disagree with itself, or perhaps that where one passage is unclear, another can be found to clear up the difficulty. That scripture interprets itself means rather that scripture as divine word is active in establishing itself over against the interpreter. Where the interpreter understands him or herself only as subject operating on the text the normative character of the text is usually suspended. The development of this model since at least the enlightenment in the form of “critical” exegesis has meant that the interpreter willy nilly assumes the position of “defense attorney” on behalf of “modernity” against the claims of the text. Then one must ask whether it is possible to speak of the normative character of the text at all.

Spirit speaking through the scriptures effects this reversal by the weight of the scriptural claim itself. Upon the hearing of scripture, the interpreter cannot remain standing simply as subject over against the text as object to be interpreted. Rather, in the engagement with scripture, the scripture comes to interpret the exegete. The scriptural word, that is, finds, exposes, and establishes the very being of the hearer — as creature, as guilty sinner, as justified, obligated, called to serve, etc. It is the task of the exegete to “get out of the way,” so to speak, and allow the Spirit who authored the scriptures to speak. That means that the subjective stance, the *sensus proprius* of the interpreter, is set aside so that scripture can have its way with us. The interpreter is to be the mouthpiece, so to speak, for the text. Ultimately, the interpreter is to become a preacher of the text.

Here too it is recognized that the greatest difficulty for interpretation is the subjectivism of the interpreter. But in this view it is recognized that subjectivism cannot be overcome simply by formal or juridical appeals to institutions over and above the individual. The subjectivism, it is realized, is not merely intellectual error, but is ultimately due to temptation and cannot be overcome simply by appeals to collective authorities. Appeals to tradition, teaching office, or scholarly consensus, or purely formal declarations about biblical inerrancy are attempts merely to substitute collective for individual subjectivism. Even the claim that possession of the Spirit gives one special advantage is a power play that attempts to elevate the individual above the storms of conflict.³ The claim that scripture be heard as interpreting itself means that the problem of conflicting interpretations can be handled only when the Spirit speaking through the scriptures actually ends the matter — which is to say, ends the claims and needs of the old dying subject and calls to life a new one who hears and heeds the word. That scripture interprets itself is simply the hermeneutical correlate of justification by faith alone. The word finds us, finds us out, kills, and gives us life. Therein lies its authority. From this perspective, claims made for extra-scriptural authority structures and/or merely formal declarations about biblical authority are constructs which in one way or another are simply a reflex of the needs of the old subject.

II. THE PLACE OF THE LAW

What might this have to say about the problem at hand? We are concerned here in Romans 1 and in other passages having to do with sexuality with the law and its uses in the light of the gospel. As we indicated at the outset, if we hear Romans 1 with any sensitivity at all, perhaps we begin to grasp what the reformers meant by scripture exegeting us, not vice versa. The question that arises is not so much “What do these words mean?” That is painfully obvious, I should think. The question is rather, “Who shall deliver us? How can the voice of the law be stilled?” And the only answer to that, if one is to honor the normative claim of scripture, is Christ. Christ is the end of the law, that those who have faith may be justified. That

³Thus Luther always insisted that the claim to authority based on possession of the spirit in the “enthusiasts” was basically the same as that of the papacy.

being the case, the Christian understanding of the normative character of scripture as law “resonates,” to use an image from chemistry, between two poles. The first pole is the announcement that “Christ is the end of the law, that everyone who has faith may be justified” (Rom 10:4). But the second is a question put to us, “Do we then by this faith render the law useless?” To which Paul replies with his emphatic *μη γένοιτο*, “No way! We set the law in its proper place,” or, “We establish the law” (Rom 3:31).

“Christ is the end of the law that everyone who has faith may be justified.” That is the first pole. It is the announcement of the gospel and that, I take it, is the deepest reason we are here. Acknowledging that gospel announcement is the necessary first step in honoring the normative character of scripture in the matter before us. If we do not take that first step, we will get no farther together. We must be clear above all that the law is not the way of salvation. Christ alone is that. We must be clear that the issue before us is not immediately one of salvation. It is rather a matter of the law and how we shall honor what scripture has to say on that score. If Christ is the end of the law, what does that mean for our deliberations? Two points should be made. One, since Christ is the end, and I take that to mean both *telos* and *finis*, both goal and cessation, no law of any sort can be imposed upon us simply on the ground that it is biblical, or even that it is commanded by God. Christ is the end. Legalism is over. But two, that means exactly what it says: *Christ* and Christ alone is the end, nothing else, no one else, not theology, not exegesis, not ecclesiastical authority, surely not the pope, not human progress, not some assurance that “things have changed,” not developments in genetics, not even a task force, can bring the law to an end for us. If we hear the voice of the law in Romans 1 and are troubled by it there is only one remedy for that: Christ. Only as we are in Christ, indeed, only to the degree that we are in Christ, does the law end. If we are not in Christ, we are under the law. Indeed, to put it most strongly, the law hounds us until we are in Christ. And I suppose, truth to tell, that is also the reason we are here, on whatever side of the issue we find ourselves. The law is after us. We should make no mistake about that. To recognize that is to begin to see what it means to say that the scripture interprets itself: it is doing it right now. It exposes who we are and just what is going on. And Christ alone is the goal of it all. God does have a goal for us and will not give up on us until it is reached. If we do not realize that, we have no inkling whatsoever of what the normative character of scripture is all about.

But now that brings us to the second pole. If Christ is the end of the law to those of faith, do we by that faith render the law useless? “Absolutely not,” says Paul. On the contrary, we set the law in place, we establish its rightful place and its true authority. No doubt this is the most subtle aspect to the doctrine of the law. How is it established by a faith that believes its end? That is precisely the point. Only a faith that knows of its true end, both its goal and its cessation, will be able to let it stand just as it is and begin, at least, to gain some insight into the way God the Spirit puts the law to proper use. Without that faith, I have no hope; I do not know or can no longer trust the end, and then must take steps to defend myself.

Then I proceed in a faithless manner. If the law is endless I must fashion an end of my own. I must take steps to explain it away, tone it down to manageable proportions, pronounce it obsolete, or perhaps erase it altogether. This can have only one result. If I do not believe in the end, then willy nilly I become a defense attorney against the text. And such a move, it seems superfluous to say, can only spell the ultimate denial of any normative character for scripture. It is because Christ and Christ alone is the end that I can let the law stand *just as it is*. The law is established in that it stands until the goal to which it points is reached in Christ. Indeed, I think Paul can be read in these early chapters of Romans to be saying that, now that Christ has come, we all have no excuse for not heeding the law, whoever we are. It is not just coincidental that these words follow immediately upon a classic statement of justification by faith. It is not just coincidental that the unrelenting champion of the gospel could be the one to write these words. Because we are justified by faith, there is now neither any need for nor point to changing it, toning it down, indulging in casuistry, or erasing it. But such activity is, of course, futile. We can't really do much about a text like Romans 1. "It is written." It is "inspired" scripture. It is canon. It can't be changed. It will always be there waiting for us. Unless, of course, we plan to expunge it altogether. In that case, this entire discussion would be pointless.

So, if our discussion is to honor the normative character of scripture, it will "resonate" between the two poles: Christ is the end of the law to faith, on the one hand; but, on the other, such faith does not render the law useless but rather establishes it. What might this mean for us in the discussion of the difficult questions of sexuality? First of all, since Christ ends the law, no direct or literal legalistic appeals to isolated passages of scripture can be taken as decisive. As Luther could say, Moses is dead.⁴ We don't want to hear Moses. At the same time, however, if the end establishes the law, it cannot be ignored or treated as simply irrelevant. It is now put to its proper use. We may want to ask much about some passages. Do they apply to us? Some passages obviously hit us harder or more directly than others. Yet we must ask whether something is not to be retrieved from even the most obscure passages. In any case, it would seem that if we are to honor scripture we can only proceed on the premise that at least within the perspective of scripture there is a reason for things, and we cannot rest until we are satisfied we have done our best to see it. Thus Luther could say, for instance, that even though Moses is dead, there is much in Moses that is useful for us, because it is reasonable in the daily tasks of shaping and caring for life. Or to put it in another way, it is in agreement with the "natural law." Mention of natural law, of course, conjures up all sorts of ghosts out of the ethical abyss that we need not contend with at the moment. By natural law Luther, I think we can say without overly complicating matters, just meant that which nature and common sense enjoin to care for human community.

⁴Martin Luther, "How Christians Should Regard Moses," in *Luther's Works*, vol. 35, ed. E. Theodore Bachmann (Philadelphia: Muhlenberg, 1960) 165.

III. OUTCOMES

What might this mean for recognizing the normative character of scripture? We have tried to set the stage hermeneutically. Where does it take us? First, since we do not wish to proceed in absolutist or legalistic fashion, careful arguments will have to be made. But they must be arguments that seriously strive to honor the biblical perspective. That means that it will not do, surely, simply to isolate and dispute for or against certain passages that speak of homosexual acts. The problems we face are deeper than that. And we will begin to sound those depths, I expect, only if we read with some of the fear and trembling that arises from the realization that scripture interprets itself, that ultimately it is we who are being exegeted, not vice versa.

Is it not obvious, for instance, that our fixation with “having sex,” as it is called, is itself an idolatry akin to those of which Paul speaks in Romans 1, a fixation that vacillates between obsession on the one hand and trivialization on the other? We seem to think that everyone has a right to life, liberty, and the pursuit of a satisfying orgasm, whenever and wherever it may be found. Once that is assumed, any honoring of the scriptural word on either homosexual acts or heterosexual relations is already undercut, and it is just arbitrary to raise questions about preferring one over the other. Consequently, a text like Romans 1 will become a threat to all “holding down the truth in unrighteousness.” Could it even be that the almost universal objection to Paul’s words about homosexual acts roots simply in the suspicion that were we to credit them our own “preferences” are next to go?

A text like Romans 1 calls upon us to concern ourselves in our argumentation with much broader biblical perspectives, no matter how difficult that may be. Questions of sexuality can be considered only within the horizons of biblical anthropology, the understanding of creation, law, sin, redemption, marriage, and family. And, I think, we dare not neglect the tradition of the church. The tradition, after all, is simply a record of how the faithful have read and sought to honor the scriptures in the past. Even though we are not legalistically bound to it, it deserves to be honored and ought not be changed without compelling argument.

Second, honoring the normative character of scripture means something of paramount importance for the approach to interpretation. It simply will not do for interpreters of texts like Romans 1 to take up the role of defense attorney for the hearer against the text. This is not about wearing hats in church. The argument is as terrifying as it is massive. Paul is not immediately or ultimately even concerned with homosexual practices. He has something much more serious and frightening in mind. It is the wrath of God. It is idolatry and subsequent abandonment by God. The abandonment by God spawns all manner of wickedness. Homosexual practices are a prime example for Paul, but one among a whole catalogue of ungodliness and wickedness. Since they did not honor God as God or give thanks to him, they became futile in their thinking and their senseless minds were darkened. Because of that, Paul says, “God gave them up in the lusts of their hearts to impurity, to the dishonoring of their bodies among themselves.” Or, “God gave

them up to a base mind and to improper conduct. They were filled with all manner of wickedness, evil, covetousness, malice. Full of envy, murder, strife, deceit, malignity.”

What shall we say? Who is being exegeted here? Have you listened to the news lately? According to Paul, all of this is not finally due to biology or to willful choice, but rather to God’s giving up. A rather frightening thought, is it not? And what shall we do about it as interpreters? Just here is where we are tempted always to become defense attorneys for our hearers. The usual move seems to be to defend ourselves with our modernity. Surely we cannot be so gauche, so gothic, as to believe that there is actually a God who might do such things? Is Paul then wrong, or out of date? Can we comfort ourselves with that? Or perhaps he had been reading the Old Testament too much? If I assume that I am somehow the interpreting and acting subject here, then of course my biggest temptation will be to act out of sympathy and try to protect you from the text. For, to steal a line from Luther, “My heart is not made of stone. I am no child of the Marpesian crags.”⁵ Do you think I don’t feel any sympathy? Do you think I enjoy doing this?

But you see I cannot come away from a reading of Romans 1-3 without the realization that I too am on the line. I too am being exegeted. Who, after all, is the “they” of whom Paul is speaking? Is it not all those against whom the wrath of God is being revealed from heaven for holding down the truth in unrighteousness, not only those who do the things catalogued but also those who condone them? How shall we honor a text like that unless we realize that it intends to catch us all in its web and end with the crushing word that there is none righteous, no not one. Can I step between you and the text to assure you that this curious business about the wrath of God is passé now? What good would that do you? Can my sympathy or cleverness protect you from the wrath of God? It would be rather dangerous to think so, to say the least!⁶

Finally, if scripture exegetes us rather than vice versa, we will likely ask a somewhat different set of questions in these matters. What is it that we are up to here? Why this incessant knocking on the door of the church for approval or blessing? Can even church pronouncements help us? A task force is not the end of the law! Why are we constantly looking for loopholes in Paul’s argument? Paul’s point in Romans 1-3 surely is exactly that there is no way out. Shall we come away from this exercise with the hollow consolation that this text holds only for some long forgotten Romans, perhaps, who knew no better than to worship snakes and

⁵LW33:51.

⁶The point here is that you don’t need me to protect you from the accusing voice of the law. You have Christ for that. You don’t need to be comforted by all the statistics of change and so forth (dangerous comfort anyway!). Christ will free you from the curse of the law. Indeed, if I am doing my duty, I should be hammering away even more relentlessly until you at last give up and cry “I repent, have mercy, Lord!” You should really be on your guard if I try to comfort you by toning down or defending you from the law, because before you know it I will take Christ from you too and make you a present of “my theology,” my “opinions” about God. You don’t need me for that. I can at best preach Christ to you for that. The question for you now is the second one: shall we continue in sin that grace may abound? Now the question is how my life is to be shaped for care of the neighbor and the world.

birds? Can we really rest comfortably with the claim that Paul didn't even consider or know of the possibility of loving and committed relationships between persons of the same sex?⁷ Could one really expect scripture to support the idea that loving and committed relationships justify just about any sort of sexual activity? Or is it possible that had Paul known that sexual preference is an orientation rather than a conscious choice he would not have said the things he did?⁸ From the biblical perspective, and certainly from Paul's, this would seem hardly persuasive. Sin in the biblical view is never simply a willful act. The tradition has always held that sin was "original," some would even say "inherited," and not at its root just the result of a conscious and deliberate act of will. But that doesn't make it any less a sin. It only makes it more tragic for us all.

No, Paul's point is that there are no loopholes, there is no way out but the one God has set: "Jesus Christ my sure defense," as the hymn writer put it. Jesus Christ alone is the end of the law, and the law will sound until we arrive there at last. We would be less than sympathetic if we did not direct our hearers to that end. For when it comes down to it, if we are to honor scripture, all we have to offer finally is not loopholes, but absoluteness and newness of life. If that is not the end of our conversation, I fear it has no end at all.

ADDENDUM: ON THE FIRST USE OF THE LAW*

Much of our conversation has revolved around the doctrine of the first use of the law. However, even though the doctrine has been talked about considerably, no consistent argument about what is involved has actually been made. We need therefore to ask more directly: Does the first use of the law provide "room" within which homogenital sex acts can be approved? If one considers carefully what that doctrine is all about, the answer has to be no. To see this, one has to study the matter much more closely than we have yet done or can do here. For now, the following points can be made. I proceed somewhat in reverse by stating the conclusion first and then make some remarks about the doctrine itself.

*Professor Forde added these remarks during a panel discussion on April 15, 1994.

⁷The argument that Paul was speaking of heterosexuals involved in homosexual acts, and that it would have been alright had it been homosexuals doing such acts seems to me to be quite preposterous—an extreme case of the exegete trying to defend the hearer against the text.

⁸The attempt to marshal so-called scientific evidence to prove that homosexuality is an orientation and not a choice and to call Paul's indictment into question on this score, is, it seems to me, not a proper or careful way to argue. In the first place, the evidence is still eminently doubtful. There is still no agreement in the scientific community, and even if there were, most true scientists would be more modest. But in the second place, it hardly seems appropriate for those who seek to honor the normative character of scripture to call it into question on such a slim basis.

1. When the sexual and marriage laws of the Bible were extended beyond the immediate confines of the biblical material, the result was the doctrine of the *estate of marriage* and its laws, an estate that was heterosexual, monogamous, and by intention, permanent. The estate was designed to preserve the family and to protect those involved and society itself from the vagaries of individualistic and selfish desire. The claim that this application of the first use of the law should now be reversed, altered, or expanded to accommodate a desire which is completely individualistic is quite contrary to the entire point of the first use of the law. The first use is concerned about the social consequences of our deeds and misdeeds. The claim that a change in context alters the matter, i.e., that homogenital sex acts might occur within a committed and loving relationship, misses the purpose and function of the law because it shifts the focus from society to the satisfaction of individualistic desire. The appeal to supposed "evidence" from biological or social science is consequently for the most part myopic, onesided, and usually hopelessly romantic. Mostly it seems that the only "science" to be admitted is conjecture about whether or not the desire involved is biologically determined. Generally ignored is evidence of and learned discussion about the destructiveness, both physical and social, of homogenital sexual activity. Since the propaganda for such activity has taken on the character of an ideology, its case apparently does not need to be argued. All that is necessary is that opposition be discredited by sloganeering. This procedure absolutely cannot fit under the rubric of the first use of the law. What happens is that law loses whatever force it had and is simply pushed aside. The content of the law is apparently to be determined by current pop sociology and sentimentalism. This is an abuse of the law, not a use.

2. The doctrine of the uses of the law is just what it says. It is about the *uses* of the law, not about the content of the law. The content of the first use is exactly the same as that of the second use and comes from the same sources. It is inconceivable therefore that a law considered according to the first use could contradict the second. Nor can one appeal to the doctrine of the first use of the law as a rubric under which to justify modification or accommodation, such that the first use would be something perhaps more liberal or permissive than the second. (As a matter of fact, orthodox Lutheranism actually maintained that the uses of the law applied to different classes of people. The first use applied to the unregenerate, the second to those being awakened, and the third to the regenerate. No relaxation of law in any of its uses was therefore envisaged.) It is unthinkable, therefore, that the doctrine of the uses of the law could be used to advocate an alteration such that what was once immoral should now be considered moral. The law has, indeed, always to be applied concretely, but not abused by being reversed. If the content of the first use is radically changed, then the second use is of course undercut since there is no longer any sin to accuse. And where there is no use for the law, there is also, of course, no use for Christ. The argument follows the standard argument of recent theology: sin is condoned rather than forgiven, and Christ is of no effect.

3. The contentious area in the Lutheran doctrine of the uses of the law has always been the question of the third use. This is important, because it sheds light

on the place of the first two uses. The issue, to make a long story short, is whether or not the reborn Christian is to be held within the boundaries of and informed by the law. Those who insisted on the third use said yes. Those who rejected the third use said no. This debate is very subtle and complex and demands a lot more attention that can be given here. At any rate, since the Formula of Concord attempts to align itself with the third use, it is quite inaccurate to say that the confessions can be appealed to in support of accommodations in the first use of the law on matters of sexual morality. The reason the confessors were inclined to support the third use was that they feared just the sort of thing that is going on today, i.e., that under the pretext of the Spirit's guidance, believers would set "self-chosen" works in the place of the commandments of God. One cannot appeal to the confessions for support in relaxing the first use in the case of sexual practice. One might do better to seek support among those who opposed the third use and were subsequently (quite wrongly, I believe) rejected by the Formula of Concord as "antinomian."

4. However, even the alleged antinomians do not provide support for what is being suggested by the ELCA sexuality document and its supporters. Those who rejected the third use of the law did so because, following Luther's call to the freedom of a faith active in love, they believed that the third use of the law was too constricting and that Christian love led them to go *beyond* the letter of the law in denying the self and its introverted desires for the sake of the neighbor. If, as Luther maintained, the Christian is a perfectly free lord of all, subject to none, one is consequently free to be a perfectly dutiful servant, subject to all. Such believers, they held with Luther, are indeed free to write "their own decalogue." But such a decalogue would certainly not be one to pander to selfish desire. Just the opposite. Homogenital relations and partnerships would not be acceptable, precisely because their only claim to value is the gratification of individual desire. They have no redeeming moral or social value. Indeed, to be open and "scientific" here, one would have to do what is almost never done in these discussions. One would have to listen carefully also to those who point out the physical and social destructiveness of homogenital sex and attendant relationships. If one is to be honest and open, that is just exactly what the Lutheran doctrine of the uses of the law would demand. If one is not willing to do that, one had best leave the doctrine alone.